

Washington State Register

SEPTEMBER 21, 1994

OLYMPIA, WASHINGTON

ISSUE 94-18



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filed not later than September 7, 1994

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

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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 September 1994 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.

WASHINGTON STATE REGISTER

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Olympia, WA 98504-0552

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
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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Intent that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section 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 with a section's material.

2. 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 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.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) 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.

4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one 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.

5. 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].

1994 - 1995

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		
<i>For Inclusion in--</i>	<i>File no later than--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>
94-16	Jul 6	Jul 20	Aug 3	Aug 17	Sep 6
94-17	Jul 27	Aug 10	Aug 24	Sep 7	Sep 27
94-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
94-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
94-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
94-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
94-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
94-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
94-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1995
95-01	Nov 23	Dec 7	Dec 21, 1994	Jan 4, 1995	Jan 24
95-02	Dec 7	Dec 21, 1994	Jan 4, 1995	Jan 18	Feb 7
95-03	Dec 21, 1994	Jan 4, 1995	Jan 18	Feb 1	Feb 21
95-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 7
95-05	Jan 18	Feb 1	Feb 15	Mar 1	Mar 21
95-06	Feb 1	Feb 15	Mar 1	Mar 15	Apr 4
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95-10	Apr 5	Apr 19	May 3	May 17	Jun 6
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95-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
95-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
95-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1996

¹All 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.

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

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

WSR 94-18-005
PREPROPOSAL STATEMENT OF INTENT
LIQUOR CONTROL BOARD

[Filed August 24, 1994, 4:21 p.m.]

Specific Statutory Authority for New Rule: RCW 66.08.030.

Reasons Why the New Rule is Needed: The 1992 legislature amended RCW 66.28.010 to allow breweries and wineries to apply for additional retail license classes. The language which the board believes to be necessary would permit a retailer to start a brewery or winery at the retail location. The board has received several requests for license applications to provide for this type of development. At the present time, the only way this can be accomplished is by the retailer giving up the existing license, opening the manufacturing business and applying for a new retail license.

Goals of New Rule: To relieve the situation wherein a retail license must discontinue business, obtain a new winery or brewery license and then reapply for a new retail license. At the present time, this is how a retailer may become a manufacturer and then reapply for a retail license.

Process for Developing New Rule: Input from licensees (both manufacturers and retailers).

How Interested Parties can Participate in Formulation of the New Rule: David Goyette, Regulatory Services, P.O. Box 43094, Olympia, WA 98504, (206) 753-2724, FAX (206) 753-2710; or Rich Raico, M.I.W. Section, P.O. Box 43094, Olympia, WA 98504, (206) 664-2249, FAX (206) 753-2710. Comments are due by September 21, 1994.

August 23, 1994

Joe McGavick
 Chairman

WSR 94-18-006

PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF HEALTH

(Health Professions Quality Assurance Division
 Office of Professional Standards)

[Filed August 25, 1994, 9:31 a.m.]

Specific Statutory Authority for New Rule: RCW 43.70.040 Secretary professions/programs, RCW 18.130.050(1) Boards/commissions.

Reasons Why the New Rule is Needed: Amend chapter 246-10 WAC, Administrative procedures—Adjudicative proceedings; and chapter 246-11 WAC, Model board rules. Rules are to be amended to provide additional standardization of processes, to clarify rules, and to update rules regarding regulatory boards that have now been combined as commissions.

Goals of New Rule: To further refine relatively new rules regarding the adjudicative proceedings process for both the secretary controlled professions/programs, and those regulated by boards and commissions.

Process for Developing New Rule: Interested parties previously contacted during the rule development process will be notified of their opportunity to provide recommended changes and/or additions to the rules by October 14, 1994.

How Interested Parties can Participate in Formulation of the New Rule: Interested parties are to provide written recommendations regarding deletions, changes, and/or

additions by October 14, 1994, to: Office of Professional Standards, P.O. Box 47872, 2413 Pacific Avenue, Olympia, WA 98504-7872, Attn: Bonnie King, Administrator, phone (206) 664-8881 or 664-0961, FAX (206) 664-0114.

August 24, 1994

Bruce Miyahara
 Secretary

WSR 94-18-009

PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 (Public Assistance)

[Filed August 25, 1994, 9:40 a.m.]

Specific Statutory Authority for New Rule: RCW 74.08.090. WAC 388-511-1105, 388-511-1140 and 388-511-1160.

Reasons Why the New Rule is Needed: WAC 388-511-1105, add a cross-reference; and WAC 388-511-1140 and 388-511-1160, add payments from Dutch government (WUV) program as exempt income and resources.

Goals of New Rule: Ensure appropriate treatment of income/resources. Add cross-reference to facilitate use of WAC.

Process for Developing New Rule: Agency study, comply with SSI rules; and meeting with ELS (1105).

How Interested Parties can Participate in Formulation of the New Rule: Joanie Scotson, Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (206) 753-7462, FAX (206) 753-7315, TDD 1-800-848-5429.

August 25, 1994

Dewey Brock, Chief
 Office of Vendor Services

WSR 94-18-017

PREPROPOSAL STATEMENT OF INTENT
COMMUNITY COLLEGES OF SPOKANE

[Filed August 26, 1994, 8:52 a.m.]

Specific Statutory Authority for New Rule: RCW 28B.50.140(13).

Reasons Why the New Rule is Needed: To identify certain prohibited conduct and behavior by students on the college campuses.

Goals of New Rule: To clarify to students the types of conduct and behavior which are not acceptable on the college campuses.

Process for Developing New Rule: Proposed additions to existing student conduct code submitted by student services administrators.

How Interested Parties can Participate in Formulation of the New Rule: Geoffrey J. Eng, District Director, Affirmative Action, Administrative Services, Community Colleges of Spokane, North 2000 Greene Street, Spokane, WA 99207, SCAN 271-8667, FAX 271-8052.

August 24, 1994
Geoffrey J. Eng
District Director
Affirmative Action
Administrative Services

Mailstop 45400, Olympia, WA 98504, phone (206) 438-8324
or (SCAN 585), FAX 438-8258 or (SCAN 585).

August 29, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 94-18-024
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
(Public Assistance)
[Filed August 29, 1994, 10:52 a.m.]

Specific Statutory Authority for New Rule: RCW 74.08.090.

Reasons Why the New Rule is Needed: Omnibus Budget Reconciliation Act (OBRA) 1993, prohibits providers from having a financial interest in support services to which they are referring their patients. Chapters 388-86 and 388-87 WAC will be changed to incorporate the federal language related to Medical care—Services provided and Medical care—Payment.

Goals of New Rule: New rules will prohibit medical providers from referring their clients to support services in which the provider has a financial interest.

Process for Developing New Rule: Review by interested persons and groups.

How Interested Parties can Participate in Formulation of the New Rule: Bobbe J. Andersen, Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (206) 753-0529, FAX (206) 753-7315, TDD 1-800-848-5429.

August 29, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 94-18-025
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 29, 1994, 10:53 a.m.]

Specific Statutory Authority for New Rule: RCW 74.04.510.

Reasons Why the New Rule is Needed: 7 CFR 273.9 (c)(1b) clarifies treatment of foster care payments as excluded income. WAC 388-49-470 Income—Exclusions.

Goals of New Rule: Issuance will clarify that adult and child governmental foster care payments from foster care individuals, who are considered boarders, an excluded income.

Process for Developing New Rule: Internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before final rule is used.

How Interested Parties can Participate in Formulation of the New Rule: Contact Joan Wirth, Program Manager, Food Stamp Program Section, Division of Income Assistance,

WSR 94-18-026
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 29, 1994, 10:54 a.m.]

Specific Statutory Authority for New Rule: Food and nutrition service (FNS) verbal clarification of CFR 273.8 (e)(5) and CFR 273.8 (h)(1)(i) regarding treatment of resources. Clarification of CFR 273.1(b) to define an ineligible student as a nonhousehold member.

Reasons Why the New Rule is Needed: Revision is needed to clarify a fishing boat essential to self-employment of a household member is treated the same as farm equipment and, as such, is excluded from resources for the food stamp program. WAC 388-49-410 Resources—Exempt and 388-49-430 Resources—Vehicles.

Goals of New Rule: Exclude the value of a fishing boat when it is essential to the self-employment of a household member. Define ineligible students as nonhousehold members.

Process for Developing New Rule: Internal (management) and external (field staff) review process, whereby draft material is distributed for review and comment. All comments are taken into consideration before final rule is issued.

How Interested Parties can Participate in Formulation of the New Rule: Contact Mike Arnaud, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (206) 438-8322 or (SCAN) 585-8322, FAX 438-8258.

August 29, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 94-18-035
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 30, 1994, 11:38 a.m.]

Specific Statutory Authority for New Rule: Request of upper management in response to the court cases *Chaplin v. Sugarman and Kramarevcky*, *Jinneman v. DSHS*.

Reasons Why the New Rule is Needed: This rule is needed to provide regulatory language to the applicability of the concept of allowing the point of law of equitable estoppel to be used as a defense in adjudicated actions concerning eligibility and receipt of financial assistance, medical assistance and food stamp benefits. WAC 388-200-1125.

Goals of New Rule: The goal of this new rule is to provide the administrative law judges, fair hearing coordina-

tors, other the Department of Social and Health Services staff and clients the conditions when a party can claim equitable estoppel and the requirements for proof.

Process for Developing New Rule: Negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Kay Hanvey-Smithson, Aid to Families with Dependent Children Section, Division of Income Assistance, Mailstop 45400, Olympia, Washington, (SCAN 585) 438-8316, FAX 438-8258.

August 30, 1994
Dewey Brock, Chief
Office of Vendor Services

WSR 94-18-043

PREPROPOSAL STATEMENT OF INTENT DEPARTMENT OF LICENSING

[Filed August 31, 1994, 9:52 a.m.]

Specific Statutory Authority for New Rule: RCW 46.01.110.

Reasons Why the New Rule is Needed: Amend WAC 308-96A-035 to authorize an agent of the registered owner of a vehicle to affect annual renewal of the owner's vehicle.

Goals of New Rule: To permit annual renewal of vehicle registrations by persons other than the registered owner.

Process for Developing New Rule: Negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Carol Judge, Department of Licensing, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, (206) 902-3815. Comments are requested by October 11, 1994.

August 30, 1994
Nancy Kelly
Administrator

WSR 94-18-052

PREPROPOSAL STATEMENT OF INTENT BOARD OF ACCOUNTANCY

[Filed August 31, 1994, 3:20 p.m.]

Specific Statutory Authority for New Rule: RCW 18.04.055(5).

Reasons Why the New Rule is Needed: WAC 4-25-710 CPA certificate—Education requirements, the Washington Society of CPAs (WSCPAs) has asked the board to consider an increase to the education requirements to one hundred fifty semester hours from one hundred twenty semester hours. The WSCPAs believes the increase is needed to assure that CPA candidates are competent and to assure that this state's CPAs can obtain reciprocity from the thirty states that have adopted the one hundred fifty semester hour standard.

Goals of New Rule: To improve the overall quality of work performed by CPAs confronted with advancing technology, an increasingly complex business environment, and society's continuing demand for accounting and auditing services.

Process for Developing New Rule: Agency study.

How Interested Parties can Participate in Formulation of the New Rule: In writing to: Carey L. Rader, Executive Director, Washington State Board of Accountancy, 210 East Union, Suite H, Mailstop 43110, P.O. Box 9131, Olympia, WA 98507-9131, (206) 753-2585, FAX (206) 664-9190. In person: Public hearing, Seattle Center, Center House, Conference Room H, 305 Harrison, Seattle, WA, on Thursday, November 17, 1994, at 9:30 a.m.

August 31, 1994
Carey L. Rader
Executive Director

WSR 94-18-061

PREPROPOSAL STATEMENT OF INTENT CLOVER PARK TECHNICAL COLLEGE

[Filed August 31, 1994, 4:53 p.m.]

Specific Statutory Authority for New Rule: Title 28B RCW and Title 495C WAC.

Reasons Why the New Rule is Needed: Establish academic policy, correct responsible party, and correct location title and location deletion.

Goals of New Rule: Establish policy and correct information.

Process for Developing New Rule: Normal rule-making process including this preproposal statement of intent (CR-101) filing which gives rules by subject (and by group) that our agency intends to adopt over the course of the next year. Rules will be adopted individually, however.

How Interested Parties can Participate in Formulation of the New Rule: Cathie Reid, Vice-President of Administrative Services, Clover Park Technical College, 4500 Steilacoom Boulevard S.W., Tacoma, WA 98499.

August 30, 1994
Cathie Reid
Vice-President
Administrative Services
Rules Coordinator

WSR 94-18-079

PREPROPOSAL STATEMENT OF INTENT INSURANCE COMMISSIONER

[Order A-7—Filed September 2, 1994, 2:00 p.m.]

Specific Statutory Authority for New Rule: RCW 48.02.060, 48.74.080, 48.76.060, 48.30.010. "Universal Life"

Reasons Why the New Rule is Needed: To protect consumers by creating and applying standards for policies of universal life insurance.

Goals of New Rule: As to policies of universal life insurance: Facilitate review of policy forms, establish valuation requirements, establish nonforfeiture standards, specify mandatory policy provisions, establish minimum disclosure requirements, establish filing requirements, define and prohibit certain unfair practices.

Process for Developing New Rule: Agency study.

How Interested Parties can Participate in Formulation of the New Rule: Roy Olson, Insurance Commissioner's

Office, P.O. Box 0255, Olympia, WA 98504-0255, FAX 586-3535.

September 2, 1994
Krishna Fells
Chief of Staff

WSR 94-18-080

**PREPROPOSAL STATEMENT OF INTENT
INSURANCE COMMISSIONER**

[Order A-3—Filed September 2, 1994, 2:03 p.m.]

Specific Statutory Authority for New Rule: RCW 48.02.060, 48.87.100.

Reasons Why the New Rule is Needed: Correct typographical error in WAC 284-87-030.

Goals of New Rule: Correct typographical error.

Process for Developing New Rule: Solicitation of written comments.

How Interested Parties can Participate in Formulation of the New Rule: Kacy Brandeberry, Insurance Commissioner's Office, Insurance Building, P.O. Box 0255, Olympia, WA 98504-0255.

September 1, 1994
Krishna Fells
Chief of Staff

WSR 94-18-081

**PREPROPOSAL STATEMENT OF INTENT
INSURANCE COMMISSIONER**

[Order A-5—Filed September 2, 1994, 2:05 p.m.]

Specific Statutory Authority for New Rule: RCW 48.74.025, 48.02.060, 48.36A.250, and 48.36A.260.

Reasons Why the New Rule is Needed: Specify requirements for the actuarial opinion and memorandum required by RCW 48.74.025 and also required by the instructions for insurers' annual statements. This is part of the National Association of Insurance Commissioners (NAIC) accreditation project.

Goals of New Rule: Specify requirements for the actuarial opinion and memorandum required by RCW 48.74.025 and also required by the instructions for insurers' annual statements. This is part of the National Association of Insurance Commissioners (NAIC) accreditation project.

Process for Developing New Rule: Solicitation of written comments.

How Interested Parties can Participate in Formulation of the New Rule: Roy Olson, Insurance Commissioner's Office, Insurance Building, P.O. Box 40255, Olympia, WA 98504-0255.

September 1, 1994
Krishna Fells
Chief of Staff

WSR 94-18-082

**PREPROPOSAL STATEMENT OF INTENT
INSURANCE COMMISSIONER**

[Order A-4—Filed September 2, 1994, 2:07 p.m.]

Specific Statutory Authority for New Rule: RCW 48.02.060, 48.30.010.

Reasons Why the New Rule is Needed: Correct typographical errors in WAC 284-23-600 through 284-23-730.

Goals of New Rule: Correct typographical errors.

Process for Developing New Rule: Solicitation of written comments.

How Interested Parties can Participate in Formulation of the New Rule: Kacy Brandeberry, Insurance Commissioner's Office, Insurance Building, P.O. Box 0255, Olympia, WA 98504-0255.

September 1, 1994
Krishna Fells
Chief of Staff

WSR 94-18-096

**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF ECOLOGY**

[Order 94-36—Filed September 2, 1994, 4:23 p.m.]

Specific Statutory Authority for New Rule: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Reasons Why the New Rule is Needed: This rule amendment has been requested by Stevens County to amend the Stevens County shoreline master program.

Goals of New Rule: To adopt a shoreline master program for Stevens County satisfying the requirements of the state Shoreline Management Act of 1971. This will amend WAC 173-19-410.

Process for Developing New Rule: The master program for Stevens County was developed by a local citizen advisory committee and County Planning Commission. The program was reviewed at public meetings held in the north county region (Colville) and south county (Nine Mile Falls near Spokane). The program was reviewed at two public hearings (Colville and Nine Mile Falls) before the Board of County Commissioners.

How Interested Parties can Participate in Formulation of the New Rule: Copies of the master program are available from Mr. Hal H. Hart, Stevens County Planning Director, Box 191 Courthouse Annex, Colville, WA 99114, (509) 684-2401. Comments on the plan can also be sent to Mr. Hart. Contact Peter Skowlund, Department of Ecology, P.O. Box 47690, Olympia, WA 98504-7690, SCAN (206) 407-6522, FAX (206) 407-6535, for information on the state review process.

August 28, 1994
Linda G. Crerar
Water and Shorelands
Assistant Director

WSR 94-18-105
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed September 6, 1994, 11:14 a.m.]

Specific Statutory Authority for New Rule: Definition of nonhousehold member for the food stamp program in 7 CFR 273.1(b). Nonhousehold and ineligible household members, WAC 388-49-260.

Reasons Why the New Rule is Needed: Ineligible students are treated the same as nonhousehold members. Ineligible students need to be defined as nonhousehold members rather than ineligible household members.

Goals of New Rule: Clarifies that ineligible students are treated as nonhousehold members except that they cannot be considered for separate eligibility because they are ineligible for food stamp benefits.

Process for Developing New Rule: Internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before final rule is issued.

How Interested Parties can Participate in Formulation of the New Rule: Contact Wendy Forslin, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (206) 438-8323 or SCAN 585, FAX 438-8258 (SCAN 585).

September 6, 1994
 Dewey Brock, Chief
 Office of Vendor Services

WSR 94-18-110
PREPROPOSAL STATEMENT OF INTENT
EMPLOYMENT SECURITY DEPARTMENT
 [Filed September 6, 1994, 3:15 p.m.]

Specific Statutory Authority for New Rule: RCW 50.12.010 and 50.12.040.

Reasons Why the New Rule is Needed: Program has ceased to exist due to the expiration of statutory authority.

Goals of New Rule: Make WAC consistent with current laws. Repealing WAC 192-42-005, 192-16-005, 192-16-010, 192-16-021, 192-16-030, 192-16-056, 192-16-057, 192-16-058, 192-16-060, and 192-16-081.

Process for Developing New Rule: Process is as follows: disseminate CR-101; based on comments revise rulemaking; file formal rule and distribute for public comment; and adopt rule.

How Interested Parties can Participate in Formulation of the New Rule: Chris Webster, 438-4140, FAX 438-4014; Larry Malo, 438-4611; John Nemes, 438-4002, FAX 438-3226.

September 4, 1994
 Vernon E. Stoner
 Commissioner

WSR 94-18-111
PREPROPOSAL STATEMENT OF INTENT
EMPLOYMENT SECURITY DEPARTMENT
 [Filed September 6, 1994, 3:17 p.m.]

Specific Statutory Authority for New Rule: RCW 50.12.010, 50.12.040, 34.05.310, et seq.

Reasons Why the New Rule is Needed: WAC 192-04-090(2) *Nava v. Employment Security Department* court settlement; and WAC 192-04-060, 192-04-063, 192-04-170 and 192-04-175 are housekeeping amendments to conform to current practices except WAC 192-04-170(4) requires information needed to process pleadings and limits those pleadings to five pages.

Goals of New Rule: To implement court settlement agreement; and set forth detailed statements of current practices to provide procedural uniformity.

Process for Developing New Rule: Pilot rule making.

How Interested Parties can Participate in Formulation of the New Rule: Employment Security Department, Attn: John Nemes, Rules Coordinator, P.O. Box 9046, Olympia, WA 98504; Teresa M. Morris, Director, Office of Management Review, phone (206) 493-9435; Norman J. Ericson, Chief Review Judge, Commissioner's Review Office, phone (206) 493-9435; Bert Balliett, Administrative Assistant, Office of Management Review, phone (206) 493-9435; and John Nemes, Rules Coordinator, Office of Management Review, phone (206) 438-4002, FAX (206) 438-3226.

September 6, 1994
 Vernon E. Stoner
 Commissioner

AMENDATORY SECTION (Amending WSR 89-24-030, filed 11/30/89, effective 1/1/90)

WAC 192-04-060 Appeals—Petitions for hearing—Petitions for review—Time limitation—Forms. Any interested party who is aggrieved by any decision of the department set forth in WAC 192-04-050 may file a written appeal or petition for hearing ((with)) in person at, or by mailing it to, any job service center or district tax office or the unemployment compensation agency in any other state or territory in which he or she then resides. ((Such)) The appeal or petition for hearing shall be filed within thirty days of the date ((such)) the decision is delivered or mailed, whichever is the earlier. If the appeal and/or petition for hearing is mailed, it shall be filed in accordance with the provisions of RCW 50.32.025.

Any interested party who is aggrieved by a decision of the office of administrative hearings, other than an order approving a withdrawal of appeal, an order approving a withdrawal of a petition for hearing, a consent order, or an interim order, may file a written petition for review in accordance with the provisions of WAC 192-04-170. ((Such)) The petition for review shall be filed within thirty days of the date of delivery or mailing of ((such)) the decision of the office of administrative hearings, whichever is the earlier. If the petition for review is mailed it shall be filed in accordance with the provisions of RCW 50.32.025.

At the request of ((such)) an interested, aggrieved party, the employment security department shall furnish forms for the filing of a notice of appeal, petition for hearing, or

petition for review, but the use of such forms is not a jurisdictional requirement.

NEW SECTION

WAC 192-04-063 Aggrieved party. An aggrieved party is a claimant or an employer who receives an adverse decision of the department set forth in WAC 192-04-050 or an adverse decision of the office of administrative hearings.

AMENDATORY SECTION (Amending WSR 89-24-030, filed 11/30/89, effective 1/1/90)

WAC 192-04-090 Untimely appeals—Petitions for hearing or petitions for review—Good cause. (1) The following factors shall be considered in determining whether good cause exists under RCW 50.32.075 for the late filing of an appeal, petition for hearing or petition for review:

- (a) The length of the delay,
- (b) The excusability of the delay, and
- (c) Whether acceptance of the late filed appeal, petition for hearing, or petition for review will result in prejudice to other interested parties, including the department.

(2) In determining the excusability for the late filing of an appeal, petition for hearing or petition for review, the office of administrative hearings or the commissioner's review office shall take into account any physical, mental, educational or linguistic limitations of the appealing or petitioning party, including any lack of facility with the English language.

AMENDATORY SECTION (Amending WSR 89-24-030, filed 11/30/89, effective 1/1/90.)

WAC 192-04-170 Decision of commissioner—Petition for review—Filing—Reply. (1) The written petition for review shall be filed ~~((with))~~ in person at any job service center or by mailing it to the agency records center of the ((E))employment ((S))security ((D))department((, 212 Maple Park Drive, Olympia, WA, 98504, or the unemployment compensation agency in any other state or territory. Such petition for review shall be filed within thirty days of the date of the mailing or delivery of the decision of the Office of Administrative Hearings, whichever is the earlier.)) within thirty days of the date of mailing or delivery of the decision of the office of administrative hearings, whichever is the earlier. Out-of-state residents may file the petition for review in person at the unemployment compensation agency of the state or territory in which they then reside or by mailing it to the agency records center of the employment security department within thirty days of the date of the mailing or delivery of the decision of the office of administrative hearings, whichever is the earlier.

(2) Any written argument in support of the petition for review must be attached to the petition for review and be filed contemporaneously therewith. The commissioner's review office will acknowledge receipt of the petition for review ~~((and mail a copy of such acknowledgement to the petitioning party and his or her representative of record, if any.))~~ by assigning a review number to the case, entering the review number on the face of the petition for review, and setting forth the acknowledgement date on the petition for review. The commissioner's review office will also mail

copies of the acknowledge~~((ment.))~~ d petition for review and attached argument in support thereof to the petitioning party, nonpetitioning part~~((ies of record))~~ and their representatives of record, if any.

(3) Any reply to the petition for review and any argument in support thereof by the nonpetitioning party shall be filed ((within fifteen days of the date of mailing of the acknowledgment of the petition for review)) in person at, or mailed to, the commissioner's review office. ((It shall be mailed or delivered to the commissioner's review office, Employment Security Department, 212 Maple Park Drive, Olympia, WA, 98504, and to all other parties and their representatives.)) The reply must be received by the commissioner's review office within fifteen days of the date of mailing of the acknowledged petition for review. An informational copy shall be mailed by the nonpetitioning party to all other parties of record and their representatives, if any.

(4) The petition for review and argument in support thereof and the reply to the petition for review and argument in support thereof shall:

(a) Be captioned as such, set forth the docket number of the decision of the office of administrative hearings, and be signed by the party submitting it or by his or her representative.

(b) Be legible, reproducible and five (5) pages or less. ((4)) (5) Arrangements for representation and requests for copies of the hearing record and exhibits will not extend the period for the filing of a petition for review, argument in support thereof, or a reply to the petition for review.

((5)) (6) Any argument in support of the petition for review or in reply thereto not submitted in accordance with the provisions of this regulation shall not be considered in the disposition of the case absent a showing that failure to comply with these provisions was beyond the reasonable control of the individual seeking relief.

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

NEW SECTION

WAC 192-04-175 Advisement order. On behalf of the commissioner, the commissioner's review office may prevent finality of any decision of the office of administrative hearings and take jurisdiction of the proceedings for review thereof by issuing an order so providing and mailing a copy of the advisement order to the parties of record and their representatives within the same period allowed for the filing of a petition for review. The parties of record will be given fifteen days to submit argument in support of or in opposition to the decision of the office of administrative hearings, as well as in response to any departmental memorandum suggesting to the commissioner's review office that it consider taking a decision of the office of administrative hearings under advisement. That argument and/or response from the parties of record must be hand delivered or mailed to the commissioner's review office and received by that office within fifteen days from the date of mailing of the order taking the decision of the office of administrative hearings under advisement.

WSR 94-18-120**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF ECOLOGY**

[Order 94-31—Filed September 7, 1994, 8:13 a.m.]

Specific Statutory Authority for New Rule: The Washington State Clean Air Act (RCW 70.94.037) directs the Departments of Ecology and Transportation to adopt rules that provide criteria and guidance for demonstrating that state, regional and local governments' transportation activities conform with the state implementation plan (SIP) for air quality. The statute also directs state rules to comply with the Federal Clean Air Act (42 U.S.C. 7401) and the federal conformity regulations (40 CFR Part 51 Subpart T). The federal regulations direct the state to adopt conformity provisions into the SIP. Transportation activities include state, regional and local transportation plans, programs and projects in areas subject to a SIP for achieving or maintaining air quality.

Reasons Why the New Rule is Needed: Amendments to the existing state conformity rule are needed to comply with the federal transportation conformity regulation (40 CFR part 51 Subpart T) which requires the state rule to be consistent with federal rules. The state rule has procedural and methodological differences with the federal regulations that need correction. Failure to correct the differences, even though they are generally minor, could result in failure to complete the requirements for achieving redesignation of our nonattainment areas and imposition of federal sanctions. Sanctions include withholding of federal highway construction moneys and more stringent controls on any new emissions from businesses or industries in nonattainment areas.

Goals of New Rule: The goal of the amendments is to comply with the federal transportation conformity regulation and obtain Environmental Protection Agency approval of the state's conformity state implementation plan (SIP).

Process for Developing New Rule: Negotiated rule making, the required amendments will be negotiated with EPA Region X staff; and the Conformity Advisory Committee which assisted in development of the rule will be reconvened to review the proposed amendments.

How Interested Parties can Participate in Formulation of the New Rule: Interested parties can obtain information on how to participate by contacting Paul Carr at the Air Quality Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, or by phone at (206) 407-6863.

August 3, 1994

D. J. Patin

Assistant Director

WSR 94-18-121**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed September 7, 1994, 9:53 a.m.]

Specific Statutory Authority for New Rule: RCW 75.08.080 and 77.12.040.

Reasons Why the New Rule is Needed: The department is proposing to have a single combined recreational fishing pamphlet for 1995-1996. In order to have such a document,

coordinated rules are required. In addition, the department is soliciting recommendations for fish management in 1995-1996.

Goals of New Rule: Simplification and clarification of existing recreational fishing rules. Coordination between Titles 220 and 232 WAC. Provide recreational fishing opportunity consistent with conservation goals.

Process for Developing New Rule: Agency study.

How Interested Parties can Participate in Formulation of the New Rule: Bruce Crawford, Fish Program Assistant Director, 600 North Capitol Way, Olympia, WA 98501, FAX 902-2158. All comments must be received by November 15, 1994.

September 2, 1994

Evan Jacoby

Legal Counsel

WSR 94-18-125**PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF AGRICULTURE**

[Filed September 7, 1994, 10:45 a.m.]

Specific Statutory Authority for New Rule: WAC 16-228-600 revision. RCW 15.58.040 and 17.21.030.

Reasons Why the New Rule is Needed: The rule, if amended, will become part of a program intended to assist the small vegetable seed growers in Washington in obtaining needed pest control tools under federal special local need registrations.

Goals of New Rule: To classify certain small vegetable seed crop fields as nonfood/nonfeed sites of pesticide application. The rule will also establish conditions which must be met to ensure the crop will not be diverted to food or feed. This rule is also necessary to satisfy the federal Environmental Protection Agency as to the state's authority to enforce such conditions.

Process for Developing New Rule: There have been ongoing discussions with the small vegetable seed industry, Washington State University, the federal Environmental Protection Agency and the Department of Agriculture to develop conditions under which the state could issue special local need registrations for certain seed crops. This is the outcome of those discussions.

How Interested Parties can Participate in Formulation of the New Rule: The department is sending copies of the proposed wording to interested parties, allowing three weeks for response.

September 5, 1994

William E. Brookreson

Assistant Director

WSR 94-18-128**PREPROPOSAL STATEMENT OF INTENT
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed September 7, 1994, 10:53 a.m.]

Specific Statutory Authority for New Rule: Regulatory provisions pursuant to chapter 285, Laws of 1971 ex. sess.;

and general authority of state superintendent to adopt rules RCW 28A.300.040.

Reasons Why the New Rule is Needed: There is need to include application and reporting procedure in Title 392 WAC, Superintendent of Public Instruction.

Goals of New Rule: Provide clear expectations in the application and reporting processes for vocational technical education programs.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

How Interested Parties can Participate in Formulation of the New Rule: Send written comments to: Rules Coordinator/Legal Services, P.O. Box 47200, Olympia, WA 98504-7200, FAX (206) 753-4201, TDD (206) 664-3631. For telephone assistance contact: Nancy Johnson, (206) 753-5670.

September 2, 1994
Judith A. Billings
Superintendent of
Public Instruction

WSR 94-18-130
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF REVENUE

[Filed September 7, 1994, 11:43 a.m.]

Specific Statutory Authority for New Rule: RCW 82.32.300 which provides that the Department of Revenue shall make and publish rules and regulations necessary to enforce the administration of chapters 82.04 through 82.27, and 82.32 RCW.

Reasons Why the New Rule is Needed: Amendments to WAC 458-20-104 Exemptions—Volume of business, are needed to implement chapter 2, Laws of 1994 sp. sess., and to clarify existing instructions about tax relief for small businesses.

Goals of New Rule: To help businesses understand Washington's gross receipts tax relief for small business, which includes the tax credit system for the business and occupation (B&O) tax, and the minimum tax reporting threshold exemption for the public utility tax. The 1994 legislature changed the method for computing the volume of business exemption for B&O taxes from a minimum tax reporting threshold exemption to a B&O tax credit system on July 1, 1994.

Process for Developing New Rule: Department of Revenue modified negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Written comments should be addressed to Alan Lynn, Tax Policy Specialist, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, phone (206) 586-9040, FAX (206) 664-0972. For public meeting: General Administration Building, Director's Conference Room #415, 210 11th and Columbia, Olympia, WA, on October 13, 1994, at 9:30 a.m. Written comments should be submitted by the public meeting date to ensure full consideration, but will be accepted to date of adoption.

September 7, 1994
Les Jaster
Rules Coordinator

WSR 94-18-131
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF REVENUE

[Filed September 7, 1994, 11:45 a.m.]

Specific Statutory Authority for New Rule: RCW 82.32.300 which provides that the Department of Revenue shall make and publish rules and regulations necessary to enforce the administration of chapters 82.04 through 82.27, and 82.32 RCW.

Reasons Why the New Rule is Needed: Amendments to WAC 458-20-101 Tax registration, are needed to implement chapter 2, Laws of 1994, sp. sess., and to clarify existing instructions about tax registration requirements.

Goals of New Rule: To help businesses understand the tax registration requirements for the Washington Department of Revenue. The 1994 legislature deleted the fifteen dollar registration fee previously required of persons obtaining a tax registration endorsement with the department, and changed the conditions under which a person is not required to obtain a tax registration endorsement, effective July 1, 1994.

Process for Developing New Rule: Department of Revenue modified negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Written comments should be addressed to Alan Lynn, Tax Policy Specialist, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, phone (206) 586-9040, FAX (206) 664-0972. For public meeting: General Administration Building, Director's Conference Room #415, 210 11th and Columbia, Olympia, WA, on October 13, 1994, at 9:30 a.m. Written comments should be submitted by the public meeting date to ensure full consideration, but will be accepted to date of adoption.

September 7, 1994
Les Jaster
Rules Coordinator

WSR 94-18-132
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF REVENUE

[Filed September 7, 1994, 11:47 a.m.]

Specific Statutory Authority for New Rule: RCW 84.33.091.

Reasons Why the New Rule is Needed: Semi-annual stumpage value revisions are required by RCW 84.33.091. The rule to be amended is WAC 458-40-660.

Goals of New Rule: The department will present computed stumpage values for the first half of 1995.

Process for Developing New Rule: Modified negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Contact Robert Smith, Department of Revenue, P.O. Box 47472, Olympia, WA 98504-7472, phone (206) 753-1385, FAX (206) 664-8438. Meeting: At 1:00

p.m., on October 12, 1994, Department of Revenue Information Systems Conference Room, Carpet Exchange Building, 6300 Linderson Way, Tumwater, WA. Street parking only. Use south tower entrance and elevator to second floor information systems receptionist; and at 1:30 p.m., on October 12, 1994, Department of Revenue Conference Room, Sixth Floor, Northtown Office Building, North 4407 Division Street, Spokane, WA.

September 6, 1994
 Gary K. O'Neil
 Assistant Director
 Special Programs Division

WSR 94-18-133
PREPROPOSAL STATEMENT OF INTENT
DEPARTMENT OF REVENUE
 [Filed September 7, 1994, 11:50 a.m.]

Specific Statutory Authority for New Rule: RCW 82.32.300.

Reasons Why the New Rule is Needed: RCW 84.33.120(2) requires forest land values to be annually adjusted by the department by rule on or before December 31 of each year. WAC 458-40-540 will be revised to reflect the land value adjustments.

Goals of New Rule: To provide county assessors with the true and fair value of each parcel of bare forest land.

Process for Developing New Rule: Department of Revenue modified negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Written comments should be addressed to Bill Derkland, Department of Revenue, P.O. Box 47472, Olympia, WA 98504-7472, phone (206) 753-1359, FAX (206) 664-8438. For public meetings: At 1:00 p.m., on October 12, 1994, Department of Revenue Information Systems Conference Room, Carpet Exchange Building, 6300 Linderson Way, Tumwater, WA. Street parking only. Use south tower entrance and elevator to second floor information systems receptionist; and at 1:30 p.m., on October 12, 1994, Department of Revenue Conference Room, Sixth Floor, Northtown Office Building, North 4407 Division Street, Spokane, WA.

September 7, 1994
 Les Jaster
 Rules Coordinator

WSR 94-17-014
PROPOSED RULES
NORTHWEST AIR
POLLUTION AUTHORITY

[Filed August 9, 1994, 11:12 a.m.]

Original Notice.

Title of Rule: Northwest Air Pollution Authority regulation.

Purpose: To bring the Northwest Air Pollution Authority regulations up to date by amending, adding and deleting sections to reflect changes in the Washington Clean Air Act, Washington Administrative Codes, federal new source performance standards, national emission standards for hazardous air pollutants, adding provisions that promote effective air pollution control and raising fees to reflect added costs of performing duties.

Statutory Authority for Adoption: Chapter 70.94 RCW.
Statute Being Implemented: RCW 70.94.141.

Summary: Additions, amendments and deletions of the Northwest Air Pollution Authority regulation affect many sections.

Reasons Supporting Proposal: Incorporation of new stationary requirements and deletion of others will simplify enforcement and aid in reducing air pollution.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James Randles, 302 Pine Street, Suite 207, Mt. Vernon, WA 98273, (206) 428-1617.

Name of Proponent: Northwest Air Pollution Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Section 104 - Adoption of State and Federal Rules, this revised section specifically references all Washington Administrative Codes, federal new source performance standards, and national emission standards for hazardous air pollutants that have been promulgated at the time of adoption. These changes will allow the Northwest Air Pollution Authority to receive delegation and enforce all applicable state and federal rules; Section 132 - Criminal Penalty, this section is amended to be consistent with the federal air operating permit program, specifically 40 CFR 70.11 (a)(3)(ii); Section 133 - Civil Penalty, this section is amended to be consistent with the federal air operating permit program, specifically 40 CFR 70.11 (a)(3); Section 200 - Definitions, several of the definitions of terms are changed to be consistent with state and federal definitions; Section 300 - Notice of Construction When Required, clarification of when an investigation fee is required; Section 301 - Information Required for Notice of Construction and Application for Approval, Public Notice, Public Hearing, correction of typographical error; Section 302 - Issuance of Approval or Order, further clarifies definition of best available control technology; Section 322 - Exemptions from Registration, addition of two new exemptions that set threshold levels of pollutant emissions below which no registration or "Notice of Construction" is required; Section 324 - Fees, registration fees are raised for sources of odor and some refuse incinerators. Clarifies that holders of variances pay an annual fee. Plan and examination fees for fuel burning equipment, scrubbers, incinerators, and gasoline stations are raised. New fees are added for air toxic screening, "Order of

Approval" modifications, and public hearings. SEPA review fees and bubble and emission reduction credit application fees are raised; Section 340 - Report of Breakdown and Upset, correction of typographical error; Section 451 - Emission of Air Contaminant - Visual Standard, deletes section 451.14 as this section was less stringent than state rules; Section 462 - Emission of Sulfur Compounds, added a sixty consecutive minute averaging period which is consistent with state rules; Section 501 - Open Burning, restricts burning of materials originating from an area designated as having a burn ban. It also further defines limitations on burning at commercial establishments; Section 570 - Removal and Encapsulation of Asbestos Material, this section is repealed and replaced by a new section titled "Asbestos Control Standards" which reflects changes in the state and federal laws; and Section 580 - Volatile Organic Compound Control, modifies the definition of a gasoline station and changes the throughput threshold for Stage 1 requirements to be consistent with state rules.

Proposal Changes the Following Existing Rules: The proposal would amend Section 104 - Adoption of State and Federal Rules, Section 132 - Criminal Penalty, Section 133 - Civil Penalty, Section 200 - Definitions, Section 300 - Notice of Construction When Required, Section 302 - Issuance of Approval or Order, Section 301 - Information Required for Notice of Construction and Application for Approval, Public Notice, Public Hearing, Section 322 - Exemptions from Registration, Section 324 - Fees, Section 340 - Report of Breakdown and Upset, Section 451 - Emission of Air Contaminant - Visual Standard, Section 462 - Emission of Sulfur Compounds, Section 501 - Outdoor Burning and Section 581 - Volatile Organic Compound Control; repeal Section 570 - Removal and Encapsulation of Asbestos Material; and add Section 570 - Asbestos Control Standards.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Not required of this organization.

Hearing Location: Skagit County Administration Building, Hearing Room A, Second and Kincaid Street, Mt. Vernon, Washington 98273, on October 13, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Susan Duffy, by September 30, 1994.

Submit Written Comments to: FAX (206) 428-1620.

Date of Intended Adoption: October 13, 1994.

August 5, 1994

Terry L. Nyman

Air Pollution Control Officer

AMENDATORY SECTION

SECTION 104 - ADOPTION OF STATE AND FEDERAL LAWS AND RULES

104.1 All provisions of State Law as it now exists or may be hereafter amended, which is pertinent to the operation the Authority is hereby adopted by reference and made part of the Regulation of the Authority as of December 8, 1993. Specifically, there is adopted by reference the Washington State Clean Air Act (RCW 70.94), the Administrative Procedures Act (RCW 34.04) and RCW 43.21A

and 43.21B and the following state rules: WAC 173-400, WAC 173-401, WAC 173-402, (~~WAC 173-403~~), WAC-405, WAC 173-410, WAC 173-415, WAC-420, WAC-421, WAC-422, WAC 173-425, WAC 173-430, WAC 173-433, WAC 173-434, WAC-435, (~~WAC 173-440~~), WAC-450, WAC 173-460, WAC 173-470, WAC 173-474, WAC 173-475, WAC 173-480, WAC 173-481, WAC 173-490, WAC 173-491, WAC-492, WAC-495, and WAC 173-802.

104.2 All provisions of the following federal rules are hereby adopted by reference and made part of the Regulation of the Authority as of December 8, 1993: 40 CFR Part 60 (Standards of Performance For New Stationary Sources) subparts A, B, C, Ca, Cb, D, Da, Db, Dc, E, Ea, F, G, H, I, J, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB, CC, DD, EE, (~~FF~~), GG, HH, KK, LL, MM, NN, (~~OO~~), PP, QQ, RR, SS, TT, UU, VV, WW, XX, (~~YY~~), AAA, BBB, DDD, FFF, GGG, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV; and 40 CFR Part 61 (National Emission Standards For Hazardous Air Pollutants) Subparts A, B, C, D, E, F, H, I, J, K, L, M, N, O, P, Q, R, T, V, W, Y, BB, FF and 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) Subparts A, B, C, D, F, G, H, I, L, M, and Q.

Amended: September 8, 1993, December 8, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 132 - CRIMINAL PENALTY

- 132.1 Any person who knowingly violates any of the provisions of chapter 70.94 RCW or 70.120 RCW, or any ordinance, resolution, or regulation in force pursuant thereto, including the Regulation of the NWAPA, shall be guilty of a crime and upon conviction thereof shall be punished by a maximum fine of not less (~~more~~) than ten thousand dollars (10,000) per day per violation, or by imprisonment in the county jail for not more than one year, or by both. (~~for each separate violation.~~)
- 132.2 Any person who negligently releases into the ambient air any substance listed by the department of ecology as a hazardous air pollutant, other than (~~that~~) in compliance with the terms of an applicable permit or emission limit, and who at the time negligently places another person in imminent danger of death or substantial bodily harm shall be guilty of a crime and shall, upon conviction(~~;~~) thereof shall be punished by a maximum fine of not less (~~more~~) than ten thousand dollars (\$10,000) per day per violation, or by imprisonment for not more than one year, or both.
- 132.3 Any person who knowingly releases into the ambient air any substance listed by the department

of ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who knows at the time that he or she thereby places another person in imminent danger of death or substantial bodily harm, shall be guilty of a crime and shall, upon conviction(~~;~~) thereof shall be punished by a maximum fine of not less than fifty thousand dollars, or by imprisonment for not more than one year, or both.

- 132.4 Any person who knowingly fails to disclose a potential conflict of interest under RCW 70.94.100 shall be guilty of a gross misdemeanor, and upon conviction thereof shall be punished by a maximum fine or not less (~~more~~) than five thousand dollars.
- 132.5 Any person who knowingly renders inaccurate any required monitoring device or method as required by 40 CFR 70.11 (a)(3)(iii) shall be guilty of a crime and upon conviction thereof shall be punished by a fine of not less than ten thousand dollars (\$10,000) per day per violation.
- 132.6 Any person who knowingly makes any false material statement, representation, or certification in any form, in any notice or report required by a permit, as required by 40 CFR 70.11 (a)(3)(iii) shall be guilty of a crime and upon conviction thereof shall be punished by a maximum fine of not less than ten thousand dollars (\$10,000).

Amended: April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 133 - CIVIL PENALTY

- 133.1 In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of Chapter 70.94 RCW, chapter 70.120 RCW, any of the rules in force under such chapters, including the Regulation (~~regulation~~) of the Northwest Air Pollution Authority shall be liable for (~~may incur~~) a maximum civil penalty in an amount of not less than (~~to exceed~~) ten thousand six hundred sixty dollars (\$10,660) per day per (~~for each~~) violation. Each violation shall be a separate and distinct offense, and in the case of a continuing violation, each day's continuance shall be a separate and distinct violation. Any person who fails to take action as specified by an order shall be liable for a maximum civil penalty of not less (~~more~~) than ten thousand six hundred sixty dollars (\$10,660) for each day of continued non-compliance. (~~The maximum daily fine for violations of standards by a specific emissions unit shall be ten thousand six hundred sixty (\$10,660) dollars.~~)
- 133.2 Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. The penalty shall become due and payable when the person incurring

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the same receives a notice in writing from the Control Officer of the Authority describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the Hearings Board. Within fifteen days after the notice is received, the person incurring the penalty may apply in writing to the Control Officer for the remission or mitigation of the penalty. Upon receipt of the application the Control Officer shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstance such as the presence of information or factors not considered in setting the original penalty. If the amount of such penalty is not paid to the Authority within thirty (30) days after receipt of notice imposing the same and request for a hearing has not been made, the attorney for the Authority, upon the request of the Control Officer, shall bring an action to recover such penalty in the Superior Court of Skagit County or of the County in which the violation occurred. All penalties recovered under this section by the Board shall be paid unto the treasury of the Authority and credited to its funds.

To secure the penalty incurred under this Section, the Authority shall have a lien on any vessel used or operated in violation of this act which shall be enforced as provided in RCW 60.36.050.

133.3 Penalties incurred but not paid shall accrue interest, beginning on the ninety-first day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the thirty-first day following final resolution of the appeal.

The maximum penalty amounts established in this section may be increased annually to account for inflation as determined by the state office of the economic and revenue forecast council.

In addition to other penalties provided, persons knowingly under reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than ninety days late with such payments, may be subject to a penalty equal to three times the amount of the original fee owed.

AMENDED: November 14, 1984, April 14, 1993, October 13, 1994

AMENDATORY SECTION

NWAPA REGULATION SECTION 200 - DEFINITIONS

AGRICULTURAL OPERATION - The growth of crops, the raising of fowl, animals or bees as a gainful occupation.

AIR CONTAMINANT - Means dust, fumes, mist, smoke, other particulate matter, vapor gas, odorous substance, or any combination thereof.

AIR CONTAMINANT SOURCE - Is a point or points from which one or more air contaminants originate.

AIR POLLUTION - Is present in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant, or animal life, or property, or which unreasonably interfere with enjoyment of life and property.

AIR QUALITY OBJECTIVE - The concentration and exposure time of one or more air contaminants in the ambient air below which, according to available knowledge, undesirable effects will not occur.

AMBIENT AIR QUALITY STANDARD - An established concentration, exposure time and frequency of occurrence of one or more air contaminants in the ambient air which shall not be exceeded.

ALTERATION - Any addition to or enlargement or replacement of; or any major modification or fuel change or change of design, capacity, process or arrangement, or any increase in the connected loading of, equipment or control facility which may, in the opinion of the Control Officer, increase or adversely affect the kind or amount of air contaminant emitted or which results in the emission of any air pollutant not previously emitted for which ambient or emission standards are in effect.

AMBIENT AIR - The surrounding outside air.

AMBIENT AIR MONITORING STATION - A station so designated by the Control Officer for the purpose of measuring air contaminant concentrations in the ambient air. The station location and sampling probe locations shall be designated by the Control Officer utilizing as a guide CFR Title 40, Part 58, Appendix "D" Network Design and Appendix "E" Probe Siting Criteria.

AUTHORITY - Northwest Air Pollution Authority (NWAPA).

~~(BEST AVAILABLE CONTROL TECHNOLOGY (BACT) - means an emission limitation based on the maximum degree of reduction, which the agency, on a case by case basis, taking into account energy, environmental and economic impacts, and other costs, determines is achievable for such source through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of each pollutant.)~~

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) - An emission limitation based on the maximum degree of reduction for each air pollutant subject to regulation under chapter 70.94 RCW emitted from or which results from any new or modified stationary source, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning, clean fuels, or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of the "best available control technol-

ogy" result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60 and Part 61, as they exist on October 13, 1994, or their later enactments as adopted by reference by the Control Officer by rule. Emissions from any source utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

BEST AVAILABLE RETROFIT TECHNOLOGY (BART)

- An emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by an existing stationary facility. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and nonair quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

BOARD - Board of Directors of the NWAPA.

BUSINESS ESTABLISHMENT - A facility and/or place where commercial and/or professional dealings are conducted.

CATALYTIC CRACKING UNIT - A petroleum refinery cracking unit of the fluid or compact moving bed type consisting of a reactor, regenerator and fractionating tower and, where employed, a carbon monoxide boiler.

COMBUSTION EQUIPMENT - Any device which includes a chamber where combustion takes place and for which a flue, vent, or chimney is required for the venting of the products of combustion from a boiler, furnace, incinerator, stove, heater, industrial furnace, etc.

COMPLAINANT - Any person who files a complaint.

CONCEALMENT - Any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

CONTROL FACILITY - Includes any treatment works, control devices and disposal systems, machinery equipment, structures, property or any part of accessories thereof, installed or acquired for the primary purpose of reducing, controlling, or disposing of industrial waste which, if released to the outdoor atmosphere, could cause air pollution.

CONTROL OFFICER - Air Pollution Control Officer of the NWAPA.

DAYLIGHT HOURS - The hours between official sunrise and official sunset.

ECOLOGY - Washington State Department of Ecology (WDOE).

EMISSION - The act of releasing into the atmosphere an air contaminant or a gas stream which contains or may contain an air contaminant, or the material released into the atmosphere.

EMISSION POINT - The location (place in horizontal plane and vertical elevation) from which an emission enters the atmosphere.

EMISSION STANDARD - Limitation on the release of one or more contaminants to the ambient air.

EQUIPMENT - Any stationary or portable device or any part thereof capable of causing the emission of any contaminant into the atmosphere or ambient air.

EXCESS EMISSIONS - Emissions of an air pollutant in excess of any applicable emission standard.

EXISTING STATIONARY FACILITY - A stationary source of air pollutants which has the potential to emit two hundred fifty tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted. For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

FEDERAL CLEAN AIR ACT (FCAA) - The Federal Clean Air Act, also known as Public Law 88-206, 77 Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

FIELD GRASSES - Canary grass, bromegrass, oatgrass, timothy, ryegrass, wheatgrass, and orchard grass planted for seed production.

FIRE CHIEF - A state, county, or city fire marshal, city fire chief, chief of each County Fire Protection District or authorized forestry officials from the Washington State Department of Natural Resources.

FUEL BURNING EQUIPMENT - Any equipment, device, or contrivance, used for the burning of any fuel, and all appurtenances thereto, including ducts, breachings, control equipment, fuel feeding equipment, ash removal equipment, combustion controls, stacks, chimneys, etc.

FUGITIVE DUST - A particulate emission made airborne by forces of wind, man's activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

FUGITIVE EMISSIONS - Emissions which do not pass and which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

~~((FUGITIVE PARTICULATE (DUST) - Particulate material which is usually incidental to an operation, process or procedure and is emitted into the open air from points other than an opening designed for emissions such as a stack or vent.))~~

HEARINGS BOARD - The state Pollution Control Hearings Board or equivalent local hearings board has set forth in RCW 43.21B.

HOG FUEL BOILER - A boiler that utilizes wood, commonly called "hog fuel", as one source of fuel.

INCINERATORS - A furnace or facility for the destruction of waste by burning.

INPUT HEAT CAPACITY - Is the maximum actual or design heat capacity, whichever is greater, stated in BTU/hr. generated by the source.

INSTALLATION - The placement, assemblage, or construction of equipment or control facility at the premises where the equipment or control facility will be used, and includes all preparatory work at such premises.

LAND CLEARING BURNING - Means the burning of outdoor fires over ten (10) feet in diameter consisting of residue of a natural character such as trees, stumps, shrubbery or other natural vegetation in preparation of a land improvement or construction project as distinguished from a forest harvest operation.

LAND CLEARING OPERATION - The removal of trees, brush, grass and buildings for disposal on the site in preparation of a land improvement or construction project as distinguished from a forest harvest operation.

MASKING - The mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor.

MERCURY - The element mercury, excluding any associated elements and includes mercury in particulates, vapors, aerosols, and compounds.

MERCURY ORE - A mineral mined specifically for its mercury content.

MERCURY CHLOR-ALKALI CELL - A device which is basically composed of an electrolyzer section and a denuder (decomposer) section and utilizes mercury to produce chlorine gas, hydrogen gas, and alkali metal hydroxide.

MODIFICATION - Any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

MULTIPLE CHAMBER INCINERATOR - Any incinerator consisting of two or more combustion chambers in series, employing adequate design parameters necessary for maximum combustion of the material to be burned.

NEW CONSTRUCTION - It shall be deemed new construction and new source standards shall apply when: (1) equipment and facilities are made and/or used for the first time at a specific location or site, or (2) existing equipment or facilities are modified or altered and the cost thereof is: (a) equal to 50% or greater of replacement cost or (b) less than 50% of replacement cost but may result in an increase

in the total air contaminant emissions compared to the original or present emissions.

~~((NEW SOURCE - A source constructed, installed or established after the effective date of the applicable Sections of this Regulation. Addition to or enlargement or replacement of a source or any major alteration or new construction therein shall be construed as construction or installation or establishment of a new source.))~~

NEW SOURCE - (a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted; and (b) Any other project that constitutes a new source under the Federal Clean Air Act.

NO BURN DAY - A day designated by the Control Officer, or other duly authorized person, on which, due to atmospheric, or other meteorological conditions, all outdoor fires are prohibited.

NON HIGHWAY MOBILE SOURCE - A source which is neither used on nor does ordinarily travel on the public roadways and is powered by an internal combustion or other type engine. These sources include, but are not limited to, farm tractors, bulldozers, earthmovers, ships, boats, railroad locomotives and non-commercial aircraft.

NOTICE OF CONSTRUCTION APPLICATION - A written application to permit construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source.

ODOR - That property or a substance which allows its detections by the sense of smell and/or taste.

OPACITY - Opacity means the degree to which an emission reduces the transmission of light and obscures the view of any object in the background.

ORDER OF APPROVAL OR APPROVAL ORDER - A regulatory order issued by the authority to approve the notice of construction application for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source.

OUTDOOR FIRE - A fire where any material is burned in the open, in receptacle other than a furnace, incinerator, or other equipment connected to a stack or chimney.

OWNER OR AGENT - Includes the person who leases, supervises or operates the equipment or control facility.

PARTICLE - A small discrete mass of solid or liquid matter.

PARTICULATE MATTER - Small discrete masses of liquid or solid, exclusive of uncombined water.

PATHOLOGICAL WASTE - Human and animal remains consisting of carcasses, organs and solid organic wastes, consisting of up to 85% moisture, 5% incombustible solids.

PERSON - Means and includes an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

PETROLEUM LIQUIDS - Petroleum condensate, and any finished intermediate product manufactured in a petroleum refinery but does not mean Number 2 through Number 6 fuel oils as specified in A.S.T.M. D396-69, gas turbine fuel oils Numbers 2-GT through 4-GT as specified in A.S.T.M. D2880-71, or diesel fuel oils Number 2-D and 4-D as specified in A.S.T.M. D975-68.

PLANT SOURCE - Any process or group of processes operated by any person at a single geographic location, regardless of the number of emission points, will constitute an emission as if they were from a single source.

PORTABLE EQUIPMENT - Equipment designated to be transported from place to place for temporary operation.

PORTLAND CEMENT PLANT - Any facility manufacturing Portland cement by either the wet or dry process.

PM-10 - Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

PROCESS - A physical and/or chemical modification or treatment of a material from its previous state or condition.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) - The lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any source or source category shall be adopted only after notice and opportunity for comment are afforded.

REFUSE - Putrescible and non-putrescible solid waste including garbage, rubbish, ashes, dead animals, abandoned automobiles, solid market wastes, street cleanings and industrial wastes including waste disposal in industrial salvage.

REFUSE BURNING EQUIPMENT - Equipment designed to burn (refuse) waste material, scrap or combustion remains.

REGISTRATION - Registration shall mean the process of identifying, delineating and itemizing all air contaminant sources within the jurisdiction of the Authority including the making of periodic reports, as required, by the persons operating or responsible for such sources and may contain information concerning location, size, height of contaminant outlets, processes employed, nature of the contaminant emissions and such other information as is relevant to air pollution and available or reasonably capable of being assembled.

RESIDENTIAL BURNING - Means small outdoor fires, at a one or two family residence, consisting of leaves, clip-

pings, pruning and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a human dwelling resulting from activities connected with said dwelling and burned on such lands by the property owner or his designee.

SMALL OUTDOOR FIRE - Means a fire in a pile no more than four (4) feet in diameter and three (3) feet in height.

SMOKE - Gas borne particulate matter in a sufficient amount to be observable.

~~((SOURCE - A process or operation which emits or may emit any contaminants to the ambient air.))~~

SOURCE - All of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

STACK - Duct, chimney, flue, conduit, or opening arranged for the emission into the outdoor atmosphere of air contaminants.

STANDARD CONDITIONS - Standard Conditions (A) is a temperature of 60 degrees F and a pressure of 29.92 inches of mercury. Standard Conditions (B) is a temperature of 0 degrees C and 760 mm of mercury. Standard Conditions (C) is a temperature of 25 degrees C and 760 mm of mercury.

STANDARD CUBIC FOOT OF GAS - That amount of gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor at a pressure of 14.7 psia and a temperature of 60 degrees F.

STATE ACT - Washington Clean Air Act (RCW 70.94) and RCW 43.21A and 43.21B.

STRAW - All vegetative material of agricultural origin other than seed removed by swathing, combining or cutting.

~~((SUSPENDED PARTICULATES (PM10) - Those airborne particulates with an aerodynamic diameter of less than 10 (ten) microns collected by the method outlined in 40 CFR 50, Appendix J, or an EPA designated equivalent method.))~~

TON - Short ton or 2000 pounds.

TOTAL SUSPENDED PARTICULATE - Particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on July 1, 1988.

TRUE VAPOR PRESSURE - The equilibrium pressure exerted by a hydrocarbon at storage conditions.

TURF GRASSES - All blue grasses, fescues, and bentgrass planted for seed production.

UNAVOIDABLE ACCIDENT - A casualty or breakdown of process or control equipment which cannot be foreseen,

with the possibility of it occurring being so remote that no special steps were or could be taken to prevent it.

U.S. ENVIRONMENTAL PROTECTION AGENCY - Shall be known as EPA in this Regulation.

WOOD WASTE BURNER - A sheet metal or other type of enclosure to form a truncated cone or a single chamber cylindrically shaped incinerator line or constructed of suitable refractory material which employs controlled fuel feed, tangential overfire and underfire air supply system, and is designed and used for the disposal of wood and bark wastes by incineration.

AMENDED: October 13, 1982, November 14, 1984, April 14, 1993, October 13, 1994.

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

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

AMENDATORY SECTION

SECTION 300 - NOTICE OF CONSTRUCTION WHEN REQUIRED

- 300.1 No person shall construct, install, establish, modify or alter an air contaminant source, except those sources excluded in Section 322 of the Regulation, without first filing with the Authority a "Notice of Construction and Application for Approval," on forms prepared and furnished by the Authority, obtaining written approval of the Board prior to the said construction, installation, modification, (~~alteration~~) or establishment, and paying the appropriate fees as provided in Section 324.2. The Authority may only grant approval of the "Notice of Construction and Application for Approval" if the requirements of Sections 301 and 302 have been met.
- 300.2 A "Notice of Construction and Application for Approval" shall not be required to commence an alteration of equipment or control facility in the event of breakdown or if delaying the alteration may endanger life or have other serious consequences. The authority shall be notified in writing of the alteration on the first working day after the alteration is commenced and a "Notice of Construction and Application for Approval" shall be filed within fourteen (14) days after the alteration is commenced.
- 300.3 A separate Notice and Application shall be submitted for each unit of equipment or control facility, unless identical units of equipment or control facility are to be installed, constructed or established in an identical manner on the same premises; provided that, said identical units may, as a group, be listed on one application but that identical units subsequently added shall require a separate Notice and Application; provided also, that, the owner has

the option to give notice and apply for approval of a process with a detailed inventory of contaminant sources and emissions related to said process.

- 300.4 Where work for which a Notice of Construction is required, is commenced, or is performed prior to making application and receiving approval, the Control Officer may assess (~~conduct~~) an investigation fee, in addition to the fees of Section 324.2(~~(5)~~). The investigation fee shall be assessed in an amount equal to three times the plan examination fees identified in (~~(6)~~) Section 324.2. Payment of the fees does not relieve any person from the requirement to comply with the regulations nor from any penalties for failure to comply.

Amended: October 12, 1989, February 14, 1990, April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 301 - INFORMATION REQUIRED FOR NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL, PUBLIC NOTICE, PUBLIC HEARING

- 301.1 Each Notice of Construction and Application for Approval for the construction, installation, or establishment of a new air contaminant source as described above shall be accompanied by a set of plans which show and describe the equipment and control facility, its location, and function.
- 301.2 The proposed means for the prevention or control of the emissions of air contaminants and will provide all known available and reasonable methods of emission control.
- 301.3 Each Notice of Construction and Application for Approval shall be signed by the applicant or owner who may be required to submit evidence of his authority.
- 301.4 The Board or Control Officer may, within 30 days of its receipt of such notice, request such other information as deemed necessary in order to determine whether the proposed construction, installation or establishment, will be in accordance with applicable rules now or hereafter adopted by the Board or the WDOE and will provide all known, available and reasonable methods of emission control.
- 301.5 A completed State Environmental Policy Act Guidelines "Environmental Checklist" shall be submitted on forms provided by the Authority in accordance with Washington Administrative Code (WAC) 197.10.365 and Section 312 of this regulation, as a part of the required Notice of Construction and Application for Approval.
- 301.6 The Authority shall provide public notice prior to approval or denial of a Notice of Construction if a new or modified source will result in a significant emissions increase as defined by WAC 173-400-030(~~(61)~~) (67). The public notice shall provide for a thirty day period to receive written comments. No final decision on any Notice of Construction

and Application for Approval until the comment period has ended and all comments have been considered.

- 301.7 The applicant, any interested governmental entity, any group, or any person may request a public hearing within the thirty day period required by 301.6. Any request shall indicate the interest of the entity filing if and why a hearing is warranted. The NWAPA may, in its discretion, hold a public hearing if it determines significant public interest exists.

Amended: April 14, 1993, October 13, 1994

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

AMENDATORY SECTION

SECTION 302 - ISSUANCE OF APPROVAL OR ORDER

- 302.1 If on basis of plans, specifications, or other information required pursuant to Section 301, the Board determines that the proposed construction, installation or establishment will be in accord with this Regulation, applicable air pollution control regulations of the DOE, laws of the State of Washington, and will provide all known available and reasonable methods of emission control, it shall, within thirty (30) days issue a determination of whether the operation of the new air contaminant source at the location proposed will cause any ambient air quality standard to be exceeded.
- 302.2 No approval will be issued unless the information supplied as required by Section 301.1 of this Regulation provides evidence to the Board or Control Officer that:
- 302.21 The equipment is designed and will be installed to operate without causing a violation of applicable emission standards.
- 302.22 The equipment incorporates advances in the art of air pollution control developed for the kind and amount of air contaminant emitted by the equipment.
- 302.23 The project shall employ all known, available, and reasonable air pollution control technology for all pollutants (BACT).
- 302.24 The project shall not result in a violation of any ambient air quality standard for criteria air pollutants.
- 302.25 The project shall not impact any Class I area or non-attainment area.
- 302.26 All State Environmental Policy Act requirements have been fulfilled.
- 302.27 The project shall comply with all applicable federally mandated programs.
- 302.3 If the Board determines that all the requirements of Section 302.2 have been met an Order of Approval shall be issued along with any operating and reporting conditions that will ensure compliance with all applicable air pollution standards.
- 302.4 If the Board determines that the construction, installation or establishment of a new air contaminant source will not meet the emission standards or the ambient air standards or other prohibition established by this Regulation, or will not provide all known available and reasonable means of emission control, the Board shall, within sixty (60) days of receipt of the "Notice of Construction and Application for Approval", issue an Order under Section 121 for the prevention of the construction, installation or establishment of the air contaminant source or sources, and,
- 302.41 The Order shall be in writing;
- 302.42 The Order shall set forth the objections in detail with references to the specific provisions of this Regulation and/or with other applicable rules and regulations set forth in the WAC and laws of the State of Washington and emission standards that will not be met by the proposed construction, installation or establishment;
- 302.43 The Order shall be signed by the Chairman of the Board.
- 302.5 Any order issued pursuant to this Section shall become final unless, no later than fifteen (15) days after the date the Order is served pursuant to Section 121, the owner or applicant petitions for a reconsideration of the Order with reasons for the reconsideration.
- 302.52 If the petition of the owner or applicant be disapproved the owner or applicant may petition the Hearings Board within thirty (30) days after receipt of Notice of Disapproval and proceed under the procedure as set forth in Section 122.
- 302.6 Failure to issue such an order or approval within the time prescribed herein shall be deemed a determination that the construction, installation or establishment may proceed, provided that it is in accordance with the plans, specifications or other information, if any, required to be submitted. Such failure, however, shall not relieve any person from his obligation to comply with any emission requirement, or with any other provision of law.
- 302.7 Any Order of Approval issued under this Section shall be valid for one year. If engineering and/or construction of any facility authorized under this Section has not commenced within one year from the date of approval the Notice and Application is revoked and considered void. If the applicant can show evidence that the magnitude of the construction project is such or delays have been encountered in the delivery of equipment that construction cannot proceed within the one year limit, the Board may extend, for up to one year, the time limit set under this Section, if it is determined that the

project still incorporates all known, available and reasonable air pollution control technology.

Passed: January 8, 1969

Amended: July 8, 1970, February 14, 1973, June, 11, 1973, August 9, 1978, April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 322 - EXEMPTIONS FROM REGISTRATION

Exclusion from registration does not absolve the owner, lessee, or his registered agent from all other requirements of the Regulation of this Authority. Exemption from registration does not apply to any control facility or device required to be installed in order to meet the emission and/or ambient standards of this Regulation.

- 322.1 Air conditioning or ventilating systems not designed to remove air contaminants generated by or released from equipment.
- 322.2 Asphalt laying equipment.
- 322.3 Atmosphere generators used in connection with metal heat treating processes.
- 322.4 Blast cleaning equipment which uses a suspension of abrasive in liquid water.
- 322.5 Fuel burning equipment, other than smoke house generators, which:
 - 322.51 Is used solely for a private dwelling serving less than five families;
 - 322.52 Has a BTU input of not more than 400,000 BTU/hour, provided that equipment burning natural gas or liquified petroleum gas (LPG) exclusively may be excluded up to 2,500,000 (~~1,250,000~~) BTU/hour.
 - 322.53 If used oil is burned the maximum heat input shall be less than 0.4 million BTU per hour (0.5 GJ/hr) provided that:
 - a. The used oil burned is either generated on site or received from do-it-yourself oil changers; and
 - b. The used oil burned is not contaminated with added dangerous wastes.
- 322.6 Insecticide spray equipment, non commercial.
- 322.7 Laboratory equipment used exclusively for chemical or physical analyses.
- 322.8 Laundry driers, extractors or tumblers used exclusively for the removal of water from fabric.
- 322.9 Portable equipment which is used within the jurisdiction of the Authority for less than thirty (30) days, except asphalt plants, rock crushers, and sand blasting operations.
- 322.10 Sewing equipment.
- 322.11 Surface coating by use of aqueous solution or suspension.

- 322.12 Steam cleaning equipment used exclusively for that purpose.
- 322.13 Storage tanks, reservoirs, or containers:
 - 322.131 Of a capacity of 6,000 gallons or less used for organic substances unless, in the opinion of the Control Officer, Section 535 may be violated.
 - 322.132 Of a capacity of 40,000 gallons or less used for liquid fuels including gasoline and lubricating oils.
 - 322.133 Containing organic liquid mixtures whose True Vapor Pressure is equal to or less than 1.5 psia under actual storage conditions.
 - 322.134 Containing liquids which are not vented to the atmosphere.
- 322.14 Vacuum producing devices used in laboratory operations, and vacuum producing devices which do not remove or convey air contaminants from one to another source.
- 322.15 Vents used exclusively for:
 - 322.151 Sanitary or storm drainage systems.
 - 322.152 Safety valves.
 - 322.153 Storage tanks.
- 322.16 Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.
- 322.17 Welding, brazing and soldering equipment unless the person operating such equipment otherwise qualifies for registration.
- 322.18 Restaurants and other retail food preparing establishments.
- 322.19 Piping modifications on existing process units that result in increases in fugitive hydrocarbon emissions of less than 2.0 tons per year.
- 322.20 New emission units or activities with emissions below the following threshold levels:
 - (a) 5 tons per year of carbon monoxide;
 - (b) 2 tons per year of nitrogen oxides;
 - (c) 2 tons per year of sulfur oxides;
 - (d) 2 tons per year of volatile organic compounds (VOC);
 - (e) 0.75 tons per year of PM₁₀ (as defined in WAC Chapter 173-400-030(53))
 - (f) 0.03 tons per year of lead;
 - (g) Threshold levels for Hazardous Air Pollutants as defined in WAC Chapter 173-401-531.

Amended - October 13, 1982, November 14, 1984, April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 324 - FEES

- 324.1 Annual Registration Fees. Before the Control Officer may register any article, machine, equip-

PROPOSED

ment, facility, control facility, or other contrivance, the use of which is likely to cause the emission of air contaminants or a variance be granted and under the jurisdiction of this Authority, an annual registration fee shall be paid to the Authority at a time and in such a manner as herein set forth and as may be determined by the Board.

324.11 Sources classified as class "A", Class "B", Class "G", Class "I", Class "O" and Class "T" as defined in Section 323, and holders of each Variance issued by NWAPA, shall, upon notification by the Control Officer, pay the Authority an annual registration fee on or before January 1 of each year in accordance with the following schedule except that any new source which has paid a Notice of Construction filing fee and plan, examination and inspection fee shall not be required to pay an additional registration fee during that same calendar year.

324.111 All Class "A" Registered Sources

Standard Industrial Classification Number (SIC) Type	Annual Registration Fee
2911 Petroleum Refinery	\$6,000
2999 Petroleum Coke Calciner	3,000
3241 Cement Manufacturing	3,000
3334 Primary Production of Aluminum	3,000
2611 Pulp & Paper Mills	3,000
2819 Sulfuric Acid Manufacturing	2,750
2812 Alkalies & Chlorine Manufacturing	2,200
2430 Veneer Plywood Manufacturing	1,500
3323 Iron & Steel Foundries	4,000
3295 Olivine Rock Processing	1,500
4953 Refuse Incineration Facilities	3,000
2818 Chemical Processing Plants	2,500
9711 National Security Establishments	2,500
4911 Coal Fired Power Plants	6,000
Cogeneration Plants	
4911 Peak Load	2,000
4911 Base Load	4,000
4923 Pipeline Compressors	1,500
— Any Other Type Not Listed	1,500

324.112 All Class "B" Registered Sources 400

324.113 All Class "O" Registered Sources ~~((300))~~ 400

324.114 All Class "I" Registered Sources with combustion rate in lbs/hour:

324.1141 50 or less lbs/hour of any waste materials 150

324.1142 51 to 100 lbs/hour of any waste materials 250

324.1143 101 - 999 lbs/hour of any waste materials ~~((400))~~ 500

324.115 All other classes of registered sources shall pay a one time registration fee at the time of registration 100

324.116 Holders of each Variance issued by the Authority under Section 350 of this Regulation (Annual Fee) 500

324.117 The annual registration fee of a facility that includes more than one air contaminant source classified as Class "A", Class "B", Class "C", Class "G", ~~((or))~~ Class "I", or Class "T" at the same general location and under the same manager, shall pay the full fee for the primary source, as determined by the Control Officer, and fifty percent (50%) of the fee for each of the other sources subject to an annual registration fee.

324.118 All Class "G" Registered Sources \$100.00.

324.119 All Class "T" registered sources \$100.00.

324.120 The Authority shall collect interim fees to cover operating permit program development costs. The fees will be assessed to all sources in the jurisdiction that emit one hundred tons or more of a regulated pollutant. A regulated pollutant is defined in Section 502 (b) of the Federal Clean Air Act Amendments of 1990. Fees shall be based on emissions determined in the most recent emissions inventory. The costs shall be determined by a workload analysis done by the Authority and approved by the Board. The fees shall be collected beginning fiscal year 1994.

324.121 Commencing with the effective date of the operating permit program the Authority shall assess and collect annual air operating permit fees in its jurisdiction for any source specified in section 7661 (a) of Title V of the Federal Clean Air Act (FCAA) or WAC 173-401-300 (excluding sources regulated by the Washington State Department of Ecology Industrial Section). The total fees required by the NWAPA to administer the program shall be determined by a workload analysis conducted by the staff and approved annually by resolution by the Board of Directors in a public hearing. Allocation of the fees to individual affected sources shall be based on the following:

a. Twenty percent of the total fees shall be allocated equally among all affected sources.

b. Eighty percent of the total fees shall be allocated based on actual emissions of regulated pollutants identified in the most recent annual emission inventory, or potential emissions if actual data are unavailable. A Regulated pollutant for fee calculation shall include:

- Nitrogen oxides
- Volatile organic compounds

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Particulate matter with an aerodynamic particle diameter less than or equal to 10 ~~((m))~~ μ (PM₁₀)
Sulfur dioxide
Lead

Any pollutant subject to the requirements under section 112 (b) of the FCAA not included in any of the above categories.

324.122 Upon assessment by the Authority, fees are due and payable and shall be deemed delinquent if not fully paid within 90 days. Any source that fails to pay a fee imposed under Section 324 within 90 days of the due date shall be assessed a late penalty in the amount of 50 percent of the fee. This late penalty shall be in addition to the fee assessed under Section 324.

324.2 Notice of Construction, Variance Filing, plan examination, evaluation and/or inspection fee. The following fees shall be paid by an applicant for processing a Notice of Construction and Application for Approval, pursuant to Section 300.1 or a Variance pursuant to Section 350, before the Board will take any action approving or denying said application.

324.21 A ~~\$100.00~~ ~~((50.00))~~ filing fee and in addition, the plan examination and inspection fee set forth in Section 324.22. One filing fee and plan examination, evaluation and inspection fee shall be paid for identical units, except when a separate examination, evaluation or inspection is required for each identical unit.

324.22 ITEM—PLAN, EXAMINATION, EVALUATION, AND INSPECTION FEE

324.221 Fuel burning equipment in million BTU/HR Input Heat Capacity

Less than 5	((400))	<u>\$150</u>	(Installation)
	((25))	<u>50</u>	(Fuel Change)
5 or more but less than 10	((250))	<u>400</u>	(Installation)
	((50))	<u>100</u>	(Fuel Change)
10 or more but less than 20	((500))	<u>750</u>	(Installation)
	((100))	<u>200</u>	(Fuel Change)
20 or more but less than 50	((1000))	<u>1500</u>	(Installation)
	((200))	<u>400</u>	(Fuel Change)
50 or more but less than 100	((2000))	<u>4000</u>	(Installation)
	((300))	<u>750</u>	(Fuel Change)
100 or more but less than 250	((2500))	<u>10,000</u>	(Installation)
	((400))	<u>1000</u>	(Fuel Change)
250 or more but less than 500	((3000))	<u>15,000</u>	(Installation)
	((500))	<u>3000</u>	(Fuel Change)
More than 500	((4000))	<u>20,000</u>	(Installation)
	((600))	<u>5,000</u>	(Fuel Change)

324.222 Other in Cubic Feet Per Minute (CFM-Design) from equipment, such as, but not limited to, cyclones, bag filters, electrostatic precipitators and wet scrubber.

Less than 5,000		<u>\$200</u>
5,000 or more but less than 20,000	((300))	<u>400</u>
20,001 or more but less than 50,000	((750))	<u>1000</u>
50,001 or more but less than 100,000	((1,500))	<u>2000</u>
100,001 (but less than 250,000) or more	((2,500))	<u>5000</u>

((250,000 or more))	((4,000))
324.223 Incinerators - Combustion rate in lbs/hour (Design)	
Refuse Incinerator - lbs/hour	
((Less than 100)) <u>500 lb/hr or less</u>	((200)) <u>\$1000</u>
((100 or more but less than 200))	((300))
((200 or more but less than 500))	((500))
500 or more but less than 1,000	((750)) <u>3000</u>

Solid Waste Combustion - tons/((hr))day	
((5 or more but less than 2)) <u>250 or less</u>	((2,000)) <u>\$20,000</u>
((2 or more but less than 4)) <u>greater than 250</u>	((3,000)) <u>40,000</u>
((4 or more))	((4,000))

324.224 Storage Tanks((*)) - Gallons	
6,000 or more but less than 40,000	<u>\$200</u>
40,000 or more but less than 100,000	<u>400</u>
100,000 or more but less than 500,000	<u>750</u>
500,000 or more	<u>1,200</u>

324.225 Other -	
Gasoline Stations	((50)) <u>\$100</u>
<u>Dry Cleaner</u>	<u>100</u>
Odor Source	<u>500</u>
Not Classified above	<u>200</u>

324.226 Air Toxics Screening \$200

324.227 Order of Approval Modification 25% of original permit fee

324.228 Public Hearing \$500

324.23 Environmental Policy Guidelines

324.231 Threshold Determination. For every environmental checklist the NWAPA reviews when it is Lead Agency, the applicant shall first pay NWAPA a fee of ~~((50.00))~~ \$100.00 prior to undertaking the Threshold Determination by the responsible official of NWAPA.

324.232 If the Authority decides it must prepare an Environmental Impact Statement (EIS) in order to comply with the State Environmental Policy Act of 1971 before taking any action on a Notice of Construction, the cost of preparing, publishing, and distributing an EIS at a cost per hour rate for Authority staff time based upon actual cost as determined by the Control Officer and such other expenses as mutually agreed upon by the applicant and the Control Officer including consulting services, testing, reproduction, distributing, etc., shall be paid by the applicant.

324.24 Should a public hearing or public notice be required or deemed necessary by the Board on any proposed action by an applicant, said applicant shall reimburse the Authority for the actual publication cost of any required legal notice of such public hearing.

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324.25 "Bubble" and "Emission Reduction Credit"

A ~~(\$150.00)~~ \$250.00 application and processing fee shall be paid for each application for a "Bubble" made pursuant to RCW 70.94.155 and WAC 173-403-060, and an "Emission Reduction Credit" (ERC) made pursuant to WAC 173-403-070.

Amended: October 14, 1987, November 15, 1988, February 14, 1990, April 14, 1993, September 8, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 340 - REPORT OF BREAKDOWN AND UPSET

340.1 If a breakdown or upset condition occurs which results in or may have resulted in the emission and/or ambient air quality standard established by ~~((be))~~ the Regulation of this Authority being exceeded, the owner or operator of the source shall take the following actions:

340.11 The upset or breakdown shall be reported as promptly as possible and in no event later than twelve (12) hours to the Authority.

340.12 The person responsible shall, upon the request of the Control Officer, submit a full report within ten (10) days including the known causes, corrective measures taken, and preventive measures to be taken to minimize or eliminate a recurrence.

340.2 Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with all the requirements of this Regulation nor from the resulting liabilities for failure to comply.

340.3 It shall be prima facie evidence of violation of this Regulation if any control equipment or other equipment creating emissions to the atmosphere is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under Section 340.1.

Amended: November 14, 1984, October 14, 1987, April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 451 - EMISSION OF AIR CONTAMINANT - VISUAL STANDARD

451.1 No person shall cause or permit the emission, for any period aggregating more than 3 minutes in any 1 hour, of an air contaminant from any source which, at the point at emission, or within a reasonable distance of the point of emission, exceeds 20% opacity except as follows:

451.11 When the owner or operator of a source supplies valid data to show that the opacity is in excess of 20% as a result of the presence of condensed water droplets, and that the concen-

tration of the particulate matter, as shown by a source test approved by the Control Officer, is less than 0.10 (0.23g/m₃) grain/dscf.

451.12 When an emission occurs due to soot blowing and/or grate cleaning for not more than 15 minutes in any 8 hour period provided a continuous opacity measuring system and recorder is installed, and operated as required and approved by the Control Officer to record said emissions, or the owner or operator of the source can demonstrate to the satisfaction of the Control Officer, by some other means of record, that the limitations of this Section will not be exceeded.

451.13 Emissions from a wood waste burner during:

451.131 One startup period not to exceed 30 consecutive minutes in any consecutive 24 hour period.

451.132 Thirty consecutive minutes in any 8 hour period during break and lunch periods, provided that the emissions do not exceed 60% opacity for a period of more than 6 consecutive minutes. Provided further, that the operator takes immediate action to correct the condition.

~~((451.14) — When the persons responsible for the operation of a hog fuel boiler can demonstrate that the emissions in excess of 20% opacity have not exceeded 40% opacity for more than an aggregate of 15 minutes in any 4 hours, provided:~~

~~451.141 That the operator takes immediate action to correct the condition.~~

~~451.142 That best practical technology be utilized to maintain and operate the boiler to minimize emissions.~~

~~451.143 That hog fuel boilers with an input heat of 10 million or greater BTU/hour be equipped with a continuous opacity measuring system and recorder installed and operated as required, and approved, by the Control Officer.)~~

451.1~~((5))~~4 Emissions from existing petroleum catalytic cracking units shall not exceed 40% opacity for more than an aggregate of 6 minutes in any 1 hour.

Amended: April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 462 - EMISSION OF SULFUR COMPOUNDS

462.1 It shall be unlawful for any person to cause or permit the emission of air contaminants from any equipment if the air contaminants emitted as measured in the stack contain sulfur compounds calculated as sulfur dioxide, of more than one thousand (1,000) parts per million (2.62 mg/m³),

for a sixty consecutive minute period, except as otherwise provided by a specific emission restriction adopted by this Authority and/or the DOE. For the purpose of this section, all sulfur present in gaseous compounds containing oxygen shall be deemed present as sulfur dioxide.

- 462.2 Emissions of sulfur compounds calculated to be in excess of 1,000 parts per million (2.62 mg/m³) at any emission point, for a sixty consecutive minute period, shall not constitute a violation of Section 462.1 of this Regulation, provided such person responsible for the emission provides reasonable evidence that such emissions will not cause ground level concentrations on adjacent property to exceed the values indicated in Section 410 of this Regulation, and can demonstrate to the Control Officer there is no practical method of reducing the concentration to the above levels or less.
- 462.3 All concentrations of sulfur dioxide referred to in this Section are on a volumetric dry basis. For combustion emissions, the exhaust has volume shall be corrected to 7% oxygen.

Passed: July 8, 1969

Amended: August 4, 1971, January 9, 1974, August 9, 1978, July 1, 1987, October 14, 1987, April 14, 1992, October 13, 1994

AMENDATORY SECTION

SECTION 501 - OUTDOOR BURNING

501.1 PURPOSE

The purpose of this section is to minimize the air pollution impacts caused by open burning as mandated by the Washington Clean Air Act of 1991. This rule establishes controls for open burning in order to:

- 501.11 Reduce open burning to the greatest extent practical by eliminating it in PM-10 and/or carbon monoxide nonattainment areas; and urban growth areas or cities with a population of 10,000 or more by December 31, 2000;
- 501.12 For areas where open burning is allowed, established a limited burning program, including procedures by which open burning may be conducted;
- 501.13 Encourage the development and use of alternate methods for the disposal of woody debris.

501.2 APPLICABILITY

- 501.21 This section applies to all forms of outdoor burning except:
- 501.211 Silvicultural Burning
- 501.212 Agricultural Burning
- 501.213 Recreational Fires - that are not used for debris disposal purposes and do not cause a nuisance to neighbors.
- 501.214 Ceremonial Fires

501.215 Burning to improve and maintain fire dependent ecosystems - pursuant to Chapter 332.24 WAC.

501.22 No outdoor burning shall occur during a declared period of impaired air quality.

501.23 A fire protection agency, county, or conservation district may enforce its own controls that are stricter than those set forth in this section.

501.3 DEFINITIONS

Unless a different meaning is clearly required by context, words and phrases used in this section shall have the following meanings:

AGRICULTURAL BURNING - means burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, or where identified as a best management practice by the agricultural burning practices and research task force established in RCW 70.94.650 or other authoritative source on agricultural practices.

CEREMONIAL FIRE - means a fire associated with an Indian ceremony or ritual.

ECOLOGY - means the Washington State Department of Ecology.

EPISODE - means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as stated in Chapter 173-435 WAC.

IMPAIRED AIR QUALITY - means a condition declared by Ecology or the Authority in accordance with the following criteria:

- (a) Meteorological conditions are conducive to an accumulation of air contamination concurrent with:
- (i) Particulate that is ten micron and smaller in diameter (PM-10) at or above an ambient level of seventy-five micrograms per cubic meter measured on a twenty four hour average; or
- (ii) Carbon monoxide at an ambient level of eight parts of contaminant per million parts of air by volume (ppm) measured on an eight hour average.
- (b) Air quality that threatens to exceed other limits established by the authority.

LAND CLEARING BURNING - means the burning of outdoor fires over ten (10) feet in diameter consisting of residue such as trees, stumps, shrubbery or other natural vegetation in preparation of a land improvement or construction project as distinguished from a forest harvest operation.

NONATTAINMENT AREA - means a clearly delineated geographic area which has been designated by the Environmental Protection Agency and promulgated as exceeding a national ambient air quality standard or standards for one or more of the criteria pollutants.

NUISANCE - means an emission of smoke from any open fire to be deposited beyond the property line, if it interferes with the use and enjoyment of the property deposited on.

OPEN BURNING - means all forms of outdoor burning except those listed as exempt in section 502 of this regulation.

OUTDOOR BURNING - means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

REASONABLE ALTERNATIVES - means alternatives to outdoor burning that cost less than eight dollars and fifty cents (\$8.50) per cubic yard are considered reasonable. This amount shall be adjusted periodically to reflect changing economic conditions. Adjustments will be based on Authority policy and guidelines provided by Ecology.

RECREATIONAL FIRE - means barbecues and campfires, not for debris disposal purposes, in public areas or on private property. Fuels used may not contain prohibited materials.

SILVICULTURAL BURNING - means burning on any land the department of natural resources protects per RCW 70.94.030(13), RCW 70.94.660, RCW 70.94.690 and pursuant to Chapter 76.04 RCW.

URBAN GROWTH AREA - means an area defined by RCW 36.70A.030.

501.4 PROHIBITED MATERIALS

501.41 The following materials shall not be burned in any outdoor fire: garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper, cardboard, treated wood, construction debris, metal or any substance other than natural vegetation, which when burned releases toxic emissions, dense smoke, or odors.

501.42 Prohibited materials may be burned in the following circumstances:

501.421 Diseased animals and infested material. When ordered by a duly authorized health officer and authorized by the Authority, diseased animals and other infested material may be burned, as required, to keep the infestation from spreading.

501.422 Dangerous material. When ordered by a fire protection agency and when authorized by the Authority, fires to dispose of materials presenting danger to life, property, or public welfare may be burned, if no approved practical alternate method of disposal is available.

501.5 CURTAILMENT DURING EPISODES OR IMPAIRED AIR QUALITY

501.51 No outdoor fire shall be ignited:

501.511 Whenever Ecology declares an air pollution episode for the geographical area pursuant to Chapter 173-435 WAC; or

501.512 Whenever Ecology or the Authority declares impaired air quality for the geographical area.

501.513 Within any county in which the Authority declares impaired air quality.

501.514 Within Skagit, Whatcom, and Island counties if impaired air quality is declared in both Skagit and Whatcom counties.

501.52 A person responsible for an outdoor fire at the time an episode or impaired air quality is declared shall extinguish that fire. Outdoor burning conducted under the auspices of the department of natural resources for the purpose of burning forest slash pursuant to RCW 70.94.660 through 70.94.670 shall be extinguished by withholding new fuel and allowing the fire to burn down.

501.53 Smoke visible from outdoor burning after a time period of three hours has elapsed from the time of declaration of the episode or impaired air quality shall constitute prima facie evidence of unlawful outdoor burning.

501.54 For Department of Natural Resource silvicultural burning, smoke visible from outdoor burning after a time period of ten hours has elapsed from the time of declaration of the episode or impaired air quality shall constitute prima facie evidence of unlawful outdoor burning.

501.6 OPEN BURNING PROGRAM

501.61 General Requirements.

501.611 All burning requires a permit as covered in section 501.7.

501.612 Permits shall not be issued, and thus open burning is not allowed, in areas where reasonable alternatives are available.

501.613 No open burning shall be allowed in areas that exceed federal or state ambient air quality standards for fine particulate matter (PM-10) or carbon monoxide. Such areas shall be defined as the entire PM-10 and/or carbon monoxide nonattainment area, unless otherwise determined pursuant to section 506.21 of the regulation.

501.614 A fire protection authority may declare a fire hazard in areas where burning is banned and in areas where burning is allowed. If open burning is determined to be the most appropriate manner to abate a fire hazard, the fire protection authority must request from the Authority permission to burn. Permits issued under section 501.614 shall provide that:

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- 501.6141 Prohibited material shall not be burned.
- 501.6142 Burning shall not be conducted during a period of impaired air quality.
- 501.6143 No reasonable alternative is available.
- 501.6144 No open burning shall be conducted in areas that exceed federal or state ambient air quality standards for Carbon monoxide and/or PM-10. Such areas shall be defined as nonattainment areas for these pollutants.

501.624 Fires may be permitted in areas where burning is otherwise banned under the following conditions.

- 501.6241 Fire training. The Authority may issue permits for fire training fires, pursuant to Ecology guidelines and rules.
- 501.6242 The Authority may permit, fires that are part of a defined research project, weed abatement, and smoke training as part of a military training exercise.
- 501.6243 Responding to open burning calls. Each affected County shall identify a fire marshal or other appropriate county official for field response and to document open burning complaints or violations using appropriate field notices. In areas where the county has no jurisdiction, the Authority will negotiate with the appropriate local agency on field response.

501.62 Additional Requirements for Nonattainment Areas

501.621 Phase-out Approach. The Authority may petition Ecology to allow a phase-out approach in nonattainment areas. The phase-out approach will focus on how to achieve the Clean Air Washington goals and eliminate burning in areas that exceed the standards. Ecology will review and determine if the petition should be approved. The Ecology may partially approve petitions or approve petitions with conditions based on the following criteria:

- 501.6211 Population and population density considerations.
- 501.6212 Air quality in the region can support open burning based upon geographical and meteorological conditions.
- 501.6213 The presence of a permitting program.
- 501.6214 The extent to which reasonable alternatives to open burning are being developed through solid waste management plans and the schedule for the availability of such reasonable alternatives.

501.622 The petition to allows for a burning phase-out approach is due to the Ecology no later thirty (30) days after an area is designated as a nonattainment area. A ban is not effective in areas identified in the petition until after Ecology makes a ruling on the petition.

501.623 The phase-out plan identified in the petition shall be rendered void: 1) when alternatives are available or 2) when Ecology demonstrates to the Environmental Protection Agency that air quality standards are achieved.

501.63 Additional Requirements for Urban Growth Areas and Cities with a Population of Ten Thousand (10,000) or More.

- 501.631 Open Burning will be banned when reasonable alternatives are available. Regardless of alternative availability, open burning will be banned after December 31, 2000.
- 501.632 Until open burning is banned, it is allowed subject to the permitting provisions of this section.
- 501.633 When open burning is banned, the provisions in section 501.62 shall apply.

501.7 OPEN BURNING PERMIT REQUIREMENTS

501.71 All outdoor burning requires a permit. For areas where burning is allowed, the Authority, fire districts or departments, conservation districts, or counties may issue permits. Those issuing permits are responsible for field response to open burning complaints. Ecology will provide guidance for field response programs which addresses funding, training, and staffing.

501.72 In selecting a permit program, the options range from the minimum - a general rule burn, as described below, to a written permit. A permit program must be in place eight months after Ecology provides guidance for the program. If at that time, no agreement has been reached, the area becomes a no-burn area and falls under the restrictions set forth in section 501.62 above. A no-burn area will be estab-

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lished only after a public hearing has been conducted to address the matter.

501.73 Fees. The Authority may charge a fee to cover the administrative cost of a permit program. Fire districts, counties, and conservation districts issuing fire permits may collect fees to cover administrative costs.

501.74 The Authority may apply additional restrictions on open burning as necessary to reduce the impacts from open burning. These restrictions include, but are not limited to, restricting burning in sensitive areas per 173-400 WAC, restricting the time periods for which burning is allowed, limiting permissible hours of burning, restricting burning to specific weather conditions, and imposing requirement for good combustion.

501.75 General Rule Burn Permits. For areas where burning is allowed, fire permitting agencies may elect to use a general permit by rule. A person burning under a general permit by rule system must meet, at minimum, the following requirements and any additional restrictions including those established by cities, counties, or fire protection authorities. Persons not able to meet all of the requirements of this sections must apply for and receive a written permit.

General rule burn permits under section 501.75 may be used for the following number of days per year:

1992-1995	twenty-one days/year
1995-1998	fourteen days/year
After 1998	seven days/year

A person burning under a general rule burn permit must follow the requirements listed in section 5107.51 through 501.759 below and any additional restrictions in affect while burning, including those established by cities, counties, fire protection agencies, and the Authority.

501.751 The fire must not include prohibited materials except what paper is necessary to start the fire.

501.752 A person capable of extinguishing the fire must attend it at all times and the fire must be extinguished before leaving it.

501.753 No fires are to be within fifty (50) feet of structures.

501.754 The pile must not be larger than four feet in diameter.

501.755 Only one pile at a time may be burned, and each pile must be extinguished before lighting another.

501.756 No outdoor fire is permitted in or within five hundred (500) feet of

forest slash without a written burning permit.

501.757 The designated permitting authority must be called to confirm burning conditions for each day or current information on burning conditions must be obtained.

501.758 If the fire creates a nuisance, it must be extinguished.

501.759 Permission from a landowner or designated representative must be obtained before building an outdoor fire.

501.76 Additional requirements for land clearing burning. The following "best available burning practices" shall be used when land clearing burns are conducted.

501.761 No land clearing fire shall be larger than fifty (50) feet in diameter and be located less than five times the fire diameter size from any structure.

501.762 No land clearing fire shall be ignited and no material shall be added to any fire after 6:00 pm; and no land clearing fire shall commence before 6:00 am each day unless prior approval is granted by the Authority.

501.763 At least one fan rated and operated at 6,000 cubic feet per minute must be on site for each twenty-five (25) feet of fire diameter and must be used to facilitate ignition and burning unless comparable winds make a fan unnecessary.

501.764 Material for a fire must be free of excess dirt and machine stacked by an excavator or equivalent machine which must be on site and employed until all visible emissions cease. The ratio of stack height to burn pile diameter shall be as high as possible but no less than 1:2.

501.765 The number of fires per parcel, defined as a single, integrated, land area that is being cleared by a party, shall be:

501.7651 No more than one fire per acre: and

501.7652 No more than three fires per parcel, which must be set in sequence, with each fire fully engaged prior to setting another.

501.766 Stumps and tree trunks must be split so that no material exceeding three (3) feet in diameter is burned.

501.767 A person qualified to operate stacking or equivalent machinery shall be present at the immediate fire site during burning.

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501.768 Burning shall be conducted in such a manner as to prevent any smoke and/or particulate matter from being emitted that is or is likely to restrict visibility on a public road or airport landing strip.

501.769 Outdoor fires for the purpose of land clearing burning must have a written permit from the appropriate fire permitting agency. Notwithstanding the restrictions listed in sections 501.761 through 501.768 above, all land clearing fires must meet any additional ((the)) conditions listed on the permit and all other applicable air pollution regulations.

501.770 No fires shall be permitted for the burning of material generated from land clearing projects located in areas where a burn ban exists.

501.77 Additional requirements for commercial establishments.

501.771 No open burning is allowed at permanently located commercial establishments. The Northwest Air Pollution Authority may issue fire permits on a case-by-case basis for extenuating circumstances e.g., mitigating an immediate threat to human health or safety.

Amended: April 14, 1993, October 13, 1994

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

REPEALER

NWAPA REGULATION SECTION 570 - REMOVAL AND ENCAPSULATION OF ASBESTOS MATERIAL

NEW SECTION

NWAPA REGULATION SECTION 570 - ASBESTOS CONTROL STANDARDS

570.1 The Board of Directors of the Northwest Air Pollution Authority recognize that asbestos is a serious health hazard. Any asbestos fibers released into the air can be inhaled and can cause lung cancer, pleural mesothelioma, peritoneal mesothelioma or asbestosis. The Board has, therefore, determined that any asbestos emitted to the ambient air is air pollution. Because of the seriousness of the health hazard, the Board of Directors has adopted this regulation to control asbestos emissions from asbestos removal projects in order to protect the public health. In addition, the Board has adopted these regulations to coordinate with the EPA asbestos NESHAP, the OSHA asbestos regulation, the Washington Department of Labor and Industries asbestos regulations, the Washington Department of Ecology Dangerous Waste regula-

tion, and the solid waste regulations of Island, Skagit and Whatcom Counties.

570.2 DEFINITIONS

All definitions in Section 200 are fully applicable to Section 570.

ADEQUATELY WET - means sufficiently mixed, saturated, penetrated, or coated with a continuous fine mist of water or an aqueous solution to prevent emissions.

ASBESTOS - means the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysotile (serpentine), crocidolite (riebeckite), or anthophyllite.

ASBESTOS-CONTAINING MATERIAL - means any material containing at least one percent (1%) asbestos as determined by polarized light microscopy using the Interim Method of the Determination of Asbestos in Bulk Samples contained in Appendix A of Subpart F in 40 CFR Part 763. This term does not include asbestos-containing roofing material, regardless of asbestos content, when the following conditions are met:

1. The asbestos-containing roofing material is in good condition and is not peeling, cracking, or crumbling; and
2. The binder is petroleum based, the asbestos fibers are suspended in that base, and individual fibers are still encapsulated; and
3. The binder still exhibits enough plasticity to prevent the release of asbestos fibers in the process of removing it; and
4. The building, vessel, or structure containing the asbestos-containing roofing material will not be demolished by burning or mechanical renovation/demolition methods that may release asbestos fibers.

ASBESTOS-CONTAINING WASTE MATERIAL - means any waste that contains asbestos-containing material. This term includes asbestos waste from control equipment, materials used to enclose the work area during an asbestos project, asbestos-containing material(s) collected for disposal, or asbestos-contaminated waste, debris, containers, bags, protective clothing, or HEPA filters. This term does not include samples of asbestos-containing material taken for testing or enforcement actions.

ASBESTOS PROJECT - means the construction, demolition, repair, remodeling, maintenance, or renovation of any public or private building(s), vessel, structure(s), or component(s) involving the demolition, removal, encapsulation, salvage, disposal, or disturbance of any asbestos-containing material. This term includes the removal and disposal of asbestos-containing waste material from manufacturing operations that combine asbestos-containing material with any other material(s) to produce a product and the removal and disposal of stored asbestos-containing material or asbestos-containing waste material. It does not include the application

of duct tape, rewettable glass cloth, canvas, cement, paint, or other non-asbestos materials to seal or fill exposed areas where asbestos fibers may be released.

ASBESTOS SURVEY - means an inspection using the procedures contained in 40 CFR 763.86, or an alternate method that has received prior written approval from the Control Officer, to determine whether materials or structures to be worked on, removed, or demolished, contain asbestos. In residential dwellings, asbestos samples may be taken by the resident owner of the dwelling.

CERTIFIED ASBESTOS WORKER/SUPERVISOR - means a person who is certified by the Washington State Department of Labor and Industries under WAC 296-65-010, 012, and 030 to undertake an asbestos project or, for federal employees working in a federal facility, trained in an equally effective program approved by the United States Environmental Protection Agency.

COLLECTED FOR DISPOSAL - means sealed in a leak-tight container while adequately wet.

COMPONENT - means any equipment, pipe, structural member, or other item covered, coated, or manufactured from asbestos-containing material.

CONTROLLED AREA - means an area to which only certified asbestos workers, or other persons authorized by the Washington Industrial Safety and Health Act, have access. For residential dwellings, the controlled area is the interior of the dwelling.

DEMOLITION - means the wrecking, dismantling, removal of any load-supporting structural member on, or burning of, any building, vessel, structure, or portion thereof. For residential dwellings, a demolition means the wrecking, dismantling, or removal of any load-bearing structural member by the use of heavy equipment (such as a backhoe) or the burning of the building thereby rendering as permanently uninhabitable, that portion of the building being demolished.

EMERGENCY ASBESTOS PROJECT - means an unplanned asbestos project necessitated by a sudden and unexpected event that will imminently endanger human health and safety either through exposure to asbestos fibers or loss of vital utilities. Such events may include earthquakes, floods, fire damage, non-routine failure or malfunction of equipment, or identification of additional asbestos-containing material discovered during an asbestos project.

HEPA FILTER - means a high efficiency particulate air filter found in respirators and vacuum systems capable of filtering 0.3 micrometer mean aerodynamic diameter particles with 99.97% efficiency.

LEAK-TIGHT CONTAINER - means a dust-tight container, at least 6-mil thick, that encloses the asbestos-containing waste material and prevents solids or liquids from escaping or spilling out. Such containers may include sealed plastic bags, metal or fiber drums, and polyethylene plastic.

LOCAL EXHAUST VENTILATION AND COLLECTION SYSTEM - means a system as described in Appendix J of EPA 560/565-024 (Guidance for Controlling Asbestos-Containing Materials in Buildings).

OWNER OR OPERATOR - means any person who owns, leases, operates, controls, or is responsible for activities at an asbestos project site, or an asbestos project operation, or both.

RENOVATION - means the modification of any existing building, vessel, structure, component, or portion thereof, involving the removal, encapsulation, alteration, disposal, or disturbance of any material releasing, or likely to release asbestos fibers into the air.

RESIDENTIAL DWELLING - means any nonmultiple unit building containing space for uses such as living, sleeping, preparation of food, and eating that is used, occupied, or intended or designed to be occupied by one family as their domicile. This term includes houses, mobile homes, trailers, houseboats, and houses with a "mother-in-law apartment" or "guest room". This term does not include structures that are demolished or renovated as part of a commercial or public project. Nor does this term include any mixed-use building, structure, or installation that contains a residential unit.

VISIBLE EMISSIONS - means any emissions that are visually detectable without the aid of instruments. This term does not include condensed uncombined water vapor.

WASTE GENERATOR - means any owner or operator of a source whose act or process produces asbestos-containing waste material.

WASTE SHIPMENT RECORD - means the shipping document required to be originated and signed by the owner or operator, used to track and substantiate the disposition of asbestos-containing waste material.

WORKING DAY - means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

570.3 NOTIFICATION REQUIREMENTS AND FEES

570.31 Notification Requirements - Applicability.

It shall be unlawful for any person to cause or allow work on an asbestos project or demolition unless the owner or operator has filed with the Control Officer a written notice of intention to perform an asbestos project.

570.311 A written "Notice of Intent to Perform an Asbestos Project" shall be submitted on Authority-provided forms by the owner or operator to the Control Officer before any work on an asbestos project begins. It shall be unlawful for any person to cause or allow any false or misrepresenting information on this form.

570.312 The written notification shall be accompanied by the appropriate notification fee.

- 570.313 The duration of an asbestos project shall not exceed one (1) year beyond the original starting date and shall have a starting and completion date that is commensurate with the amount of work involved.
- 570.314 A copy of the notification shall be available for inspection at the asbestos project site.
- 570.315 Upon completion of an asbestos project "Notice of Completion" shall be filed with the Control Officer on forms provided by the Authority.
- 570.316 Submission of an "Notice of Intent to Perform an Asbestos Project" shall be prima facie evidence that the asbestos project involves asbestos-containing material.
- 570.317 Application for multiple asbestos projects may be filed on one form, if the following criteria are met:
 - A. The work will be performed continuously by the same contractor; and
 - B. The structures are in a contiguous group; and
 - C. The asbestos project specifications regarding location and dates are provided in detail; and
 - D. All asbestos projects are bid as a group under the same contract.

Emergencies	Prior to start of Asbestos Project	\$0	Emergency Waiver Request Letter (by property owner) and Notice of Intent to Perform an Asbestos Project
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570.33 Annual Notifications.

In addition to the notification requirements of Sections 570.31 and 570.32, the owner or operator of a facility may file for approval by the Control Officer an annual written notification to conduct asbestos projects on one or more buildings, vessels, or structures at the facility during each calendar year for the purpose of scheduled maintenance or emergency repairs. The requirements of Sections 570.31, 570.313, 570.315 and 570.32 shall not apply to asbestos projects undertaken during the calendar year at the applicable facility if all of the following conditions are met:

570.331 Annual Notification - Restrictions.

- A. The annual written notification shall be filed with the Control Officer before commencing work on any asbestos project to be specified in an annual notification.
- B. The total amount of asbestos-containing material for all asbestos projects from each structure, vessel, or building in a calendar year under this section shall be limited to less than 260 linear feet on pipes and 160 square feet on other components.
- C. The notification requirements of Sections 570.31 and 570.32 shall apply to any asbestos project involving at least 260 linear feet on pipes or 160 square feet on other components for each building, vessel, or structure at the facility, including residential dwellings.
- D. A copy of the written annual notification shall be available for inspection at the property owner's or operator's office until the end of the calendar year.
- E. Asbestos-containing waste material generated from asbestos projects filed under an annual notification may be stored for disposal at the facility if all of the following conditions are met:
 - 1. All asbestos-containing waste material shall be treated in accordance with Sections 570.511, 570.512, and 570.513.
 - 2. Accumulated asbestos-containing waste material collected during each calendar quarter shall be kept in a controlled storage area posted with one (1) or more asbestos warning

570.32 Notification Requirements - Advance Notification Period and Fee.

Any notification required by Section 570.31 shall be considered incomplete until all the information required by Section 570.31 is received by the Control Officer and accompanied by the appropriate, non-refundable fee. The advance notification period and appropriate fee shall be determined by the following table:

Asbestos Project	Advance Notification Period	Notification Fee	Forms Required
Residential	Prior to start of Asbestos Project	\$0	Notice of Intent to Perform an Asbestos Project
<10 Linear Ft. <11 Square Ft.	Prior to start of Asbestos Project	\$25	Notice of Intent to Perform an Asbestos Project
10 - 260 Linear Ft. 11 - 160 Square Ft.	10 Working Days	\$100	Notice of Intent to Perform an Asbestos Project
>260 Linear Ft. >160 Square Ft.	10 Working Days	\$250	Notice of Intent to Perform an Asbestos Project
Amendments to All Asbestos Projects	Prior to Asbestos Project Completion Date	\$0	Amended Copy of Notice of Intent to Perform an Asbestos Project

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signs and accessible only to authorized persons; and

3. All stored asbestos-containing waste material shall be deposited at a waste disposal site within ninety (90) calendar days after collection for disposal unless the asbestos-containing waste material is handled as dangerous waste in accordance with WAC 173-303. The waste disposal site shall be operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction.

570.332 Annual Notification - Reporting Requirements and Fees.

Annual written notifications required by Section 570.331 shall be submitted by the facility owner or operator on forms provided by the Authority and filed with the Control Officer, accompanied by an annual fee of \$500.

570.333 Annual Notification - Quarterly Reporting Requirements.

In addition to the written annual notification requirements of Section 570.332, the facility owner or operator shall submit quarterly written reports to the Control Officer within fifteen (15) days after the end of each calendar quarter. Each quarterly report shall be submitted on forms provided by the Authority or in a format approved by the Control Officer.

570.34 Notification Requirements - Amendments.

It shall be unlawful for any person to cause or allow any deviation from the information contained in a written notification unless an amended notification has been received by the Control Officer. Amended notifications required by this section shall be filed by the original notifying owner or operator, received by the Control Officer no later than the last filed completion date, and are limited to the following revisions:

- 570.341 A change in the job size category because of additional asbestos-containing material. In this case, the fee shall be increased accordingly and the total fee shall be equal to, but not exceed, the fee amount provided for each job size category specified in Section 570.32;
- 570.342 The asbestos project starting or completion date, provided the total duration of the work does not exceed one (1) calendar year beyond the original starting date. The commencement date of the original advance notification period shall apply with no additional waiting period required

for amended notifications filed with the Control Officer in accordance with Section 570.34. If an amended notification results in a job size category that requires a waiting period as specified in Section 570.32 and the original notification did not require a waiting period, the advance notification period shall commence on the date the original notification was received by the Control Officer;

570.343 Name, mailing address, and telephone number of the owner or operator of the asbestos project site or operation;

570.344 Waste disposal site, provided the revised waste disposal site is operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction;

570.345 Method of removal or compliance procedures, provided the revised work plan meets the asbestos emission control and disposal requirements of Sections 570.4 and 570.5;

570.346 Description, size (total square feet or number of floors), and approximate age of the building, vessel, or structure at the original address or location; and

570.347 Any other information requested by the Control Officer.

570.35 Advance Notification Period - Exemptions.

The Control Officer may waive the required ten (10) working day advance notification period in Section 570.32 for an asbestos project or demolition if the facility owner demonstrates to the Control Officer that there is an emergency as follows:

570.351 Emergency Asbestos Project - Renovation. The owner of a facility may submit a signed written request to waive the required ten (10) working day advance notification period for an asbestos project. The request shall be submitted for approval by the Control Officer and be accompanied by the required notification and appropriate fee as required by Sections 570.31 and 570.32. Any request for approval of an emergency asbestos project shall include, at a minimum:

- A. The complete name, mailing address, and telephone number of the facility owner or operator, including the city, zip code, and county;
- B. The complete street address or location of the asbestos project site, including the city, zip code, and county;

- C. A description of the sudden and unexpected event including the date and hour that the emergency occurred; and
- D. An explanation of how the sudden and unexpected event has caused an emergency condition.

570.352 **Emergency Asbestos Project - Demolition.** The owner of a facility may submit a signed written request to waive the required ten (10) working day advance notification period for a demolition if the request is accompanied by a copy of an order from a federal, state, or local government agency that requires demolition before the ten (10) working day advance notification period has elapsed. The request and copy of the order shall be submitted for approval by the Control Officer and be accompanied by the required notifications as required by Sections 570.31 and 570.32. Any request for approval of an emergency demolition shall include, at a minimum:

- A. The complete name, mailing address, and telephone number of the owner or operator of the facility and the asbestos project, including the city, zip code, and county;
- B. The complete street address or location of the demolition site, including the city, zip code, and county;
- C. The name, title, and authority of the state or local government representative who has ordered the demolition;
- D. The reason why the demolition was ordered; and
- E. The dates on which the order was received and the demolition was ordered to begin.

570.4 PROCEDURES FOR ASBESTOS EMISSION CONTROL

570.41 Asbestos Project - Requirements.

It shall be unlawful for any person to cause or allow work on an asbestos project unless an asbestos survey has been conducted and the following procedures are employed:

570.411 Any work on an asbestos project shall be performed by certified asbestos workers under the direct, on-site supervision of a certified asbestos supervisor. This requirement shall not apply to certain limited asbestos projects conducted in accordance with Section 570.42 for residential dwellings.

570.412 All asbestos-containing material shall be kept adequately wet while being removed from any structure, building, vessel, or component.

570.413 No visible emissions shall result from an asbestos project.

570.414 All asbestos-containing material that has been removed or may have fallen off components during the course of an asbestos project shall be:

- A. Kept adequately wet until collected for disposal; and
- B. Collected for disposal at the end of each working day; and
- C. Contained in a controlled area at all times until transported to a waste disposal site; and
- D. Carefully lowered to the ground or a lower floor, not dropped, thrown, slid, or otherwise handled in such a manner that may risk further damage to them; or
- E. Transported to the ground via dust-tight chutes or containers if they have been removed or stripped more than 50 feet above ground level and were not removed as a unit or in sections.

570.415 Mechanical assemblies or components covered, coated, or manufactured from asbestos-containing material, removed as a unit or in sections, shall be contained in a leak-tight wrapping after wetting and labeled in accordance with Section 570.511(C).

- A. For large components such as boilers, steam generators, and large tanks, the asbestos-containing material is not required to be removed or stripped if the component can be removed, stored, transported, and deposited at a waste disposal site or reused without disturbing or damaging the asbestos.
- B. Metal components such as valves, fire doors, and reactor vessels that have internal asbestos-containing material may avoid wetting and leak-tight wrapping if:
 - 1. All access to the asbestos-containing material is welded shut; or
 - 2. The component has mechanical seals in place that separate the asbestos-containing material from the environment and these seals cannot be removed by hand; and

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- 3. The components are labeled in accordance with Section 570.511(C).

570.416 Local exhaust ventilation and collection systems used on an asbestos project shall:

- A. Be maintained to ensure the integrity of the system; and
- B. When feasible, have one or more transparent plastic or glass viewing ports installed on the walls of the enclosure in such a manner that will allow for viewing of all components inside the enclosure. When available, existing windows may be utilized for viewing ports.

570.417 Local exhaust ventilation and collection systems, control devices, and vacuum systems, used on an asbestos project shall be equipped with a HEPA exhaust filter, maintained in good working order, and exhibit no visible emissions.

570.42 Asbestos Project - Exemptions For Residential Dwellings.

The requirements of 570.411 shall not apply to asbestos projects conducted in a residential dwelling by the resident owner of the dwelling, except that the requirements of 570.411 shall apply to furnace interiors and direct-applied mudded asbestos insulation on hot water heating systems, which may not be removed by the resident owner.

570.43 Demolition - Requirements.

It shall be unlawful for any person to cause or allow the demolition of any building, vessel, structure, or portion thereof, unless all asbestos-containing materials have been removed from the area to be demolished. It shall be unlawful for any person to cause or allow any demolition that would disturb asbestos-containing material or prevent access to the asbestos-containing material for removal and disposal.

570.44 Demolition - Asbestos Removal Exemptions.

Asbestos-containing material need not be removed before the demolition of any building, vessel, structure, or portion thereof, if:

570.441 The asbestos-containing material is on a component that is encased in concrete or other material determined by the Control Officer to be equally effective in controlling asbestos emissions. In this case, the notification requirements of Section 570.3 shall apply and these materials shall be kept adequately wet whenever exposed during demolition until disposed of in accordance with Section 570.512; or

570.442 The asbestos-containing material could not be removed prior to demolition be-

cause it was not accessible until after demolition began. In this case, the notification requirements of Section 570.3 shall apply and the exposed asbestos-containing material and asbestos-contaminated debris shall be kept adequately wet at all times until disposed of in accordance with Section 570.512; or

570.443 The material was not accessible for removal because of hazardous conditions. Such conditions may include environments that are contaminated by toxic substances, structures or buildings that are structurally unsound and in danger of imminent collapse, or other conditions that are immediately dangerous to life and health. Under such conditions, the facility owner or operator may submit a signed written request for conditional approval by the Control Officer to waive the requirements of Section 570.43. In this case, the notification requirements of Section 570.3 shall apply and the exposed asbestos-containing material and asbestos-contaminated debris shall be kept adequately wet at all times until disposed of in accordance with Section 570.512. Evidence of the hazardous condition, as documented by a state or local government agency, shall accompany the written request in addition to the notification and appropriate fee as required by Section 570.3. The request for exemption from Section 570.43 shall include, at a minimum:

- A. The complete name, mailing address, and telephone number of the owner or operator of the facility, including the city, zip code, and county;
- B. The complete street address or location of the demolition site, including the city, zip code, and county;
- C. The name, title, and authority of the state or local government representative who has determined the hazardous condition;
- D. A description of the hazardous condition that prevents the removal of asbestos-containing material prior to demolition, including the amount, type, and specific location(s) within the structure of such materials; and
- E. The procedures that will be used to prevent the release of asbestos fibers into the ambient air.

570.45 Alternative Control Measures.

The owner or operator of an asbestos project may submit a signed written request to use an alterna-

tive control measure that is equally effective in controlling asbestos emissions for conditional approval by the Control Officer. The written request shall include, at a minimum:

- 570.451 The complete name, mailing address, and telephone number of the owner or operator of the asbestos project, including the city and zip code;
- 570.452 The complete street address or location of the site, including the city, zip code, and county;
- 570.453 A description of the material, including the type and percentage of asbestos in the material, total amount of material involved, and the specific location(s) of the material on the site; and
- 570.454 The reason why an alternative control measure is required and a description of the proposed alternative control measure to be employed, including the procedures that will be used to prevent the release of asbestos fibers into the ambient air.

570.5 DISPOSAL OF ASBESTOS-CONTAINING WASTE MATERIAL

570.51 Disposal Requirements.

It shall be unlawful for any person to cause or allow work on an asbestos project unless the following procedures are employed during the collection, processing, packaging, transporting, or deposition of any asbestos-containing waste material:

- 570.511 Treat all asbestos-containing waste material as follows:
 - A. Adequately wet all asbestos-containing waste material and mix asbestos waste from control devices, vacuum systems, or local exhaust ventilation and collection systems with water to form a slurry;
 - B. After wetting, seal all asbestos-containing waste material in leak-tight containers or wrapping to ensure that they remain adequately wet when deposited at a waste disposal site;
 - C. Permanently label wrapped materials and each container with an asbestos warning sign as specified by the Washington State Department of Labor and Industries or the Occupational Safety and Health Administration. Permanently mark the label with the date the material was collected for disposal, the name of the waste generator, the name and affiliation of the certified asbestos supervisor, and the location at which the waste was generated;
 - D. Ensure that the exterior of each container is free of all asbestos residue; and

- E. Exhibit no visible emissions during any of the operations required by this section.

570.512 All asbestos-containing waste material shall be deposited within ten (10) calendar days after collection for disposal at a waste disposal site operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction. This requirement is modified by Section 570.33 for asbestos-containing waste material from asbestos projects conducted under annual notifications.

570.513 All asbestos-containing waste material, handled as dangerous waste in accordance with WAC 173-303, shall be excluded from the requirements of Sections 570.511(C) and 570.512.

570.52 Alternative Storage Method - Asbestos Storage Facility.

570.513 All asbestos-containing waste material, handled as dangerous waste in accordance with WAC 173-303, shall be excluded from the requirements of Sections 570.511(C) and 570.512.

570.52 Alternative Storage Method - Asbestos Storage Facility.

The owner or operator of a licensed asbestos abatement company or disposal facility may apply to the Control Officer to establish a facility for the purpose of collecting and temporarily storing asbestos-containing waste material.

570.521 It is unlawful to cause or allow the operation of a temporary asbestos storage facility without the prior written approval of the Control Officer.

570.522 The owner or operator must submit a complete application for an asbestos storage facility on forms provided by the Agency. When approved, an Asbestos Storage Facility Authorization will be returned to be posted at the entrance to the facility.

570.523 An asbestos storage facility shall meet the following general conditions:

- A. Asbestos-containing waste material must be stored in a container with a single piece liner at least 6 mil in thickness; and
- B. Said container must be in a secured building or in a secured exterior enclosure; and
- C. The container and enclosure must be locked except during transfer of asbestos-containing waste material; and

- D. Storage, transportation, disposal, and return of the waste shipment record to the waste generator will not exceed the 45-day requirement of 40 CFR Part 61.150.

570.53 Alternative Disposal Method - Asbestos-Cement Water Pipe.

Asbestos-cement water pipe used on public right-of-ways or public easements shall be excluded from the disposal requirements of Section 570.512 if the following conditions are met:

- (1) Any asbestos-cement water pipe greater than one (1) linear foot in size may be buried on public right-of-ways or public easements if covered with at least three (3) feet or more of non-asbestos fill material; and
- (2) All asbestos-containing waste material, including asbestos-cement water pipe fragments that are one (1) linear foot or less, protective clothing, HEPA filters, or other asbestos-contaminated material, debris, or containers, shall be subject to the requirements of this Section 570.

Passed: October 13, 1994

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

AMENDATORY SECTION

SECTION 580 - VOLATILE ORGANIC COMPOUND CONTROL

580.1 The Board of Directors has noted the measurement of ozone concentrations (one hour ave.) nearing the Federal ambient standard at the northern and southern boundaries of the NWAPA jurisdiction. The expanding population and the presence of four large refineries contribute volatile organic compound (VOC) emissions to the atmosphere. Photochemically reactive VOC's are precursors to ozone formation. In order to maintain the current attainment status for ozone, the Board has adopted specific measures to control VOC emissions. Reasonable Available Control Technology (RACT) is required for existing refinery operations, gasoline marketing, and in the use of cutback asphalt. RACT is defined as the lowest emission limit that a particular source is capable of meeting by the application of control that is reasonably available considering technological and economic feasibility. Best Available Control Technology for VOC will be required on all new sources.

SECTION 580 - DEFINITIONS

BOTTOM LOADING - means the filling of a tank through a submerged fill line.

BULK GASOLINE PLANT - means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks. See also "gasoline station" and "gasoline loading terminal."

CERTIFIED VAPOR RECOVERY SYSTEM - means a stage II vapor recovery system which has been certified by the California Air Resources Board.

CLOSED REFINERY SYSTEM - means a disposal system that will process or dispose of those VOC collected from another system.

CUTBACK ASPHALT - means an asphalt that has been blended with more than seven percent petroleum distillates by weight.

DISPOSAL SYSTEM - means a process or device that reduces the mass quantity of the uncontrolled VOC emissions by at least ninety percent.

GASOLINE - Means a petroleum distillate having a true vapor pressure greater than 28.0 kilopascals (kPa) (4 pounds per square inch absolute -p.s.i.a.) - at 20 degrees Celsius (20 C) temperature, that is a liquid at standard conditions of 102.9 Kpa (14.7 psi) and 20 C, and is used as a fuel for internal combustion engines.

GASOLINE STATION - means any facility (~~gasoline marketing facility~~) dispensing gasoline into fuel tanks of motor vehicles, from stationary storage tanks. See also "bulk gasoline plant" and "gasoline loading terminal."

GASOLINE LOADING TERMINAL - means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks. See also "bulk gasoline plant" and "gasoline station."

LEAK FREE - means a liquid leak of less than four drops per minute.

PETROLEUM REFINERY - means a facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt, or other products by distilling crude oils or redistilling, cracking, extracting or reforming unfinished petroleum derivatives.

PROCESS UNIT - means all the equipment essential to a particular production process.

PROPER ATTACHMENT FITTINGS - means connecting hardware for the attachment of fuel transfer or vapor lines which meets or exceeds industrial standards or specifications and the standards of other agencies or institutions responsible for health and safety.

REID VAPOR PRESSURE - means the true vapor pressure of volatile organic compounds at 37.8 degrees Celsius (100 degrees Fahrenheit) temperature.

STAGE II - means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.

SUBMERGED FILL LINE - means a pipe, tube, fitting or other hardware for loading liquid into a tank either a discharge opening flush with the tank bottom; or with a discharge opening entirely below the lowest normal operat-

ing drawoff level or that level determined by a liquid depth two and one half times the fill line diameter when measured in the main portion of the tank, but not in sumps or similar protrusions.

SUBMERGED LOADING - means the filling of a tank with a submerged fill line.

SUITABLE CLOSURE or SUITABLE COVER - means a door, hatch, cover, lid, pipe cap, pipe blind, valve or similar device that prevents the accidental spilling or emitting of VOC. Pressure relief valves, aspirator vents or other devices specifically required for safety and fire protection are not included.

TRANSPORT TANK - means a container with a capacity greater than one thousand liters (260 gallons) used for transporting gasoline, including but not limited to, tank truck, tank trailer, railroad car, and metallic or nonmetallic tank or cell conveyed on a flatbed truck, trailer or railroad car.

THROUGHPUT - means the amount of material passing through a facility.

TRUE VAPOR PRESSURE - means the equilibrium partial pressure of an organic liquid (determined with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from Floating Roof Tanks," 1962).

TURNAROUND or PROCESS UNIT TURNAROUNDS - means the shutting down and starting up of process units for periodic major maintenance and repair of equipment, or other planned purpose.

UPGRADED - means the replacement or modification gasoline storage tank(s) and/or piping system(s) that exceeds 50% of the replacement cost.

VAPOR BALANCE SYSTEM - means a combination of pipes or hoses which create a closed system between the vapor spaces of an unloading tank and receiving tank such that the vapors displaced from the receiving tank are transferred to the tank being unloaded.

VAPOR BALANCING - means use of a vapor balance system.

VAPOR RECOVERY SYSTEM - means a process which prevents emission to the atmosphere of volatile organic compounds released by the operation of any transfer, storage, or process equipment.

VOLATILE ORGANIC COMPOUND or VOC - means a hydrocarbon or derivative of hydrocarbon that has a vapor pressure greater than 0.01 Kpa (0.002 psia) at a temperature of 20 C and pressure of 102.9 Kpa (14.7 psi). Excluded compounds are methane, ethane, methylene chloride, 1, 1, 1-trichloroethane (methyl chloroform), trichlorofluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane (CFC-22), trifluoromethane (FC-23), trichlorotrifluoroethane (CFC-113), dichlorotetrafluoroethane (CFC-114), and chloropentafluoroethane (CFC-115).

WAXY, HEAVY POUR CRUDE OIL - means a crude oil with a pour point of 10 C or higher (determined by the American Society for Testing and Materials Standard D97-66, "Test for Pour Point of Petroleum Oils").

PASSED: December 13, 1989

Amended: April 14, 1993, October 13, 1994

AMENDATORY SECTION

SECTION 580.6 - Gasoline Stations

580.61 Section 580.62 shall apply to:

580.611 All gasoline stations in existence on January 1, 1990 with a total annual gasoline output greater than one million three hundred ~~sixty-four~~ ~~((twenty-five))~~ thousand liters (360,000 ~~((350,000))~~ gallons) and total gasoline storage capacity greater than thirty-eight thousand liters (10,000 gallons) and

580.612 All gasoline stations installed or reconstructed after January 1, 1990.

580.62 It shall be unlawful for any person to cause or allow the transfer of gasoline from any transport tank into any stationary storage tank except as provided in 580.63 of this section unless the following conditions are met:

580.621 Such stationary storage tank is equipped with a permanent submerged fill pipe and approved vapor recovery system, and

580.622 Such transport tank is equipped to balance vapors and is maintained in a vapor-tight condition in accordance with Section 580.10 and

580.623 All vapor return line are connected between the transport tank and the stationary storage tank and the vapor recovery system is operating.

580.63 Notwithstanding the requirements of 580.61 of this regulation, the following stationary gasoline storage tanks are exempt from the requirements of 580.62:

580.631 All tanks with a capacity less than seven thousand five hundred liters (2,000 gallons) installed before January 1, 1990.

580.632 All tanks with offset fill lines installed before January 1, 1990.

580.633 All tanks with a capacity less than one thousand liters (260 gallons).

580.64 It shall be unlawful for any person to cause or allow the transfer of gasoline from a stationary tank into a motor vehicle fuel tank except as provided in 580.65 of this section unless the following conditions are met:

580.641 The gasoline station shall be equipped with a certified Stage II vapor recovery system.

580.642 The owner or operator of the gasoline station shall not allow the transfer of gasoline from stationary tanks into motor

vehicle fuel tanks unless a certified Stage II vapor recovery system is used.

- 580.643 All Stage II vapor recovery equipment shall be maintained in accordance with the systems certification requirements and shall be maintained to be leak free, vapor tight, and in good working order.
- 580.644 Whenever a Stage II vapor recovery system is determined to be defective, the owner or operator shall take the system out of service until it has been repaired, replaced, or adjusted, as necessary.
- 580.645 The owner or operator of each gasoline station utilizing Stage II vapor controls shall post operating instructions for the system as referenced in WAC 173-491-40 (5),(f).
- 580.65 The following gasoline stations are exempt from the requirements of 580.64:
- 580.651 All gasoline stations in existence August 2, 1991 having an annual gasoline throughput less than three million, one hundred and eighty-two thousand liters (840,000 gallons).
- 580.652 All gasoline stations built after August 2, 1991 with a nominal gasoline storage capacity of thirty-seven thousand nine hundred liters (10,000 gallons) or less.

PASSED: February 14, 1990

Amended: April 14, 1993, October 13, 1994

WSR 94-17-169
PROPOSED RULES
OFFICE OF MARINE SAFETY
 [Filed August 24, 1994, 10:22 a.m.]

Original Notice.

Title of Rule: Chapter 317-21 WAC, Oil spill prevention plans.

Purpose: The proposed rules will establish best achievable protection standards for approval of tank vessel oil spill prevention plans required under RCW 88.46.040.

Other Identifying Information: These rules replace chapter 317-20 WAC, Oil spill prevention plans.

Statutory Authority for Adoption: RCW 43.211.030 and 88.46.040.

Statute Being Implemented: RCW 88.46.040.

Summary: The proposed rules establish operational, personnel, management, and technological standards for approving tanker and tank barge oil spill prevention plans. The rules are effective one hundred eighty days after the filing date of the order of adoption.

Reasons Supporting Proposal: The rules are necessary to approve prevention plans as providing the best achievable protection of Washington waters required under RCW 88.46.040.

Name of Agency Personnel Responsible for Drafting: Stan Norman, Olympia, 664-9110; **Implementation:** Bruce

Proposed

Sutherland, Olympia, 664-9110; and **Enforcement:** Nina Carter, Olympia, 664-9110.

Name of Proponent: Office of Marine Safety, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Tank vessel owners or operators must amend existing plans or submit new plans to comply with these rules six months after adoption.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule is the third phase of a three-phase process to establish an oil spill prevention program for tank vessels to provide the best achievable protection of Washington waters. Tank vessel owners and operators must submit prevention plans which will be reviewed under the standards established by this rule. The rules require a prevention plan to describe policies, procedures, and practices that meet best achievable protection standards for vessel operation, personnel training and performance, shore-based management, and technology employed on covered vessels.

Proposal Changes the Following Existing Rules: The proposed rules repeal chapter 317-20 WAC, Oil spill prevention plans adopted March 4, 1993, and effective April 5, 1993.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Stan Norman, Office of Marine Safety, P.O. Box 42407, Olympia, WA 98504-2407, phone (206) 664-9110, or FAX (206) 664-9127.

Hearing Location: On October 18, 1994, at 7 p.m., at the Clark Public Utilities Operation Center, 8600 N.E. 117th Avenue, Vancouver, WA; and on October 20, 1994, at 7 p.m., at the SeaTac Airport, Theater Room (behind Mark Air Ticket Counter), Seattle, Washington.

Assistance for Persons with Disabilities: Contact Michelle Nicholls by October 17, 1994, (206) 664-9110.

Submit Written Comments to: Stan Norman, Office of Marine Safety, P.O. Box 42407, Olympia, WA 98504-2407, FAX (206) 664-9127, by October 21, 1994.

Date of Intended Adoption: November 14, 1994.

August 23, 1994

Barbara Herman

Director

WASHINGTON STATE OFFICE OF MARINE SAFETY
Chapter 317-21 WAC
(Chapter 317-20 WAC Is Repealed)
OIL SPILL PREVENTION PLANS

PART 1
GENERAL

NEW SECTION

WAC 317-21-010 Purpose. This chapter establishes standards for oil spill prevention plans required for all tank vessels under RCW 88.46.040. These standards are designed to:

- (1) Provide the best achievable protection of state waters and marine environments;

(2) Reduce the risk of a vessel casualty resulting in an oil spill; and

(3) Encourage the development and use of procedures and technology that increase the safety of marine transportation and protection of the state's natural resources.

NEW SECTION

WAC 317-21-020 Application. (1) A tank vessel may not operate in state waters unless the vessel's owner or operator complies with the provisions of this chapter and any administrative action or order issued by the office in administering this chapter. A tank vessel entering state waters based on a U.S. Coast Guard determination that the vessel is in distress is exempt from the requirements of this chapter.

(2) An oil spill prevention plan approved by the office binds the owner, operator, or charterer by demise (bareboat charterer) of a tank vessel covered by the plan, and successors, assigns, agents, and employees.

(3) An oil spill prevention plan for a tank barge must demonstrate that any tow vessel used to transport the barge complies with applicable standards in WAC 317-21-210, 317-21-230, 317-21-250, and 317-21-270.

NEW SECTION

WAC 317-21-030 Duties. An owner or operator of a tank vessel shall:

(1) Ensure that an approved oil spill prevention plan remains current and accurately represents the owner's or operator's policies, procedures, and practices;

(2) Update the approved plan annually;

(3) Make the vessel available during its scheduled stay in port for inspection by the office;

(4) Ensure that all charts, position recordings, event investigations and other records developed during the current voyage of the tank vessel, including voyage plans and position fixes during transits and while at anchor in state waters, are maintained until the vessel departs its berth, anchorage or moorage in state waters; and

(5) Supply information or documents requested by the office to complete, clarify, or confirm information presented in the plan.

NEW SECTION

WAC 317-20-040 Information protected from public disclosure. (1) An owner or operator may request that information contained in an oil spill prevention plan be protected from public disclosure. The request must be made to the administrator in writing and identify the legal basis supporting the request. To be protected, the information must be clearly identified by plan section, page number, paragraph, and, sentence.

(2) The owner or operator is solely responsible for all costs incurred, including reasonable attorney fees, in defending against any action for public disclosure brought under chapter 42.17 RCW. The owner or operator may seek injunctive relief under RCW 42.17.350. If the office receives a request for public disclosure of information for which an owner or operator has requested protection, the office will:

(a) Notify the owner or operator that a request has been made;

(b) Notify the owner or operator of any proceedings initiated to compel disclosure; and

(c) Withhold the information until released by the owner or operator or until a court order requires disclosure.

NEW SECTION

WAC 317-21-050 Language. All oil spill prevention plans, reports, correspondence, documents, and other records submitted to the office must be in English.

NEW SECTION

WAC 317-21-060 Definitions. Unless the context clearly requires otherwise, the definitions in chapter 317-05 WAC and the following apply to this chapter:

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection available. The administrator's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering:

(a) The additional protection provided by the measures;

(b) The technological achievability of the measures; and

(c) The cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection, taking into consideration:

(a) Processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development; and

(b) Processes that are currently in use. In determining what is best achievable technology, the administrator shall consider the effectiveness, engineering, feasibility, and commercial availability of the technology.

(3) "Document" means a record including any printed or written paper, completed form, bound record book, log, photograph, film, sound recording, drawing, machine-readable material, or other recording device regardless of nature or characteristics.

(4) "Fleet" means more than one tank vessel operated by the same owner or operator.

(5) "Proficient in English" means the ability to clearly speak the English language so personnel from other vessels and facilities understand and may safely complete a vessel operation.

(6) "Restricted visibility" means visibility is limited because of fog, mist, precipitation, or similar weather condition.

(7) "Restricted waterway" means waters where a pilot or pilotage license endorsement is required by state or federal law for any self-propelled vessel.

(8) "Tank barge" means a tank vessel without a means of self-propulsion or a self-propelled tank vessel less than forty meters (one hundred thirty feet) in overall length.

(9) "Tanker" means a self-propelled tank vessel forty or more meters in overall length.

PROPOSED

(10) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

- (a) Operates on the waters of the state; or
- (b) Transfers oil in a port or place subject to the jurisdiction of this state.

A ship is constructed or adapted to carry oil in bulk as cargo or cargo residue if authorized to do so under the ship's certification or classification. A vessel carries oil as cargo or cargo residue if the oil is carried for dispensing to other vessels or equipment off the vessel, or for delivery from point to point, regardless of whether direct compensation for carriage is involved. A vessel being used to collect spilled oil from the water, and that may have some recovered oil storage capacity, does not carry oil as cargo.

(11) "Topping off" means the period of time oil is received in the last ten percent of available tank capacity in any cargo tank.

(12) "Training" means instruction, materials, and procedures, formal and informal, beyond minimum applicable crew licensing and documentation requirements, including shipboard materials, practical exercises, drills, on-the-job training, and other measures to ensure a capable and knowledgeable staff.

(13) "Vessel type" means vessels built to the same design and that have the same construction, sub-assembly, power plants, and cargo and deck arrangements.

(14) "Underway" means a vessel that is not at anchor, made fast to the shore, or aground.

NEW SECTION

WAC 317-21-070 Plan submission. (1) An owner or operator shall submit three copies of an oil spill prevention plan to the office. Each copy must be in the format and contain the information required in WAC 317-21-100.

(2) An owner or operator may submit a combined oil spill contingency plan and oil spill prevention plan. Six copies of the combined plan must be submitted to the office. Information that fulfills the requirements of both this chapter and chapter 317-10 WAC need not be repeated but must be clearly cross referenced in the submittal agreement required by WAC 317-21-120. Information that fulfills the requirements of this chapter must be clearly distinguished from information that fulfills the requirements of chapter 317-10 WAC.

(3) An owner or operator may submit a plan for a fleet of tank vessels. The plan must provide information unique to each vessel type, defined under WAC 317-21-060(13), in separate appendices.

(4) At any time, an owner or operator may submit a new complete plan for review and approval under this chapter that revokes the prior plan for that vessel or fleet.

**PART 2
PLAN REQUIREMENTS**

NEW SECTION

WAC 317-21-100 Format. A tank vessel owner or operator shall submit an oil spill prevention plan that is divided into a system of numbered chapters, sections, and appendices, and bound and tabbed in loose-leaf binders. The

plan must contain the chapters described in this section in the following order:

(1) Preface. The preface must include the submittal agreement required under WAC 317-21-120 and a statement by the owner or operator that the vessel complies with the financial responsibility requirements of chapter 88.40 RCW, and any letter addressed to the administrator identifying protected information under WAC 317-21-040.

(2) Amendment log. An amendment log must be provided to record amendments to the plan. The log should indicate the section amended, the date of amendment, and the name of the person making the amendment.

(3) Table of contents. The table of contents must show the chapter, section, and appendix titles and page numbers, and the page numbers for tables, figures, and other graphics.

(4) Chapter 1: This chapter must contain policies, procedures, and practices for watch standing, navigation, engineering, pre-arrival tests and inspections, and emergencies that meet the standards of WAC 317-21-200 or 210.

(5) Chapter 2: This chapter must contain policies, procedures, and practices for personnel training, fitness and health, work hour requirements, and language requirements that meet the standards in WAC 317-21-220 or 230.

(6) Chapter 3: This chapter must contain policies, procedures, and practices that describe management, vessel visitation, and preventive maintenance programs that meet the standards in WAC 317-21-240 or 250.

(7) Chapter 4: This chapter must contain descriptions of navigation and communication equipment, emergency towing systems, towing equipment, emergency reconnection equipment, and navigation lights and day shapes that meet the standards in WAC 317-21-260 or 270.

(8) Chapter 5: This chapter must contain an event summary and event reports required under WAC 317-21-130.

NEW SECTION

WAC 317-21-110 Units of measure. Owners or operators shall express units of measure as follows: volumetric measurements shall be in barrels (petroleum); linear measurements shall be in feet and decimal feet; weight measurements shall be in long tons; velocity shall be in knots; and propulsive power shall be in horsepower.

NEW SECTION

WAC 317-21-120 Submittal agreement. An oil spill prevention plan must include a submittal agreement that includes the following.

(1) Information identifying the person submitting the plan including:

- (a) The owner or operator by name, principle place of business, mailing address, and telephone number;
- (b) The name, call sign, and Lloyd's number (official number for tank barges) of vessels covered by the plan; and
- (c) The name, address, and telephone number of a person designated by the owner or operator to be contacted for matters concerning the plan.

(2) A statement, signed by the owner or operator, verifying that the submitted plan describes policies, procedures, and practices of the owner or operator of the vessels covered by the plan and commits the owner or operator, the

owner's or operator's successors, assigns, agents, and employees to complying with the policies, procedures, and practices as described in the plan.

(3) For a tanker, an operational summary that describes:

(a) Routes normally transited including usual ports of call;

(b) Frequency and duration of typical port calls in state waters;

(c) The management organization including any vessel management or crewing services, or both, provided under contract;

(d) The total vessel manning complement required for compliance with company policy, collective bargaining agreements, insurance and underwriters, or other agreement; and

(e) The rating and assigned duties of any licensed or documented seamen who are brought aboard to temporarily relieve or supplement the vessel's manning complement, if any, while the vessel is in port.

(4) For a tank barge, an operational summary for the barge and the tow vessel that contains the information required under subsection (3) of this section.

(5) For a tanker or tank barge that operates entirely in state waters, a written schedule of the vessel's typical operations in state waters. The written schedule must identify the:

(a) Vessel's maximum bunker and cargo capacity in United States gallons, average quantity of bunker and cargo carried, and usual place and schedule for oil transfer operations;

(b) Typical routes served by the vessel;

(c) Typical schedule of the vessel;

(d) Expected pilotage, tug escort, lightering, or other assistance beyond that required by federal or state law; and

(e) Identify the contingency plan covering the vessel under Washington law.

NEW SECTION

WAC 317-21-130 Event reporting. (1) The owner or operator shall include an event summary for each vessel covered by an oil spill prevention plan for the past five years, or during the time the vessel has been under the control of the owner or operator, if less than five years. The summary must include:

(a) The date, time, and location of each event;

(b) The weather conditions at the time of the event;

(c) The vessel operations underway at the time;

(d) The identity of any facilities and other vessels involved in the event;

(e) The type and amount of any oil spilled, and the estimated amount recovered;

(f) A list of any government agencies to which the event was reported;

(g) A brief analysis of any known causes and contributing factors for each event that considers, at a minimum, human error, equipment or technology failure, and maintenance or inspection deficiencies;

(h) A description of measures taken to prevent a reoccurrence of each event, including changes to operating or maintenance procedures, personnel policies, vessel crew and organization, and the vessel's technology.

(2) The owner or operator shall submit to the office reports of events that occur after a plan is submitted. Each report must contain the information required by subsection (1) of this section. The owner or operator shall submit the report immediately on request by the office. If the office makes no request, the owner or operator shall submit a report no later than thirty days after the date of the event.

(3) For the purposes of the section, "event" means a:

(a) Collision;

(b) Allision;

(c) Near-miss incident which means a pilot, master, or other person in charge of navigating a tank vessel successfully takes action of a nonroutine nature to avoid a collision with another ship, structure, or aid to navigation, or grounding of the vessel, or damage to the environment, and also includes a vessel leaving a moored position to avoid damage from other vessels, fire, or other potential hazards;

(d) Marine casualty which means those casualties described in 46 C.F.R. sec. 4.05-1, except parts (d) and (e), regardless of vessel type, nation of registry, or location;

(e) Disabled vessel which means an accidental or intentional grounding, failure of the propulsion or primary steering systems, failure of a component or control system that reduces the vessel's maneuverability, or fire, flood, or other incident that affects the vessel's seaworthiness or fitness for service;

(f) For a tank barge, damaged towing gear; or

(g) Spills of oil from a tank vessel of over twenty-five barrels.

(4) Failure to submit a complete event summary or an event report may result in:

(a) Disapproval of the owner's or operator's plan;

(b) Penalties assessed under RCW 88.46.090(6) for each failure to submit information requested in subsection 1 (a) through (h) of this subsection; or

(c) Referral for prosecution under RCW 88.46.080.

NEW SECTION

WAC 317-21-140 Vessel specific information and documentation. The owner or operator shall include in appendix to the oil spill prevention plan submitted to the office the following vessel specific information and documentation.

(1) Vessel specific information including each vessel's:

(a) Name and former names, country of registry, and official number and call sign;

(b) Oil carrying capacity;

(c) Length overall, maximum beam, gross tonnage, deadweight tonnage, number of screws, shaft horsepower, and type of propulsion;

(d) A simple diagram of the vessel's general arrangement;

(e) For tank barges, the minimum shaft horsepower, number and type of screws, and number of persons manning vessels used to tow the barge; and

(f) The highest grade of oil each vessel is authorized to carry.

(2) Certification and classification documentation including:

(a) Copies of certificates of inspection and other authorizing documents issued by the United States Coast Guard in effect at time of submission of the plan;

(b) Copies of minimum manning certificates and certification by foreign classification societies in effect at time of submission of the plan;

(c) Copies of certificates of financial responsibility issued either by the state of Washington, or issued by another government but which meet the financial responsibility requirements of chapter 88.40 RCW; and

(d) For owners or operators of tank barges, include a list of any certification or other authorizing documentation required for a typical vessel supplying propulsion to the tank barge.

PART 3 BEST ACHIEVABLE PROTECTION STANDARDS

NEW SECTION

WAC 317-21-200 Operating procedures - tankers.

(1) *Watch Procedures.* An oil spill prevention plan for a tanker must describe watch practices, policies and procedures that meet the following standards.

(a) *Navigation Watch.* The navigation watch shall consist of at least two licensed deck officers, a helmsman, and a lookout. One of the licensed deck officers may be a state-licensed pilot when the tanker is in pilotage waters. The helmsman may not serve as a lookout.

(i) When the tanker is operating in restricted visibility, the navigation watch shall include at least three licensed deck officers, one of whom may be a state-licensed pilot. The vessel master or officer in charge shall determine periods of restricted visibility and record in the deck log the time restricted visibility begins and ends.

(ii) Lookouts must be posted in a safe location that allows sight and hearing of all navigational hazards and other vessels.

(iii) There must be rapid and reliable communication between the lookout and the officer in charge on the bridge.

(iv) The names of each navigation watch member must be logged in the deck log when the member assumes watchstanding duties.

(b) *Bridge Resource Management.* The navigation watch shall employ a bridge resource management system that clearly organizes the navigation watch into a bridge team and coordinates the use of bridge equipment for vessel navigation, collision avoidance and bridge administration. The bridge resource management system must be standard practice throughout the owner's or operator's fleet. The system must include, but is not limited to:

(i) Defined bridge team assignments and duties for open sea transits, coastal and restricted waterway navigation, and conditions of restricted visibility;

(ii) Procedures for navigating with a pilot;

(iii) Defined responsibilities, stations, and communication guidelines for each bridge team member in response to emergencies, including pollution incidents;

(iv) Clearly articulated goals, objectives and priorities for each bridge team member;

(v) Clear delegation of duties, responsibilities and authority between bridge team members;

(vi) Guidelines for understandable and situation-specific communication between bridge team members and between the bridge team and pilot for open sea transits, coastal and restricted waterway navigation, and conditions of restricted visibility;

(vii) Comprehensive passage and voyage planning; and

(viii) Defined responsibilities, stations, and communication guidelines for each bridge team member for maneuvering to enter or leave designated and customary shipping lanes, anchorage, and moorage.

(c) *Coordination with Pilots.* The bridge resource management system must include a procedure to coordinate interaction of the bridge team and pilot at a time and in a manner that does not interfere with the performance of the pilot's duties. To facilitate this coordination, vessel masters shall use a checklist that includes, at a minimum, the following:

(i) The responsibilities of each bridge team member under the vessel's bridge resource management system;

(ii) Identification of members of the bridge team with English proficiency;

(iii) The vessel's maneuvering characteristics;

(iv) The operating condition, including compass error, of the navigation and communications equipment;

(v) The capabilities of the propulsion and steering systems, and a report of any propulsion or steering failures during the current voyage;

(vi) The draft, displacement, and other vessel particulars;

(vii) A passage plan for restricted waterways including:

(A) Intended routes and waterways transited and appropriate vessel speed for each waterway;

(B) Waterway characteristics including depths, type of bottom, currents, tides, and anchorage areas;

(C) Ship-to-shore communication procedures;

(D) Escort and assist tug requirements and communications;

(E) Mooring arrangements;

(F) Expected weather and traffic; and

(G) Local traffic management rules and requirements.

(d) *Security Rounds.* The master shall designate spaces on the vessel covered by security rounds to identify and, if feasible, to correct safety hazards such as potential fire hazards, defective machinery, hull and bulkhead integrity, malfunctioning safety equipment, potential sources of pollution, and potentially dangerous crew activities.

(i) Security rounds must be conducted when the vessel is underway, anchored, or moored.

(ii) The master shall designate security rounds on as much of the vessel as the master deems safe for the crew member making the round.

(iii) Crew members making security rounds shall be provided appropriate training and checklists, and instructed to first notify the deck watch officer before attempting corrective action.

(iv) Security rounds must be made at least every two hours. On tankers equipped with functioning automated fire and flooding detection systems, security rounds must be made at least every four hours.

(v) The vessel's deck watch officer shall log the completion of each security round in the deck log.

(e) Anchor Watch. A licensed deck officer shall maintain a watch from the bridge while the tanker is anchored. The officer shall continuously monitor the position of the vessel at anchor and plot its position at least once each hour.

(f) Engineering Watch. Licensed engineers shall be in the engineering control room and in the immediate vicinity of the machinery space's emergency throttle controls if:

(i) The tanker's engineering control room is not within the machinery spaces; and

(ii) The vessel is maneuvering to embark or disembark a pilot, docking or departing berth, or anchoring or departing anchorage.

(2) *Navigation Procedures.* An oil spill prevention plan for a tanker must describe navigation practices, policies and procedures that meet the following standards.

(a) Fix Intervals. The position of tankers while underway in state waters must be continuously determined at fifteen minute intervals or less using all appropriate navigational aids to monitor set and drift. Positions may be recorded manually or electronically.

(b) Voyage Planning. Prior to operating in state waters, the vessel master shall ensure that a comprehensive written voyage plan is developed for the tanker's trip through state waters. A standard voyage plan for consecutive voyages along the same routes may be used if updated prior to the tanker's entry into state waters. The voyage plan must address, at a minimum, the following:

(i) Channel depth and width, turning areas, navigational obstructions, and appropriate speeds for each waterway transited;

(ii) Accuracy and dependability, and functioning, of available navigational aids, including radio-navigational aids;

(iii) Environmentally sensitive areas designated and provided by the northwest area committee established under 33 U.S.C. sec. 1321(j), traffic separation systems, areas-to-be-avoided, landfalls, routes expected to be transited at night, and other areas where caution should be exercised;

(iv) Predicted weather, currents and tides;

(v) Expected vessel traffic;

(vi) Procedures, expected communications, and times for complying with the requirements for vessel traffic services, pilotage, tug escorts, and tug assists;

(vii) Emergency procedures to be used while transiting state waters for vessel casualties, pollution incidents, and personnel health and safety;

(viii) Berthing and anchoring arrangements, including water depth at intended mooring or anchorage's;

(ix) Engineering considerations, including pre-arrival tests and inspections as required under subsection (4) of this section, planned maintenance, fuel tanks used and expected fuel consumption, stability, trim and drafts, and required ballast;

(x) Review of the information in, and accuracy of, available charts, notices to mariners, and other navigational publications;

(c) Compass Checks. While underway in state waters, the vessel master shall establish a schedule for frequent comparisons of the steering gyrocompass with the magnetic compass;

(d) Port Angeles. A master of a tanker carrying cargo shall use assist tugs for anchoring and departing anchorages in the port of Port Angeles.

(e) Tug Escorts. Reserved.

(f) Rescue Tug. Reserved.

(3) *Engineering Procedures.* An oil spill prevention plan for a tanker must describe engineering practices, policies and procedures that meet the following standards.

(a) Tankers without automatic stand-by switching gear for stand-by generators must operate with the load split between the primary generator and a stand-by generator while underway in state waters.

(b) The steering gear flat must be inspected hourly while operating in state waters, unless monitored by closed circuit television.

(c) If applicable, scoop injection cooling water systems must be secured at least six hours before operating in state waters.

(d) If applicable, the main engines must be operating to capacity on fuel used for maneuvering before operating in state waters.

(4) *Pre-arrival Tests and Inspections.* An oil spill prevention plan for a tanker must describe policies, procedures, and practices that require the following pre-arrival tests and inspections to be conducted and logged in the deck or engineering log twelve hours or less before operating in state waters.

(a) Navigation equipment, including compasses, radars, direction finders, and speed monitoring devices, must be inspected. Compass, range, and bearing errors must be logged in the deck log and posted on the bridge to be used by the bridge team.

(b) Emergency and stand-by ship service generators must be started and the switch gear proven to be working.

(c) All steering systems and local controls of the steering gear at the steering gear flat must be tested, and the steering gear flat inspected for unusual conditions such as leaks, fractures, and loose connections.

(d) The main engine, or engines, must be tested ahead and astern, or through the full range of pitch of controllable pitch propellers, if the tanker is so equipped.

(e) Main lubrication oil pumps must be tested and ready for immediate use.

(f) Main heavy oil pumps must be tested and ready for immediate use.

(g) For main engine lubrication and fuel oil systems with fitted duplex strainers, stand-by strainers must be cleaned, purged, and made immediately available.

(h) Fuel sufficient to operate the main engine or engines on the transit to berth or anchorage must be transferred to the main engine settler or service tanks, or both.

(i) Main and stand-by cooling water system circulating pumps must be tested and ready for immediate use.

(j) Intake or charge air auxiliary electric blowers, if applicable, must be tested and ready for immediate use.

(k) Starting and control air tanks must be filled and ready for use.

(l) Main and stand-by air compressors must be tested and ready for immediate use.

(m) The starting air piping system must be aligned and drained of condensate.

(n) For steam-driven tankers:

(i) Spare boiler burners must be prepared and ready for immediate use;

(ii) Forced draft fans must be tested and ready for immediate use; and

(iii) Main and stand-by feed water pumps must be tested and ready for immediate use.

(5) *Emergency Procedures.* An oil spill prevention plan for a tanker must describe practices, policies and procedures for emergencies that meet the following standards.

(a) The vessel master shall maintain and post station bills clearly stating crew assignments and duties for the following emergencies:

(i) Shipboard fire;

(ii) Orders to abandon ship;

(iii) Man overboard; and

(iv) Oil spill response.

(b) The vessel master shall establish written procedures for responding to:

(i) Collisions and allisions;

(ii) Groundings and strandings; and

(iii) Hull breach, structural failure and foundering;

(iv) Loss of propulsion;

(v) Loss of steering;

(vi) Loss of electrical power; and

(vii) Gyrocompass malfunction.

(c) The vessel master shall establish written procedures outlining preparations for:

(i) Emergency towing;

(ii) Responding to loss of throttle control from the bridge which includes ensuring engineers are quickly on station as described in WAC 317-21-200 (1)(f)(ii); and

(iii) Weather that poses hazards to personnel, the vessel, or equipment.

(6) *Events.* If the vessel is involved in an event, defined under WAC 317-21-130, while in state waters, the position plotting records, whether written, typed, electronically recorded or otherwise recorded, required under subsection (2)(a) of this section, and the comprehensive written voyage plan required under subsection (2)(b) of this section may not be erased, discarded or altered without permission of the office.

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

NEW SECTION

WAC 317-21-210 Operating procedures - tank barges. (1) *Watch Procedures.* An oil spill prevention plan for a tank barge must describe watch policies, procedures, and practices for the tank barge and tow vessel used to transport the barge that meet the following standards:

(a) *Navigation Watch Composition.* The navigation watch on the tow vessel shall consist of at least one licensed deck officer or tow vessel operator.

(i) When underway in restricted visibility, a lookout must be assigned to the navigation watch and stationed in a safe location that allows sight and hearing of all navigational hazards and other vessels, and there must be a rapid and reliable means of communication between the lookout and the tow vessel operator.

(ii) The names of each navigation watch member must be logged in the deck log as the member assumes duties.

(iii) The tow vessel's operator shall determine periods of restricted visibility and record in the deck log the date and time restricted visibility begins and ends.

(b) *Security Rounds.* Security rounds must be made in compliance with the standards in 317-21-200 (1)(d) and include:

(i) Inspection of towing equipment;

(ii) Navigation lights on both the tow vessel and the tank barge; and

(iii) For moored barges:

(A) Inspection of the tank barge if attended by the tow vessel; or

(B) Inspections that comply with 46 C.F.R. Sec. 3505, if not attended by the tow vessel.

(2) *Navigation Procedures.* An oil spill prevention plan for a tank barge must describe policies, procedures, and practices that ensure the tow vessel operator complies with the following navigation standards:

(a) *Voyage Planning Procedures.* The tow vessel operator shall comply with established voyage planning procedures. Standard procedures may be used for frequently traveled routes if updated prior to departure. The procedures must include, at a minimum, the following:

(i) Channel depth and width, turning areas, navigational obstructions, and appropriate speeds for each waterway transited;

(ii) Use of routes outside of charted traffic separation lanes or close to shore where not prohibited;

(iii) Identification of commercial and recreational fishing grounds to be avoided or navigated; and

(iv) Identification of areas where tank barges may not transit including Deception Pass, Swinomish Slough, and Hadlock Cut in Puget Sound;

(v) Accuracy and dependability, and functioning, of available navigational aids, including radio-navigational aids;

(vi) Environmentally sensitive areas designated and provided by the northwest area committee established under 33 U.S.C. sec. 1321(j), traffic separation systems, areas-to-be-avoided, landfalls, routes expected to be transited at night, and other areas where caution should be exercised;

(vii) Predicted weather, currents and tides;

(viii) Expected vessel traffic;

(ix) Review of the information in, and accuracy of, available charts, notices to mariners, and other navigational publications;

(x) Tank barge inspections immediately prior to and after the voyage including inspections of hull integrity, towing equipment, and navigation lights.

(b) Bar-Crossing Procedures. Tow vessel operators shall comply with procedures to cross ocean bars that:

(i) Prohibit crossings with tandem tows;

(ii) Prohibit crossings in heavy weather or sea conditions, or both, or when the swell height is excessive;

(iii) Require the tow vessel operator to receive approval from the owner's or operator's port captain or operations manager prior to crossing;

(iv) Require all main deck hatches and ports on the tow vessel and barge to be closed and secured;

(v) Require all generators and tow winch engines to be running while crossing a bar;

(vi) Require tow winch brakes to be set with the air brake off and the hand brake set hand-tight;

(vii) Require chafe boards to be left off during a bar crossing; and

(viii) Require the tow vessel operator to pilot the vessel, a crew member to be stationed at the tow winch controls with a rapid and reliable means of communication with the operator, and a crew member to be on call to respond to machinery space alarms.

(c) Navigation Equipment Checks. The tow vessel operator shall comply with WAC 317-21-200 (2)(c) and (4)(a).

(3) *Emergency Procedures.* An oil spill prevention plan for a tank barge must describe policies, procedures, and practices for both the barge and tow vessel for:

(a) Shipboard fire;

(b) Man overboard;

(c) Groundings and strandings; and

(d) Lost barge retrieval.

NEW SECTION

WAC 317-21-220 Personnel policies - tankers. (1)

Training. An oil spill prevention plan for a tanker must describe a comprehensive training program that requires training beyond the training necessary to obtain a license or merchant marine document. The program must include instruction on the use of job-specific equipment, installed technology, lifesaving equipment and procedures, and oil spill prevention and response equipment and procedures. The program must at a minimum contain the following elements.

(a) *Crew Training.* Within three years from the effective date of this chapter or from the date of employment by the owner or operator, whichever is later, a crew member shall complete a comprehensive training program approved by the office.

(b) *Vessel Orientation.* Personnel newly assigned to a tanker or who have not served on another tanker of the same vessel type for more than one year, and maintenance personnel, shall undergo an orientation that includes:

(i) Station assignments and procedures under WAC 317-21-200(5);

(ii) A vessel familiarization tour that includes:

(A) A walking tour of the deck house and other spaces designated by the vessel master; and

(B) Identification of all egress routes.

(C) *Position Specific Requirements.* All personnel newly hired or who have not served on a tanker of the same vessel type for more than one year, and who are filling positions designated on the vessel's certificate of inspection issued by the U.S. Coast Guard or safe manning certificate issued by the vessel's nation of registry, shall complete training specific to their position.

(i) The vessel's master, chief mate, chief engineer, and senior assistant engineer shall be trained in shipboard management.

(ii) The vessel's master and other licensed deck officers shall be trained in:

(A) Bridge resource management;

(B) Automated radar plotting aids;

(C) Shiphandling;

(D) Crude oil washing, if the vessel is so equipped;

(E) Inert gas systems, if the vessel is so equipped;

(F) Cargo handling for all cargo types carried, including associated hazards with each type, and hull stress during cargo transfer;

(G) Oil spill prevention and response responsibilities; and

(H) Shipboard fire fighting.

(iii) The vessel's licensed engineering officers shall be trained in:

(A) Inert gas systems, if the vessel is so equipped;

(B) Vapor recovery systems, if the vessel is so equipped;

(C) Crude oil washing, if the vessel is so equipped;

(D) Oil spill prevention and response responsibilities; and

(E) Shipboard fire fighting.

(iv) Unlicensed ratings shall be trained in bridge resource management if assigned bridge responsibilities, or in cargo handling if assigned cargo handling responsibilities, or both, and all ratings shall receive training in oil spill prevention and response, and shipboard fire fighting.

(d) Refresher Training. Personnel who received training described in (c) of this subsection shall undergo refresher training at least once every five years. Personnel who fail to undergo refresher training within five years, shall complete the comprehensive job specific training program described in (c) of this subsection. Refresher training must include examination of the crew member's skills to determine his or her ability to safely and effectively perform in the position assigned.

(e) Shipboard Drills. The following shipboard drills must be conducted and logged in the vessel's deck log.

(i) A weekly fire drill that meets the requirements of 46 C.F.R. sec. 35.10-5 (1992).

(ii) A monthly abandon ship drill that meets the requirements of the International Convention on Safety of Life at Sea, Chapter III, Part B, Regulation 18.

(iii) The following drills must be conducted quarterly:

(A) Oil spill response;

(B) Emergency steering that complies with the International Convention of Safety of Life at Sea, Chapter V, Regulation 19-2(d);

(C) Loss of propulsion;

(D) Loss of electrical power;

(E) Emergency towing; and

(F) Man overboard.

(2) *Illicit Drugs and Alcohol Use.* The use of illicit drugs and the consumption of alcohol on board a tanker is prohibited while in state waters. A person under the influence of illicit drugs or alcohol may not perform any duty on the vessel while in state waters.

(a) An owner or operator of a tanker shall have a pre-employment, random, post-accident, and reasonable cause chemical testing program for illicit drug and alcohol use.

(b) The owner or operator shall submit a report with annual plan updates required under WAC 317-21-430 which includes:

(i) The total number of personnel covered by the owner or operator's plan;

(ii) The total number of personnel tested for illicit drugs in the past year;

(iii) The total number of personnel tested for alcohol in the past year;

(iv) The type and number of each test performed for each person in the past year;

(v) A summary of the ratings, assigned vessel, and test results of personnel who tested positive in the past year; and

(vi) The name, rating and assigned vessel of each person who tested positive more than once for either alcohol

or illicit drug use during their employment with the owner or operator.

(c) All tankers covered by the plan shall be equipped with alcohol test equipment capable of measuring the equivalent of at least .04 percent blood alcohol content by weight. At least one crew member on each vessel shall be qualified to administer alcohol tests.

(d) If one percent or less of the personnel covered by the plan test positive for alcohol use for two consecutive calendar years, the owner or operator may reduce the level of random testing to twenty-five percent of the personnel. If more than one percent of the personnel covered by the plan test positive for alcohol use for two consecutive calendar years, the office may require:

(i) Pre-boarding alcohol testing for all personnel;

(ii) Unannounced, random alcohol testing of personnel on board each vessel; or

(iii) Both (d)(i) and (d)(ii) of this subsection.

(e) For the purposes of this section, the following definitions apply.

(i) "Chemical test" means a analysis of a person's breath, blood, urine, saliva, bodily fluids, or tissues for evidence of illicit drug or alcohol use performed in a scientifically recognized manner.

(ii) "Illicit drug" means a narcotic drug, marijuana, and any substance listed as a controlled substance under 21 U.S.C. sec. 802.

(iii) "Positive test results" means a chemical test that identifies any amount of alcohol or levels of illicit drugs meeting or exceeding initial cut off levels described in 49 CFR sec. 40.29(e) found as a result of chemically testing a person's breath, blood, urine, saliva, bodily fluids, or tissues.

(iv) "Post-accident testing" means the immediate administration of an chemical test for alcohol use or the collection of test samples for illicit drug use of vessel personnel directly involved in an allision, collision, grounding, ship board fire, flood, or discharge of oil or hazardous material.

(v) "Pre-employment testing" means tests administered and results obtained prior to employment.

(vi) "Random testing" means that each crew member of a vessel covered by a prevention plan has a substantially equal chance of selection on a statistically valid basis throughout the crew member's employment, as long as fifty percent of all vessel personnel are tested annually. Random testing may not include pre-employment, post-accident, reasonable cause tests, or tests required to maintain a mariner's license or documentation. Random testing also may not include tests required by a marine facility.

(vii) "Reasonable cause testing" means testing required based on a reasonable and articulable belief that a person has used an illicit drug or alcohol arrived at by direct observation of actual use or of specific, contemporaneous physical, behavioral, or performance indicators of probable use.

(3) *Personnel Evaluation.* An oil spill prevention plan for a tanker must contain policies, procedures, and practices

that describes a program for evaluating members of a vessel's crew and that requires the following.

(a) The vessel master, chief engineer, and officers shall monitor the fitness for duty of crew members. A crew member determined to be unfit for duty shall be immediately relieved of duties.

(b) All crew members shall undergo a performance review at least once a year that provides a job performance evaluation and identifies any training needed to safely and effectively perform his or her assigned duties.

(4) *Work Hours.* A member of a tanker's crew may not work more than fifteen hours in twenty-four hours, nor more than thirty-six hours in seventy-two hours except in an emergency. Time spent performing administrative duties is considered time worked. An emergency is an unforeseen situation that poses an imminent threat to human safety or the environment, or substantial loss of property. A licensed deck officer may not assume duties on a navigation watch when first departing a berth in state waters unless he or she was off duty for at least six hours of the twelve hours prior to departure.

(5) *Language.* An oil spill prevention plan for a tanker must demonstrate that:

(a) All licensed deck officers and the vessel's designated person in charge under 33 CFR sec. 155.700 are proficient in English and speak a language understood and spoken by subordinate officers and unlicensed crew; and

(b) All operating manuals, directives, written instructions, placards and station bills are printed in a language understood and spoken by both the vessel's licensed officers and unlicensed crew.

(6) *Record Keeping.* The owner or operator shall maintain the following records.

(a) *Training Records.* The owner or operator shall maintain detailed training records for personnel assigned to each vessel covered by the plan. The records must include training required to obtain a license or merchant marine document, and completion dates and performance evaluations of the training described in subsection 1 (b) through (d) of this section. Personnel training records must be maintained either on the vessel where the person is stationed or at a central location. If the owner or operator maintains personnel records at a central location, the owner or operator shall:

(i) Provide the office the address where the records are kept and name of the custodian of the records; and

(ii) Provide the office requested records within seventy-two hours of receiving a request for the record.

(b) *Work Hour Records.* The owner or operator shall maintain records demonstrating compliance with subsection (4) of this section and, upon request, shall provide the records to the office.

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

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NEW SECTION

WAC 317-21-230 Personnel policies - tank barges.

(1) *Crewing.* An oil spill prevention plan for a tank barge must contain policies, procedures, and practices that demonstrate the following.

(a) Two personnel, one of whom must be a certified tankerman under 46 C.F.R. subpart 12.20, shall be on the tank barge during topping off if receiving oil cargo from a facility or tank vessel, except:

(i) On tank barges constructed to provide an unrestricted view of all cargo tank openings from any point on the barge and if topping off is conducted at a reduced rate of flow; or

(ii) On tank barges equipped with overfill protection devices approved by the U.S. Coast Guard and if topping off is conducted at a reduced rate of flow.

(b) Three licensed officers or tow vessel operators shall be on a tow vessel for tank barge tows underway more than twelve hours.

(c) Tow vessel operators shall maintain a list of crew members while towing a tank barge in state waters.

(2) *Training.* An oil spill prevention plan for a tank barge must describe a comprehensive training program for the tow vessel and barge crew that meets the standards described in WAC 317-21-220 (1)(a), (b), (c)(iii)(D) and (E), and (d). The tank barge crew shall also be trained in cargo handling. The plan must also demonstrate that:

(a) For ocean towing, a drill is conducted at least once per voyage for shipboard fire fighting, lost barge retrieval, man overboard, and oil spill response; and

(b) For restricted waterway towing:

(i) A shipboard fire fighting drill is conducted weekly;

(ii) A lost barge retrieval drill is conducted monthly;

and

(iii) Oil spill response and man overboard drills are conducted quarterly.

(3) *Illicit Drug and Alcohol Use.* The owner or operator shall comply with the requirements of WAC 317-21-220(2).

(4) *Work Hours.* A member of the tank barge crew while conducting oil transfers shall comply with the standards described in WAC 317-21-220(4). Work hours do not include periods when an oil transfer procedure is shut down and oil transfer duties are not being performed.

(5) *Record Keeping.* (a) *Training Records.* The owner or operator shall maintain detailed training records for personnel assigned to each vessel covered by the plan that meet the requirements of WAC 317-21-220 (6)(a).

(b) *Work Hour Records.* The owner or operator shall maintain records demonstrating compliance with subsection (4) of this section and, upon request, shall provide the records to the office.

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

NEW SECTION

WAC 317-21-240 Management - tankers. (1) *Management Oversight.* Owners and operators of a tanker shall have management policies, procedures, and practices that demonstrate active monitoring of vessel operations and maintenance, personnel training and development, personnel health and fitness for duty, technological improvements in navigation and cargo handling, and management practices. Active monitoring includes identification of problems in these areas and implementation of corrective measures.

(2) *Management Program.* Subject to subsection (3) of this section, the management program must meet the certification requirements for:

- (i) The International Ship Managers Association for complying with the Code of Ship-Management Standards;
- (ii) Det Norske Veritas for complying with the Safety/Environmental Protection management system;
- (iii) Lloyd's Register for complying with the Quality Management System; or
- (iv) The vessel's nation of registry for complying with the International Maritime Organization's International Safety Management Code.

(3) *Management Program Elements.* An owner or operator without a certified management program under subsection (2) of this section, shall have a management program containing the following elements.

(a) *Policy Statement.* A company policy statement, signed by the company's chief executive officer, committing the company, management, employees, and agents to:

- (i) Personal safety; and
- (ii) Prevention of environmental pollution.

(b) *Organization.* An organizational scheme that includes:

- (i) Clear lines of authority and communication for safety, quality assurance, and environmental pollution prevention for both the vessel and shore-side management;
- (ii) Shipboard safety meetings at least weekly;
- (iii) An accident prevention program for recognizing, evaluating, and reducing accidents that result in personal injury or reduction of quality assurance, or both; and
- (iv) A program for responding to environmental pollution or events, or both, that provides reporting guidelines, investigation procedures, and a process for determining and implementing corrective measures.

(c) *Performance Measurement.* A program to measure the performance of management, employees, and agents in meeting the goals stated in the company's policy statement. The program must include a system of internal audits by the company and external audits by an independent auditor.

(4) *Vessel Visitation.* An owner or operator of a tanker shall have a vessel visitation program that requires quarterly visits by company management such as port captains or port

engineers to each tanker covered by the plan. During these visits, company managers shall review shipboard management and operations with the vessel master and chief engineer, and provide guidance in correcting identified problem areas. The vessel's master shall record the time, date, and findings in the deck log.

(5) *Preventive Maintenance.* An oil spill prevention plan for a tanker must describe a comprehensive maintenance program that includes, at a minimum, the following elements.

(a) *Planned Maintenance.* A planned maintenance program for a vessel's navigation, propulsion, steering, communications, electrical, and cargo handling systems that involves at a minimum:

- (i) Preventive maintenance for each system according to the procedures and recommended frequency of the machine's or equipment's manufacturer;
- (ii) Annual inspections of each system; and
- (iii) Inventory control and maintenance of necessary replacement parts.

(b) *Critical Area Inspection Plans.* A plan to monitor and repair the structural integrity of critical areas of the vessel's holds, piping, and hull identified by historical information or predictive models, or both. Critical areas must be visually inspected annually, and thickness gauged where structural integrity is questioned. Corrosion reduction measures must be identified and scheduled.

(c) *Documentation.* Surveys of the holds, piping, and hull by the vessel's classification society, and annual inspections or surveys by any other independent entity, must be documented and any reports generated kept on board.

NEW SECTION

WAC 317-21-250 Management - tank barges. *Management Program.* An oil spill prevention plan for a tank barge must describe a management program for the tank barge and tow vessel used to transport the barge that meets the standards described in WAC 317-21-240 (2) through (5).

NEW SECTION

WAC 317-21-260 Technology - tankers. (1) *Navigation and Communication Equipment.* An oil spill prevention plan for a tank vessel must describe navigation and communication equipment used on a vessel covered by the plan which includes:

- (a) VHF-FM radios capable of transmitting and receiving on all channels required for navigating in state waters;
- (b) Global positioning system (GPS) receivers; and
- (c) Two separate radar systems, one of which is equipped with an automated radar plotting aid (ARPA).

(2) *Emergency Towing System.* Tankers must be equipped with an emergency towing system on both the bow and stern within two years from the effective date of this chapter that:

- (a) Comprises:

(i) Designated strong points able to withstand the load to which they may be subjected during a towing operation in maximum sustained winds of forty knots and significant wave heights of five and a half meters;

(ii) Chafing chains, towing pennant, tow line and connections of a size and strength to tow the tanker fully laden in maximum sustained winds of forty knots and significant wave heights of five and a half meters; and

(iii) Appropriately sized and colored marker buoys attached to the towing pennants; and

(b) Is deployable:

(i) In 15 minutes or less by at most two crew members;

(ii) From the bridge or other safe location when the release points are inaccessible; and

(iii) Without use of the vessel's electrical power.

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

NEW SECTION

WAC 317-21-270 Technology - tank barges. (1) *Navigation and Communication Equipment.* An owner or operator of a tank barge shall ensure that equipment employed by tow vessels transporting tank barges complies with the standards in WAC 317-21-260 (1)(a) and (b).

(2) *Towing Equipment.* An owner or operator of a tank barge shall employ towing equipment that complies with the following standards.

(a) *Tow Vessels.* Tow vessels that transport tank barges must have twin screws and a minimum bollard pull of four pounds per deadweight ton of the tank barge.

(b) *Tow Wire.* The tow wire for hawser towing must have:

(i) A diameter of at least one and one-quarter inch;

(ii) A nominal breaking strength of two and a half times the bollard pull of the tow vessel;

(iii) An independent wire rope core;

(iv) Improved plow steel or extra improved plow steel wire;

(v) Been heavily lubricated or galvanized at the time of manufacture;

(vi) A right or left regular lay and is six by nineteen construction or larger; and

(vii) A tow line that terminates in either:

(A) A spelter or thermo-set resin poured socket sized to exceed the breaking strength of the tow wire; or

(B) A spliced eye with a thimble sized to exceed the breaking strength of the tow wire.

(c) *Restricted Waterways - Tow Wire.* The tow wire for restricted waterways hawser towing must comply with the requirements in (a) of this subsection except:

(i) The primary line tow line for restricted waterways towing may be synthetic fiber; and

(ii) Swaged eyes and wire clips may not be used on the primary tow line.

(d) *Bridles and Surge Chains.* Tank barges must be equipped with:

(i) For hawser towing, tow bridle and surge chains where the:

(A) Breaking strength of each bridle leg and the surge chain is 1.3 times the nominal breaking strength of the primary tow line;

(B) Chain is Grade Two or higher, welded or forged, integral stud link chain; and

(C) Surge chain may have an end link or one studless link;

(ii) For restricted waterways hawser towing, tow bridles made of chain or synthetic fiber or wire-rope where the breaking strength of each bridle leg is equal or greater than the nominal breaking strength of the primary tow line.

(e) *Barge Fittings.* Tank barges must be equipped with:

(i) Two tow pads to which the tow bridle is connected where the:

(A) Tow pad and supporting structure has a yield strength of 1.25 times the nominal breaking strength of the tow line;

(B) Tow pad can carry the load applied throughout the full arc possible in normal service; and

(C) The axis of the tow pads lie along the axis of the attached bridle leg when towing straight ahead; and

(ii) Towing fairleads if the tow pads are not located at the extreme bow and where:

(A) Closed fairleads or chocks are installed so the each leg of the tow bridle leads straight from the bridle apex through the center of the fairlead to the tow pad;

(B) The fairlead opening is round or oval, and large enough to pass all parts of the bridle in either direction but without allowing excessive lateral motion;

(C) All fairlead surfaces are ground smooth with a radius four times greater the bar diameter of the chain, or the diameter of the synthetic or wire-rope, used.

(f) *Shackles.* All shackles used must be:

(i) Rated with a breaking strength of 1.3 times the nominal breaking strength of the primary tow line;

(ii) Either round pin anchor or chain safety shackles with a locking nut secured by a nut and bolt, or cotter pin;

(iii) Forged or cast;

(iv) Marked with the shackle's safe working load and rated or minimum breaking strength.

(g) *Shackle and Flounder Plates.* Shackle and flounder plates must be:

(i) Constructed of whole plates with no welding other than on assembly gussets and reinforcing rings; and

(ii) Triangular cast, forged, or fabricated steel equal to the ASTM-36 standard with all corners rounded.

(h) *Chafing Protection.* All tow line components described in (a) through (e) of this subsection must be protected from chafing where the component contacts a surface that could cause wear during normal operation.

(i) *Tow Winches.* Tank barge tow winches must:

(i) Accept and hold a load equal to the breaking strength of the tow line without damage to the winch, its foundation, or brakes;

(ii) Have a brake on the main cable drum capable of holding the breaking strength of the inner most layer of the tow line without power to the winch;

(iii) Have a towing winch cable drum with a minimum diameter 12 times the diameter of the tow line;

(iv) Have a connection between the tow line bitter end and the winch cable drum with a holding capacity no greater than fifteen percent of the breaking strength of the tow line;

(v) Always have ten or more wraps of the tow line on the bottom layer of the cable drum while towing; and

(vi) Have control stations located where emergency release of the tow line does not endanger operating personnel.

(4) *Emergency Reconnection Equipment.* Owners and operators of tank barges and tow vessels transporting the barge shall employ emergency reconnection equipment for hawser towing outside restricted waterways that meet the following standards.

(a) *Emergency Tow Line.* Tank barges must be equipped with an emergency tow line and components where the:

(i) Breaking strength of the tow line and components is 1.5 times the bollard pull of the tow vessel;

(ii) Tow line's bitter end is secured down the barge deck from bow to stern with break-away clips; and

(iii) Towing end of the tow line is attached to a trailing buoy with a five-inch polypropylene floating line.

(b) *Hook Retrieval Device.* Tank barge tow vessels must be equipped with a hook retrieval device slotted to lock into and pick up the tow bridle to be reconnected to the tow vessel's tow line.

(5) *Fenders.* Tank barge tow vessels must be equipped with a fender system capable of absorbing the impact of the tow vessel coming along side the tank barge and able to protect all parts of the tow vessel's bow and stern exposed to contact during normal operations.

(6) *Navigation Lights and Day Shapes.* Tank barges and tank barge tow vessels must be equipped with navigation lights and day shapes required by the U.S. Coast Guard. Tank barge electrical systems must comply with the American Bureau of Shipping and U.S. Coast Guard standards for the most volatile cargo allowed to be carried by the barge according to the barge's certificate of inspection or other classification document.

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.

PART 4 PLAN REVIEW AND APPROVAL

NEW SECTION

WAC 317-21-300 Review process. When an oil spill prevention plan is received, the office will determine whether the plan is complete or incomplete. If the plan is incomplete, the owner or operator will be notified. If the plan is complete, the office will review the plan for compliance with the best achievable protection standards described in this chapter.

NEW SECTION

WAC 317-21-310 Plan approval. An oil spill prevention plan that meets the standards described in Part 3 of this chapter will be approved as providing the best achievable protection of state waters and marine environments. The office may conditionally approve a plan that substantially meets the standards of this chapter. An approved plan is valid for five years unless:

(1) The owner or operator submitting the plan fails to update the plan in compliance with WAC 317-21-430;

(2) The owner or operator fails to submit an event report required under WAC 317-21-140, or safety report required under WAC 317-21-440;

(3) The owner or operator fails to comply with the financial responsibility requirements of chapter 88.40 RCW; or

(4) The policies, procedures, and practices described in the plan are not followed.

PART 5 COMPLIANCE

NEW SECTION

WAC 317-21-400 Administrative actions. (1) An owner or operator of a tank vessel who fails to comply with the requirements of this chapter, an approved or conditionally approved oil spill prevention plan, or any order issued by the office in administering this chapter may be subject to the following administrative actions:

(a) Plan disapproval;

(b) Restriction of the tank vessel's movements or operations in state waters, or both;

(c) Assessment of civil penalties under RCW 88.46.080;

(d) Referral for prosecution under RCW 88.46.090; or

(e) Denial of entry into state waters.

(2) If the administrator believes that the condition or operation of a tank vessel requires immediate administrative action to accomplish the purposes of this chapter, the administrator may issue an emergency order under RCW 88.46.070(3) requiring immediate compliance.

NEW SECTION

WAC 317-21-410 Administrative review. (1) An owner or operator may request review of an administrative action or order issued under WAC 317-21-400.

(2) A request for administrative review must be submitted in writing to the administrator within fourteen days from the date of receipt of the notice of administrative action. The owner or operator shall state the nature of the action and specific reasons supporting reversal or modification of the action.

(3) Within twenty days from receipt of a timely submitted request for review, the administrator may:

(a) Set a date by which the administrator will act on the request;

(b) Request more information from the owner or operator requesting the reconsideration;

(c) set a date for a brief adjudicative hearing held in compliance with RCW 34.05.485 and 34.05.488.

(d) Rescind or modify the administrative action; or

(e) Deny the request.

(4) While the appeal is pending, the office may:

(a) Require the owner or operator to comply with the order or administrative action unless undue burden will be incurred;

(b) Stay the enforcement of the order or administrative action until the administrator has made a final determination or until all administrative and legal appeals are exhausted; or

(c) Condition operation of the owner's or operator's vessels in state waters until all appeals are exhausted.

NEW SECTION

WAC 317-21-420 Waivers. (1) The office may waive specific requirements under this chapter if an owner or operator submits an application for waiver demonstrating that complying with a requirement would be unduly burdensome and there is an alternative to strict compliance that meets the purposes for which the requirement was adopted.

(2) The office will waive application of this chapter to a vessel certified as a tank vessel if the owner or operator submits a waiver application stating that the vessel:

(a) Is not used, and will not be used, to carry oil in bulk as cargo or cargo residue; or

(b) Is not carrying oil in bulk as cargo and is destined to a marine facility for repairs.

(3) A waiver granted under this section is valid until the vessel is used to carry oil in bulk as cargo or cargo residue but in no instance for more than five years unless an extension is granted by the office prior to its expiration date.

(4) The office may condition a waiver and a waiver extension to ensure the best achievable protection of the state's natural resources and marine safety.

NEW SECTION

WAC 317-21-430 Plan updates. (1) If there is a significant change affecting an oil spill prevention plan, the vessel's owner or operator shall submit an amendment to the plan that reflects the change no later than thirty days after the change occurs.

(2) A significant change includes:

(a) A crew member who tests positive for alcohol or illicit drug use in violation of WAC 317-21-220(2) or 317-21-230(3);

(b) An increase or decrease in manning levels;

(c) The owner or operator requires crew training and qualifications different from those described in the plan;

(d) The configuration of navigation systems, emergency towing systems, or tank barge towing equipment changes from that described in WAC 317-21-260 and 270;

(e) The vessel's class or classification society used changes;

(f) The flag nation of a vessel changes;

(g) The vessel's name changes; or

(h) The vessel's owner, operator, or manager changes.

(3) If necessary, each year after a plan is approved, owners and operators shall submit a plan update in the form of an amendment to make the plan current and accurate.

NEW SECTION

WAC 317-21-440 Advance notice of entry and safety reports. (1) A tank vessel owner or operator shall submit a notice of entry to the office by telephone or facsimile at least twenty-four hours before the vessel enters state waters.

(2) An owner or operator shall submit the following information in the notice of entry:

(a) The vessel's name, country of registry, type, call sign, and official number of the vessel;

(b) The name, mailing address, facsimile number, and telephone number for immediate contact of the owner or operator, or representative;

(c) The name of the person submitting the notice of entry;

(d) The name of the vessel master, chief engineer, and chief mate;

(e) The estimated date, time, and point of entry into state waters by the vessel;

(f) Intended berths or anchorages in Washington;

(g) Last and next port of call;

(h) The amount and type of bunker or cargo, or both, that will be transferred;

(i) Expected pilotage, tug escort, lightering, or other assistance beyond that required by federal or state law;

(j) The operational deficiencies of the vessel's primary and auxiliary navigation, propulsion, or cargo containment and transfer systems; and

(k) Identification of the contingency plan covering the vessel under Washington law.

(3) If an owner or operator is unable to provide notice twenty-four hours prior to arrival as required by subsection (1) of this section, the owner or operator shall give notice to the office as soon as practicable and shall include an explanation for the delay.

(4) The owner or operator shall submit a safety report with the advanced notice of arrival describing the condition and corrective action taken if the vessel experiences:

(a) Abnormality or malfunction of any steering, navigation, propulsion, or safety system;

(b) Breach of the hull or integrity of the structure of a cargo, bunker, bilge, or ballast tank that causes or may reasonably be expected to cause an oil spill or loss of stability;

(c) Damage from fire or explosion;

(d) An incomplete engineering or deck complement under United States law or regulation, or under the vessel's nation of registry; or

(e) Any condition that may adversely affect the safety of a vessel, property, or marine environments.

(5) If a tank vessel experiences any condition described in subsection (4) of this section after submitting an advanced notice of entry, the office shall be notified by telephone or facsimile immediately after discovery of the condition. A written safety report describing the condition and corrective action taken must be submitted to the office no later than seventy-two hours after the initial report.

NEW SECTION

WAC 317-21-450 Inspections and investigations. (1)

The office may inspect any tank vessel in port in state waters for compliance with the vessel's oil spill prevention plan. Boarding personnel shall have access to the:

(a) Deck and engineering logs;

(b) Voyage plans for the current voyage;

(c) Charts and other records used to fix the position of the vessel during transit and at anchor; and

(d) Personnel training records if maintained on board the vessel; and

(e) Other documents that demonstrate compliance with the vessel's plan.

(2) The documents described in subsection (1) of this section may not be destroyed unless the office notifies the vessel master that no inspection will take place and the vessel has not experienced an event during its current voyage. The office may investigate an event that occurs in state waters.

(3) The office may require further information concerning a reported event as defined under WAC 317-21-130(3), a submitted safety report, or an oil spill prevention plan. If documents containing the information requested are not on board the vessel, the office will request the information from the owner or operator. Fourteen days after receipt of a written notice from the office, the owner or operator shall make available to the office at a place within the state of Washington copies of documents containing the information requested.

NEW SECTION

WAC 317-21-460 Exceptional compliance. (1)

Compliance Incentives. If an owner or operator of a tank vessel demonstrates exceptional compliance with the best

achievable protection standards described in this chapter, the office may:

(a) Reduce the level of inspection for tank vessels covered by the plan;

(b) Waive specific requirements that the owner or operator demonstrates as obsolete because of a new procedure or technology employed on vessels covered by the plan; or

(c) Take other actions as appropriate.

(2) Exceptional compliance. For the purposes of this section, "exceptional compliance" means the owner or operator:

(a) Complies with the requirements of this chapter;

(b) Implements policies, procedures, or practices which may differ from the standards of this chapter but that meet or exceed the purpose for which the standard was adopted; and

(c) Demonstrates a commitment to safe vessel operations verified through inspections by the office of the vessels covered by the plan.

NEW SECTION

WAC 317-21-900 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

NEW SECTION

WAC 317-21-910 Effective date. This chapter shall take effect one hundred eighty days after the effective filing date of the order adopting this chapter.

REPEALER

The following chapter of the Washington Administrative Code is repealed on the effective date of this chapter:

Chapter 317-20 WAC Oil spill prevention plans.

WSR 94-18-001
PROPOSED RULES
POLLUTION LIABILITY
INSURANCE AGENCY
[Filed August 24, 1994, 1:54 p.m.]

Original Notice.

Title of Rule: Insurance eligibility assessment reimbursement, chapter 374-50 WAC.

Purpose: Provides for the program to cover the costs incurred in determining an applicant's eligibility for pollution liability insurance.

Statutory Authority for Adoption: RCW 70.148.040.

Statute Being Implemented: Chapter 70.148 RCW, as amended by chapter 64, Laws of 1990.

Summary: Provides for a program that covers the costs incurred in determining an applicant's eligibility for obtaining pollution liability insurance for their petroleum USTs.

Reasons Supporting Proposal: To determine that the state of Washington is reinsuring a viable risk.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James M. Sims, 1015 10th Avenue S.E., Olympia, WA, 586-5997.

Name of Proponent: Pollution Liability Insurance Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes insurance eligibility assessment requirements to determine the eligibility of certain regulated petroleum tanks for coverage under their pollution liability insurance policies. The purpose is to limit the threat to human health and the environment and to determine the risk associated with insurance coverages of those tanks.

Proposal Changes the Following Existing Rules: The proposed rule allows for the costs of soil sampling required by Pollution Liability Insurance Agency's reinsured companies to be reimbursed to the owner or operator responsible for complying with the financial responsibility requirements set forth by the United States Environmental Protection Agency and Department of Ecology.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Is not required under chapter 19.85 RCW.

Hearing Location: Pollution Liability Insurance Agency, 1015 10th Avenue S.E., P.O. Box 40930, Olympia, WA 98504-0930, on October 11, 1994, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Deanna Bourgault by October 4, 1994, TDD (800) 833-6388, or (206) 586-5997.

Submit Written Comments to: James M. Sims, Pollution Liability Insurance Agency, FAX (206) 586-7187, by October 4, 1994.

Date of Intended Adoption: October 12, 1994.

August 24, 1994
James M. Sims
Director

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-010 Authority and purpose. This chapter is promulgated under the authority of RCW 70.148.040. Its purpose is to implement those provisions of RCW 70.148.035 relating to covering ~~((insurers'))~~ costs ~~((of))~~ associated with determining ~~((the eligibility of))~~ whether an applicant~~((s))~~ for pollution liability insurance under the pollution liability insurance program meets the underwriting standards of the insurer and the agency.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-020 Definitions. Unless the context requires otherwise, the following definitions shall apply:

(1) "Agency" means the pollution liability insurance agency created by chapter 70.148 RCW.

(2) "Director" means the director of the pollution liability insurance agency.

(3) "Insurer" means a commercial property and casualty insurance company or risk retention group with whom the agency has a contract to provide reinsurance.

(4) "Insurance eligibility assessment" means those actions required to determine the eligibility of an owner or operator for pollution liability insurance coverage by an insurer including, but not limited to, evaluation of inventory control records, tightness testing of tanks and connected piping, soil sampling, and other physical or chemical tests.

(5) "Operator" means a person in control of, or having responsibility for, the daily operation of a regulated petroleum ~~((underground))~~ storage tank.

(6) "Owner" means a person who owns a regulated petroleum ~~((underground))~~ storage tank.

(7) "Person" means an individual, trust, firm, joint stock company, corporation (including government corporations), partnership, association, consortium, joint venture, commercial entity, state, municipality, commission, political subdivision of a state, interstate body, the federal government or any department or agency of the federal government, or an Indian tribe or agency or entity of an Indian tribe.

(8) "Pollution liability insurance program" means the reinsurance program administered by the pollution liability insurance agency.

(9) "Substantial economic impact" means elimination or substantial reduction of the availability of petroleum products or other goods or services in which petroleum products are a necessary part of the production or distribution process within a community or an area resulting from closure of one or more regulated petroleum ~~((underground))~~ storage tanks.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-030 Eligibility for reimbursement program—Who may apply. Any ~~((person who))~~ owner or operator that is required to demonstrate financial responsibility for one or more regulated petroleum ~~((underground))~~ storage tanks under 40 C.F.R. Parts 280.90, 280.91, and 280.92 (the federal underground storage tank regulations), chapter 90.76 RCW, or other applicable laws, ordinances, or rules ~~((and who))~~ that satisfies the criteria set forth in WAC 374-50-040 may apply for assistance in covering ~~((an insurer's))~~ the costs of an insurance eligibility assessment under the program established by this chapter~~((, except for~~

~~((1) Persons whose compliance dates under 40 C.F.R. Part 280.91 as now or hereafter amended, chapter 90.76~~

~~RCW or other laws, ordinances, or rules precede the effective date of this chapter;~~

~~(2) The federal government or entities of the state of Washington;~~

~~(3) The state of Washington or entities of the state of Washington;~~

~~(4) Indian tribes or entities of Indian tribes;~~

~~(5) Counties, cities, towns, or special purpose districts including, but not limited to, fire districts, hospital districts, library districts, metropolitan park districts, park and recreation districts, school districts, or entities of such governmental units; and~~

~~(6) Owners or operators of farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes).~~

NEW SECTION

WAC 374-50-035 Insurance eligibility assessment.

(1) Insurers may establish eligibility assessment requirements to determine the eligibility of certain regulated petroleum storage tanks for coverage under their pollution liability insurance policies. Such eligibility assessment requirements are established by insurers to limit the threat to human health and the environment and to determine the risk associated with insurance coverage of those tanks. Eligibility assessment requirements may include: Inventory records evaluation, statistical inventory reconciliation, tank tightness testing, line tightness testing, soil and/or ground water sampling.

(2) Insurance eligibility assessment requirements may be established by each insurer independent of others. Requirements may not necessarily be the same for each insurer under the pollution liability insurance program.

(3) Insurance eligibility assessment requirements may be in addition to leak detection requirements established by the United States Environmental Protection Agency, department of ecology or local government authorities.

(4) The agency may establish insurance eligibility assessment requirements to determine the eligibility of regulated petroleum storage tanks under the pollution liability insurance program. Such requirements are established to limit the threat to human health and the environment and to determine the risk associated with insurance coverage of those tanks.

(a) Soil samples are required for each regulated petroleum storage tank site owned or operated by a local government entity or by a nonmarketer of petroleum products if the site includes one or more tank(s) that are sixteen years of age of installation or older.

(b) Soil samples are required only at the time of binding coverage and inception of the policy. If coverage of such a site has been bound prior to the effective date of this rule, soil samples must be taken prior to renewal of the policy.

(c) A specific protocol for soil sampling and analysis published by the agency is not a part of this rule.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-040 Eligibility criteria. (1) ~~((Persons))~~ Owners or operators eligible to apply for participation in the program established by this chapter must satisfy the following criteria:

(a) The applicant is eligible under WAC 374-50-030;

(b) The applicant is the owner or operator of one or more regulated petroleum ~~((underground))~~ storage tanks located in the state of Washington;

(c) The applicant's tank or tanks are registered with the department of ecology and all required fees due under chapter 90.76 RCW, local ordinances if applicable, and any other applicable laws, ordinances, or fees have been paid;

(d) The applicant is in compliance with all applicable technical and operating requirements of 40 C.F.R. Part 280, Subparts B, C, and D, applicable requirements of chapter 90.76 RCW, and rules adopted thereunder, and other applicable laws, ordinances, or rules effective on the date of application;

(e) The applicant is responsible for demonstrating financial responsibility for the tank or tanks under 40 C.F.R. Parts 280.90, 280.91, and 280.92, chapter 90.76 RCW or other laws, ordinances, or rules;

(f) The applicant has applied for pollution liability insurance from an insurer with whom the agency has a contract to provide reinsurance;

(g) The applicant ~~((affirms that he or she intends to))~~ purchases such insurance coverage if the tank, tanks, site, or sites to be insured satisfy the underwriting requirements of the insurer; and

(h) The applicant's net worth is five hundred thousand dollars or less, except as provided for in subsection ~~((2))~~ (3) of this section.

(2) Owners or operators of petroleum underground storage tanks that require soil samples are not required to satisfy the net worth requirement of subsection (1)(h) of this section.

(3) Additional consideration may be given to applications for reimbursement of insurance eligibility assessment costs when:

(a) The applicant fails to satisfy the net worth criterion in subsection (1)(h) of this section, but can demonstrate through income tax returns or other acceptable means that such costs would result in unfair economic hardship; or

(b) The applicant demonstrates that closure of the regulated petroleum ~~((underground))~~ storage tank or tanks would impose a substantial economic impact upon the community or area in which it is located.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-050 Reimbursement limits. (1) ~~((Insurers))~~ Approved owners or operators will be reimbursed for insurance eligibility assessment costs ~~((incurred~~

PROPOSED

~~on behalf of persons whose applications for participation in the program~~) established by this chapter (~~(are approved)~~) according to the following schedule:

(a) For costs incurred (~~(on behalf of persons)~~) by owners or operators with net worth of two hundred fifty thousand dollars or less — seventy-five percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of two thousand six hundred twenty-five dollars;

(b) For costs incurred (~~(on behalf of persons)~~) by owners or operators with net worth greater than two hundred fifty thousand dollars, but less than or equal to five hundred thousand dollars — fifty percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of one thousand seven hundred fifty dollars;

(c) For costs incurred (~~(on behalf of persons)~~) by owners or operators with net worth greater than five hundred thousand dollars whose applications for participation in this program have been accepted on the basis of WAC 374-50-040(2) — twenty-five percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of eight hundred seventy-five dollars.

(2) Within the limits of subsection (1) of this section, reimbursement for the following specific insurance eligibility assessment costs will be made at the indicated percentages of the following maximum amounts:

(a) Inventory control records evaluation — one hundred fifty dollars per site;

(b) Tank tightness testing — five hundred dollars per tank;

(c) Line tightness testing — one hundred fifty dollars per product line; and

(d) ~~((Soil or))~~ Ground water sampling — ~~((two))~~ three hundred fifty dollars per sample.

(3) Reimbursement for the costs of soil sampling will be made for one hundred percent of the cost to a maximum amount of two thousand five hundred dollars per site.

(4) It is the intent of the reimbursement program established by this chapter to assist as many owners or operators of regulated petroleum (~~(underground)~~) storage tanks with limited economic resources as possible. Therefore, not more than one application for participation in the program established by this chapter will be approved for each (~~(such natural person or entity))~~ owner or operator, regardless of the number of (~~(underground))~~ sites and regulated petroleum storage tanks owned or operated, whether directly or indirectly. This restriction, however, does not apply to soil sampling.

(5) Reimbursement will be made to the person or firm performing the insurance eligibility assessment services.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-070 Application procedure. (1) Information concerning the insurance eligibility assessment

cost reimbursement program and forms or materials necessary for application may be obtained from:

Pollution Liability Insurance Agency
PO BOX 40930
1015-10th Avenue S.E.
Olympia, WA 98504-0930

(2) Application for participation in the program established by this chapter requires preparation and submission of the following: A completed asset and liability statement on a form provided by the agency and a reimbursement agreement.

(3) The agency will act upon applications as expeditiously as feasible unless additional information is required. If this is the case, the applicant will be notified and the application will be acted upon as expeditiously as feasible after receipt of the (~~(required))~~ additional information required by the agency.

(4) Applicants will be notified of agency approval or disapproval by return mail. (~~(Persons))~~ Owners or operators whose applications are disapproved will be informed of the reason for such action.

(5) An applicant (~~(who disagrees with the disapproval of his or her application))~~ whose application has been disapproved may request review of the agency decision by the director. The applicant will be notified by mail of the director's decision as expeditiously as feasible after receipt by the agency of the request for review unless additional time is required. If additional time is required in order for the review to be completed, the applicant will be notified by mail.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-080 Payment of reimbursement. (1) Reimbursement (~~(of insurers))~~ for approved insurance eligibility assessment costs incurred on behalf of applicants accepted under the program established by this chapter will be made as expeditiously as feasible after receipt by the agency of the following information:

(a) (~~(A copy of the notification of agency approval of the applicant's application for the program established by this chapter;~~

~~(b)))~~ A copy of the invoice(s) from the person or firm performing the insurance eligibility assessment services with a breakdown showing the cost of each test or service performed separately (~~(and an indication thereon, or by separate receipt, that payment in full has been made by the insurer))~~);

~~((e)))~~ (b) A copy of the face sheet of an issued pollution liability insurance policy if the applicant's tank, tanks, site, or sites have satisfied the insurer's underwriting requirements.

(2) (~~(Persons))~~ Owners or operators on whose behalf reimbursement under the program created by this chapter has been made are required to maintain (~~(their))~~ pollution

liability insurance coverage in force for at least one year. If insurance coverage is not maintained for this period, the ~~((person))~~ owner or operator is required to return a pro rata share of the reimbursement to the agency, with the share being that fraction of one year for which insurance coverage was not maintained in force.

(3) ~~((Persons))~~ Owners or operators who have applied for insurance in good faith, but whose tanks, ~~((tanks, site,))~~ or sites fail to satisfy the insurer's underwriting requirements and are therefore denied coverage will not be required to return reimbursement payments.

AMENDATORY SECTION (Amending Order 92-02, filed 4/17/92, effective 5/18/92)

WAC 374-50-090 Other restrictions. (1) ~~((Persons))~~ Owners or operators whose applications for the program established by this chapter are accepted will be responsible for the cost of all fuels or products required for tank or connected piping tightness testing.

(2) All testing and sampling must be performed by ~~((persons who are))~~ contractors registered with and certified by the Washington department of ecology.

WSR 94-18-010
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed August 25, 1994, 9:41 a.m.]

Continuance of WSR 94-13-052.

Title of Rule: Chapter 388-97 WAC, Nursing homes.

Purpose: Replaces two rule chapters with a single new chapter to simplify and clarify state regulations and ensures rules are consistent with federal requirements; allows deeming Medicaid-certified facilities which meet federal requirements to meet designated state requirements. New construction requirements have been strengthened to provide and enhance resident quality of life, and allows more flexibility for alterations which benefit residents.

Statutory Authority for Adoption: RCW 18.51.070 and 74.42.620.

Statute Being Implemented: RCW 18.51.070 and 74.42.620.

Summary: Nursing home rules and regulations reflect new federal OBRA standards which place greater emphasis on resident rights, dignity and choice, and residence in a home-like environment. Conflicts and duplication with other state and federal requirements are eliminated. The federal regulatory structure is followed to allow Medicaid-certified facilities meeting federal requirements to be deemed to meet specified state requirements. Few new requirements and designed to be cost neutral for the 294 Medicaid-certified facilities.

Reasons Supporting Proposal: Major rewrite of nursing home regulations into a new chapter to simplify and clarify state regulations and ensure they are consistent with federal requirements.

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

Date of Intended Adoption: September 15, 1994.

August 25, 1994

Dewey Brock, Chief

Office of Vendor Services

Administrative Services Division

WSR 94-18-012
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

(Public Assistance)

[Filed August 25, 1994, 9:44 a.m.]

Original Notice.

Title of Rule: Repealing chapter 248-14 WAC, Nursing homes; and chapter 388-88 WAC, Medical care—Nursing home care.

Purpose: These two chapters are repealed because new chapter 388-97 WAC, Nursing homes is new and replaces these two chapters. New chapter 388-97 WAC simplifies and clarifies state regulations and ensures rules are consistent with federal requirements.

Statutory Authority for Adoption: RCW 18.51.070 and 74.42.620.

Statute Being Implemented: RCW 18.51.070 and 74.42.620.

Summary: New federal OBRA standards place greater emphasis on resident rights, dignity and choice, and reflect standards which place greater emphasis on the residential home-like environment. The repeal of chapters 248-14 and 388-88 WAC removes conflicts and duplication with other state and federal requirements.

Reasons Supporting Proposal: Major rewrite of nursing home regulations into new chapter 388-97 WAC simplifies and clarifies state regulations and ensures regulations are consistent with federal requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Fay Helmon, Aging and Adult Services Administration, 438-8978.

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.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on October 11, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by September 28, 1994, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by October 4, 1994.

Date of Intended Adoption: October 11, 1994.

August 25, 1994

Dewey Brock, Chief
Office of Vendor Services

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 248-14 Nursing homes.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 388-88 Medical care—Nursing home care.

WSR 94-18-015
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed August 25, 1994, 4:04 p.m.]

Original Notice.

Title of Rule: Chapter 392-121 WAC, Finance—General apportionment.

Purpose: To provide clarification for claiming of basic education funding.

Statutory Authority for Adoption: RCW 28A.150.290.

Summary: To clarify enrollment counting that forms the basis for claiming state funding for basic education.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Olympia, 753-2298; Implementation: Thomas J. Case, Superintendent of Public Instruction, Olympia, 753-6708; and Enforcement: David Moberly, Superintendent of Public Instruction, Olympia, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

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

Proposal Changes the Following Existing Rules: Requires that all enrollment claimed meet basic education

program requirements; allows contracting with agencies and specifies requirements; clarifies courses of study; and allows alternative programs for grades K-8.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The rule will have a minor or negligible economic impact.

Hearing Location: Brouillet Conference Room, 4th Floor, Old Capitol Building, 600 South Washington Street, Olympia, WA 98504-7200, on October 11, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jim Rich by September 27, 1994, TDD (206) 664-3631, or (206) 753-6733.

Submit Written Comments to: Rules Coordinator, Legal Services, P.O. Box 47200, Olympia, WA 98504, FAX (206) 753-4201, by October 10, 1994.

Date of Intended Adoption: October 12, 1994.

August 25, 1994

Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-106 Definition—Enrolled student. As used in this chapter, "enrolled student" means a person residing in Washington state who:

(1) Is eligible to enroll in the school district's education programs because he or she:

(a) Resides in the school district with or without an address (RCW 28A.225.010, 28A.225.160 and 28A.225.215);

(b) Resides on a United States reservation, national park, national forest, or Indian reservation contiguous to the school district (RCW 28A.225.170);

(c) Resides in a school district not offering the grade for which they are eligible to enroll such as a nonhigh district (RCW 28A.225.210);

(d) Has been released from the school district he or she resides in and has been accepted by the school district claiming enrollment (RCW 28A.225.225 and 28A.225.230);

(e) Will be attending the school district as part of an interdistrict cooperative program (RCW 28A.225.250); or

(f) Will be attending school in a school district in another state per a reciprocity agreement pursuant to RCW 28A.225.260.

(2) After the close of the prior school year has presented himself or herself, or has been presented, to the school district's appropriate ((school)) official to be entered on the school district's rolls for the purpose of attending school in grades kindergarten through twelve;

((2)) (3) Is under twenty-one years of age at the beginning of the school year;

((3)) (4) Actually participated on a school day during the current school ((year)) term (semester or quarter) in a course of study offered by the school district as defined in WAC 392-121-107; and

~~((4))~~ (5) Does not qualify for any of the enrollment exclusions set forth in WAC 392-121-108.

NEW SECTION

WAC 392-121-10601 Definition—Kindergarten. As used in this chapter, "kindergarten" means an instructional program conducted pursuant to RCW 28A.150.220 for students who meet the entry age requirements pursuant to chapter 180-39 WAC.

NEW SECTION

WAC 392-121-10602 Definition—First grade. As used in this chapter, "first grade" means an instructional program conducted pursuant to RCW 28A.150.220 for students who meet the entry age requirements pursuant to chapter 180-39 WAC.

NEW SECTION

WAC 392-121-10603 Definition—Higher education institution. As used in this chapter, "higher education institution" means a public or private university, college, community college, or technical college in the state of Washington.

NEW SECTION

WAC 392-121-10604 Definition—Agency. As used in this chapter, "agency" means a federal, state, and local governmental entity; Indian tribe recognized as such by the federal government; or a private nonreligious, nonprofit educational corporation.

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-121-107 Definition—Course(s) of study. As used in this chapter, "course(s) of study" means those activities for which students enrolled pursuant to chapters 180-16, 180-50, 180-51, 392-169 and 392-134 WAC may be counted as enrolled students for the purpose of full-time equivalent student enrollment counts.

(1) Course(s) of study includes:

(a) ~~((On-campus))~~ Instruction - teaching/learning experiences conducted (on-campus, including qualifying nonclass study time. In order to qualify as on-campus instruction, nonclass study time must be scheduled in conjunction with other educational activity which occurs on campus during the school day, and participation in such study time must be monitored) by the school district staff as directed by the administration and the board of directors of the school district, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time for meals.

~~(b) ((Off-campus instruction—teaching/learning experiences primarily conducted off-campus in conformance with WAC 392-121-181.~~

~~(e))~~ Alternative learning experience - alternative learning experience conducted ~~((on or off-campus))~~ by the school district in conformance with WAC 392-121-182.

~~((d))~~ (c) Contracting - ((enrollment in an educational) with a higher education institution ((other than a school district)) in conformance with WAC 392-121-183.

~~((e))~~ (d) National guard - participation in a national guard high school career training program for which credit is being given toward either required or elective high school credits pursuant to RCW 28A.305.170 and WAC 180-50-320. Such participation may be counted as a course of study only by the school district which the individual last attended.

~~((f))~~ (e) Ancillary service - service provided to part-time students, private school students and home-based students by the school district in conformance with chapter 392-134 WAC. Except for services to students with a disability and home/hospital students, only those services provided by school district staff on school grounds or facilities controlled by the school district can be counted as a course of study. School districts report the number of hours of ancillary service ((is reported)) annually to the superintendent of public instruction ((by school districts for the number of hours that private school and home-based students attend class or receive ancillary service. Ancillary service is not counted on the monthly report pursuant to WAC 392-121-122)).

~~((g))~~ (f) Work ((experience training)) based learning - training provided pursuant to WAC 180-50-315. Work based learning must be in a work experience training program approved by the superintendent of public instruction. One hour per scheduled school day may be counted for not less than four hundred five hours of scheduled work experience. A maximum of two hours per scheduled school day shall be counted for work based learning.

(g) Running start - attendance at an institution of higher education pursuant to RCW 28A.600.300 through 28A.600.400, chapter 392-169 WAC.

(h) Transition school - participation in the University of Washington's transition school and early entrance program pursuant to RCW 28A.185.040, and chapter 392-120 WAC. Such participation shall be reported by the University of Washington and shall not be reported by a school district.

(i) Technical college direct funding - enrollment at a technical college pursuant to RCW 28A.150.275 and WAC 392-121-187. Such participation shall be reported by the technical college and shall not be reported by a school district unless the technical college and the school district agree to have the school district report such enrollment.

(j) Contracting - with an agency pursuant to WAC 392-121-185.

(k) Contracting - with a public or nonpublic school agency for students with a disability in accordance with WAC 392-171-496.

(2) Course(s) of study (~~(do)~~) does not include:

(a) Home-based instruction pursuant to RCW 28A.225.010(4)(-);

(b) Private school instruction pursuant to chapter 28A.195 RCW;

(c) Adult education as defined in RCW 28B.50.030(12);

(d) Instruction provided to students who do not reside in Washington state (RCW 28A.225.260);

(e) Enrollment in state institutions, i.e., (~~handicapped institutions, neglected and delinquent institutions,~~) state operated group homes, (~~and~~) county juvenile detention centers, state institutions for juvenile delinquents, and state residential habilitation centers;

(f) Instruction preparing a student for the general education development (GED) test if such instruction generates state or federal moneys for adult education;

(g) Enrollment in education clinics;

(h) Enrollment in the Washington state school for the deaf and the Washington state school for the blind; or

(i) Extracurricular and before and after school activities offered outside the regular curriculum.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-108 Definition—Enrollment exclusions. A person who qualifies for any of the exclusions set forth in this section shall not be counted as an enrolled student pursuant to WAC 392-121-106.

(1) Absences - except as provided in (a) and (b) of this subsection, a student whose consecutive days of absence from school exceed twenty school days shall not be counted as an enrolled student until attendance is resumed.

(a) If there is an agreement between the appropriate school official and a student's parent or guardian pursuant to RCW 28A.225.010 that the student's temporary absence is not deemed to cause a serious adverse effect upon the student's educational progress, the absent student may be counted as an enrolled student for up to two monthly enrollment count dates as specified in WAC 392-121-122.

(b) A student receiving home and/or hospital service pursuant to WAC 392-171-486 shall be counted as an enrolled student as provided in WAC 392-122-145.

(2) Dropouts - a student for whom the school district has received notification of dropping out of school by the student or the student's parent or guardian shall not be counted as an enrolled student until attendance is resumed.

(3) Transfers - a student who has transferred to another public or private school and for whom the school district has received notification of transfer from the school to which the student has transferred, from the student, or from the student's parent or guardian shall not be counted as an enrolled student unless the student reenrolls in the school district.

(4) Suspensions - a student who has been suspended from school pursuant to WAC 180-40-260, when the conditions of the suspension will cause the student to lose

academic grades or credit, shall not be counted as an enrolled student until attendance is resumed.

(5) Expulsions - a student who has been expelled from school by the school district pursuant to WAC 180-40-275 shall not be counted as an enrolled student.

(6) Graduates - a student who has met the high school graduation requirements of chapter 180-51 WAC by the beginning of the school year.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-111 Definitions—Student residence, resident (~~student~~) district and nonresident (~~student~~) district. As used in this chapter, "student residence," "resident (~~student~~) district" and "nonresident (~~student~~) district" mean the same as defined in WAC (~~392-137-010 when determining an enrolled student~~) 392-137-115 through 392-137-125.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-122 Definition—Full-time equivalent student. As used in this chapter, "full-time equivalent student" means each enrolled student in the school district as of the fourth school day following the commencement of the school year (September 1 through August 31) and/or as of the first school day of any of the subsequent eight months for at least the minimum number of hours set forth in subsection (1) of this section, inclusive of class periods and normal class change passing time, but exclusive of noon intermissions: *Provided*, That the hours set forth below shall be construed as annual average hours for the purposes of compliance with this chapter: *Provided further*, That for districts commencing basic education programs prior to September first, the first month enrollment count shall be made on the fourth school day in September.

(1) The minimum hours for each grade are as follows:

(a) Kindergarten (full-day): 20 hours each week, or 4 hours (240 minutes) for 90 scheduled school days;

(b) Kindergarten (half-day): 10 hours each week, or 2 hours (120 minutes) each scheduled school day;

(c) Primary (grades 1 through 3): 20 hours each week, or 4 hours (240 minutes) each scheduled school day;

(d) Elementary (grades 4 through 6): 25 hours each week, or 5 hours (300 minutes) each scheduled school day;

(e) Secondary (grades 7 through 12): 25 hours each week, or 5 hours (300 minutes) each scheduled school day.

(2) A student enrolled for less than the minimum hours shown in subsection (1) of this section shall be counted as a partial full-time equivalent student equal to the student's hours of enrollment divided by the minimum hours for the student's grade level set forth in subsection (1) of this section.

(3) The full-time equivalent of a student's running start enrollment pursuant to RCW 28A.600.300 through

28A.600.400 shall be determined pursuant to chapter 392-169 WAC. The nine count dates for running start enrollment shall be the months of October through June. If a running start student is enrolled both in high school courses provided by the school district and in running start courses provided by the college, the high school full-time equivalent and the running start full-time equivalent shall be determined separately.

(4) The full-time equivalent of University of Washington transition school students shall be determined pursuant to chapter 392-120 WAC.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-123 Nonstandard school year programs. Notwithstanding the count dates in WAC 392-121-122, a student who is participating in a course of study, other than running start and transition school, on a tuition-free basis and who has not been counted as a full-time equivalent student for all of the first nine months of the school year may be counted in any of the last three months of the school year as long as enrollment counts for such student do not exceed the limitation on enrollment counts set forth in WAC 392-121-136.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-136 Limitation on enrollment counts. Enrollment counts pursuant to WAC 392-121-106 through 392-121-133 are subject to the following limitations:

(1) Except as provided in ~~((subsection (2)))~~ (a) and (b) of this ~~((section))~~ subsection, no student, including a student enrolled in more than one school district, shall be counted as more than one full-time equivalent student on any count date or more than one annual average full-time equivalent student in any school year.

~~((2))~~ (a) School districts operating approved vocational skills center programs during the summer vacation months may claim additional full-time equivalent students based upon actual enrollment in such vocational skills centers on the first school day of July of each year. Each district operating an approved vocational skills center program shall be entitled to claim one annual average full-time equivalent student for each 900 hours of planned student enrollment for the summer term based upon the July enrollment data.

(b) Enrollment count limitations apply separately to a student's running start and high school enrollments.

(2) Running start enrollment counts are limited as provided in chapter 392-169 WAC and specifically as provided in WAC 392-169-060.

~~(3) ((A student who is five years of age at the beginning of the school year and who is enrolled in a preschool handicapped program shall not be counted as a kindergarten student pursuant to WAC 392-121-122 unless the student is enrolled full time in the preschool handicapped program or~~

~~attends a regular kindergarten program in addition to the preschool handicapped program.))~~ The full-time equivalent reported for a five year old preschool student with a disability is limited as provided in WAC 392-121-137.

(4) No kindergarten student, including a student enrolled in more than one school district, shall be counted as more than one-half of an annual average full-time equivalent student in any school year.

NEW SECTION

WAC 392-121-137 Full-time equivalent enrollment of students with a disability. In determining the full-time equivalent enrollment of students reported as students with a disability pursuant to chapter 392-171 WAC, the following rules apply:

(1) If the student is enrolled exclusively in an ungraded special education program, the student's grade level shall be based on the typical grade level of students of the same age (e.g., a student who is six years old at the beginning of the school year shall be counted as a first grader).

(2) If the student is enrolled in a grade level below the typical grade level of students of the same age, the school district shall have the option of counting the student in the grade enrolled or the typical grade level of students of the same age.

(3) A student with a disability who is five years old at the beginning of the school year may be counted as a kindergarten student only if the student is serving full time (twenty hours or more per week), or is enrolled in a kindergarten program and is provided special education services in addition to the kindergarten program.

NEW SECTION

WAC 392-121-138 Full-time equivalent enrollment of vocational education students. For the purpose of enhanced funding for vocational education full-time equivalent enrollment of students enrolled in vocational secondary and skills centers shall be based upon the actual hours of enrollment in state approved vocational courses. Nine hundred hours of approved vocational instruction shall equal one annual average full-time equivalent student.

AMENDATORY SECTION (Amending Order 50, filed 1/2/91, effective 2/2/91)

WAC 392-121-182 Alternative learning experience requirements. An alternative learning program conducted by the school district staff may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

(1) The program operates in compliance with an approved written program plan on file in the appropriate school building. Alternative learning experience program plans shall include but not be limited to:

(a) The objective(s) of the program;

(b) The teaching component(s) of the program, including where and when teaching activities will be conducted by school district certificated staff;

(c) A schedule of the duration of the program, including beginning and ending dates within the school year;

(d) A description of how student performance will be supervised, evaluated, and recorded by the certificated staff or by qualified school district employees under the direct supervision of the certificated staff; and

(e) A description of intervention techniques and criteria for their use.

(2) The student's performance is subject to the direction of and evaluation by the district's certificated staff.

(3) The full-time equivalent of alternative learning experience students in grades kindergarten through eight shall be based on the number of hours of instruction meeting the criteria in WAC 392-121-107 (1)(a) and be determined using the definition of a full-time equivalent student in WAC 392-121-122.

(4) Each high school course credit which is actively being pursued in an alternative learning experience and which meets the requirements of chapter 180-51 WAC ((180-51-110)) may supplement or replace one hour of minimum time toward a scheduled school day.

(5) The school district shall maintain a ratio of full-time equivalent certificated instructional staff serving the full-time equivalent students reported for funding pursuant to this section which is at least equal to the district's K-12 basic education ratio calculated pursuant to WAC 392-127-070 and displayed on SPI Form 1159 as defined in WAC 392-140-464.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-183 Contracting with ((an education-at)) a higher education institution ((other than a school district)). ((Enrollment in an educational)) Contracting with a higher education institution ((other than a school district)) may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

(1) The student is enrolled in the school district reporting the enrollment and is working towards course credits which satisfy high school graduation requirements; ((and))

(2) The school district has a written contractual agreement with the educational institution to provide instruction at no cost to the student for tuition or fees; and

(3) The full-time equivalent reported for contracted enrollment shall be based on the number of hours of instruction meeting the criteria in WAC 392-121-107 (1)(a) provided by staff of the higher education institution under the contract.

AMENDATORY SECTION (Amending Order 91-07, filed 3/29/91, effective 4/29/91)

WAC 392-121-184 Running start program requirements. The provisions of this chapter shall govern the substantiation of claims for running start program basic education allocation moneys to the extent the provisions of this chapter supplement and do not conflict with the provisions of chapter ~~((392-127)) 392-169~~ WAC. ~~((See the special running start program definitions of full-time equivalent students in WAC 392-127-715 through 392-127-725, enrollment limitations in WAC 392-127-775, and related finance reporting requirements and limitations in WAC 392-127-795 through 392-127-820.))~~

NEW SECTION

WAC 392-121-188 Contracting with an agency. Contracting with an agency may be counted as a course of study pursuant to WAC 392-121-107 if:

(1) The school district board of directors in accordance with adopts a resolution that concludes the school district is incapable of providing an appropriate basic education program for those students that are to be educated pursuant to the contract and sets forth the rationale in support of the conclusion;

(2) The school district retains full responsibility for compliance with all state and federal laws;

(3) The agency complies with all state and federal laws that are applicable to the school district;

(4) The agency serves the students at no cost to the student for tuition and fees and enrollment is voluntary and no student or person is unlawfully excluded from participation on the grounds of race, creed, color, national origin, sex, marital status, or presence of any sensory, mental, or physical handicap;

(5) Each student is enrolled in the school district reporting the enrollment and each high school student is working toward course credits which satisfy high school graduation requirements;

(6) The school district reports the employees of the agency funded with any state moneys or federal moneys that flow through the school district on the SPI annual personnel reporting system for calculation of state funding, staff ratios and statistics;

(7) For the students served pursuant to the contract, the agency maintains a ratio of full-time equivalent certificated instructional staff serving the full-time equivalent students reported for funding pursuant to this section which is at least equal to the district's K-12 basic education ratio calculated pursuant to WAC 392-127-070 and displayed on SPI Form 1159 as defined in WAC 392-140-464;

(8) The school district and agency execute a written contract which is consistent with this section, and which sets forth the duties of the agency in detail sufficient to hold the agency accountable to the school district; and

PROPOSED

(9) The school district and agency establish a process for periodic on-site monitoring by the school district for compliance with this section and other terms of the contract between the school district and agency.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-121-161 Definition—Kindergarten.
WAC 392-121-181 Off-campus instruction requirements.

WSR 94-18-018
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed August 26, 1994, 9:36 a.m.]

Continuance of WSR 94-15-103.

Title of Rule: Alternative care benefits—General rules as to minimum standards.

Other Identifying Information: Insurance Commissioner Matter No. 94-16.

Reasons Supporting Proposal: Notice of continuation of adoption date.

Date of Intended Adoption: August 29, 1994.

August 26, 1994
Melodie H. Bankers
Deputy Commissioner

WSR 94-18-019
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed August 26, 1994, 10:19 a.m.]

Continuance of WSR 94-15-105.

Title of Rule: Accelerated benefits.

Other Identifying Information: Insurance Commissioner Matter No. 94-18.

Reasons Supporting Proposal: Notice of continuation of adoption date.

Date of Intended Adoption: August 29, 1994.

August 26, 1994
Melodie H. Bankers
Deputy Commissioner

WSR 94-18-020
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed August 26, 1994, 10:20 a.m.]

Continuance of WSR 94-15-104.

Title of Rule: Coverage for prescribed uses of drugs which are uses other than those stated in the FDA approved labeling of the drug (off-label).

Other Identifying Information: Insurance Commissioner Matter No. 94-17.

Reasons Supporting Proposal: Notice of continuation of adoption date.

Date of Intended Adoption: August 29, 1994.

August 26, 1994
Melodie H. Bankers
Deputy Commissioner

WSR 94-18-028
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed August 29, 1994, 3:35 p.m.]

Continuance of WSR 94-15-103 and 94-18-018.

Title of Rule: Alternative care benefits—General rules as to minimum standards.

Other Identifying Information: Insurance Commissioner Matter No. 94-16.

Reasons Supporting Proposal: Notice of continuation of adoption date.

Date of Intended Adoption: September 8, 1994.

Melodie H. Bankers
Deputy Commissioner

WSR 94-18-037
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed August 30, 1994, 2:44 p.m.]

Original Notice.

Title of Rule: WAC 388-49-550 Monthly allotments.

Purpose: Implements increased thrifty food plan (TFP).

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Issuance will increase the maximum food stamp program allotments.

Reasons Supporting Proposal: The food and nutrition service (FNS) has increased the thrifty food plan (TFP).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Arnaud, Division of Income Assistance, 438-8322.

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

Rule is necessary because of federal law, CFR 273.10 (e)(4)(ii)(F) and FNS ADM Memo July 19, 1994.

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on October 11, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by September 27, 1994, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by October 4, 1994.

Date of Intended Adoption: October 12, 1994.

August 30, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3755, filed 7/27/94, effective 9/1/94)

WAC 388-49-550 Monthly allotments. (1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

<u>Household Size</u>	<u>Thrifty Food Plan</u>
1	((112)) <u>115</u>
2	((206)) <u>212</u>
3	((295)) <u>304</u>
4	((375)) <u>386</u>
5	((446)) <u>459</u>
6	((535)) <u>550</u>
7	((594)) <u>608</u>
8	((676)) <u>695</u>
9	((764)) <u>782</u>
10	((846)) <u>869</u>
Each additional member	+ ((85)) <u>87</u>

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The department shall base the allotment on a thirty-day month.

(b) The department shall not issue an allotment for less than ten dollars.

(4) The department shall issue a full month's allotment to households applying within one calendar month of a prior certification period.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when the department shall not issue an allotment for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

WSR 94-18-040
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed August 30, 1994, 3:46 p.m.]

Original Notice.

Title of Rule: Chapter 392-190 WAC, School district sexual harassment policy criteria.

Purpose: Substitute HB 2153 (1994 regular session) provided legislative directive to add a section relative to sexual harassment in the public schools to the K-12 anti-sex discrimination laws.

Other Identifying Information: Anti-sex discrimination laws.

Statutory Authority for Adoption: Chapter 28A.640 RCW (chapter 392-190 WAC).

Summary: The addition requires local school districts to adopt, disseminate, and discuss a sexual harassment policy consistent with criteria established by the Superintendent of Public Instruction.

Reasons Supporting Proposal: Legislative intent.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Olympia, 753-2298; Implementation and Enforcement: Darcy M. Lees, Superintendent of Public Instruction, Olympia, 753-2560.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Reasons Supporting Proposal above, compliance will be addressed within established chapter 28A.640 RCW monitoring program.

Proposal Changes the Following Existing Rules: Addition to chapter 28A.640 RCW (chapter 392-190 WAC).

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The rule will have a minor or negligible economic impact.

Hearing Location: Brouillet Conference Room, 4th Floor, Old Capitol Building, 600 South Washington Street,

PROPOSED

Olympia, WA 98504-7200, on October 11, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jim Rich by September 27, 1994, TDD (206) 664-3631, or (206) 753-6733.

Submit Written Comments to: Rules Coordinator, Legal Services, P.O. Box 47200, Olympia, WA 98504, FAX (206) 753-4201, by October 10, 1994.

Date of Intended Adoption: October 12, 1994.

August 29, 1994

Judith A. Billings
Superintendent of
Public Instruction

NEW SECTION

WAC 392-190-056 Sexual harassment—Definitions.

As used in this chapter, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

(1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;

(2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or

(3) That conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

NEW SECTION

WAC 392-190-057 Sexual harassment policy—Adoption date—Required criteria. In order to eliminate sexual harassment in connection with any responsibility, function or activity provided by a school district, a sexual harassment policy shall be adopted and implemented by each district no later than June 30, 1995. This policy shall incorporate the following criteria:

(1) Definitions;

(2) Dissemination and supportive systems;

(3) Staff responsibilities;

(4) Grievance procedures consistent with WAC 392-190-065 through 392-190-075 of this chapter;

(5) Investigative procedures and timelines;

(6) Remedies to victims of sexual harassment;

(7) Disciplinary actions against violators which must conform with collective bargaining agreements and state and federal laws;

(8) Reprisal, retaliation and false accusations prohibition; and

(9) Internal review.

NEW SECTION

WAC 392-190-058 Sexual harassment—Procedures.

(1) School district policies on sexual harassment shall be reviewed by the superintendent of public instruction considering the criteria established under WAC 392-190-057. The superintendent of public instruction shall supply upon request sample sexual harassment policies to school districts.

(2) The school district's sexual harassment policy shall be conspicuously posted throughout each school building, and provided to each employee and volunteer.

(3) A copy of the policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures, and standards of conduct for the school or school district.

(4) Each school shall develop a process for discussing the district's sexual harassment policy with employees, volunteers, parents, and students. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in the sexual harassment policy.

WSR 94-18-041

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed August 30, 1994, 3:48 p.m.]

Original Notice.

Title of Rule: Chapter 392-139 WAC, Finance—Maintenance and operation levies—Local effort assistance.

Purpose: Safety net allocations for 1995, see Summary below.

Statutory Authority for Adoption: RCW 84.52.0531(9).

Summary: To clarify eligibility for local effort assistance safety net allocations for excess levies collectible in 1995.

Reasons Supporting Proposal: Technical correction, no change in policy.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Olympia, 753-2298; Implementation: Thomas J. Case, Superintendent of Public Instruction, Olympia, 753-6708; and Enforcement: David Moberly, Superintendent of Public Instruction, Olympia, 753-6708.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above, technical correction to clarify that school districts must have an excess levy collectible in 1995 to be eligible for a safety net allocation as part of local effort assistance.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rule above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The rule will have a minor or negligible economic impact.

Hearing Location: Brouillet Conference Room, 4th Floor, Old Capitol Building, 600 South Washington Street, Olympia, WA 98504-7200, on October 11, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jim Rich by September 27, 1994, TDD (206) 664-3631, or (206) 753-6733.

Submit Written Comments to: Rules Coordinator, Legal Services, P.O. Box 47200, Olympia, WA 98504, FAX (206) 753-4201, by October 10, 1994.

Date of Intended Adoption: October 12, 1994.

August 29, 1994
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 93-20, filed 10/20/93, effective 11/20/93)

WAC 392-139-685 Determination of safety net allocations. Each school district's safety net allocation for 1994 and 1995 shall be calculated as follows:

(1) Determine the actual 1991-93 state biennium local effort allocations by adding:

- 45% of the actual 1991 allocation,
- 100% of the actual 1992 allocation, and
- 55% of the actual 1993 allocation.

(2) Determine 96.5% of the 1991-93 allocations by multiplying the result of subsection (1) of this section by 0.965.

(3) Calculate the local effort assistance allocations that would have been made during the 1993-95 biennium under the law in effect January 1, 1993, (i.e., using the formula for 1993 local effort assistance provided in this chapter). When performing calculations for 1994, assume that local effort assistance will be equal in calendar years 1994 and 1995 unless it is known to be otherwise.

(4) Determine the 1993-95 biennium local effort assistance allocation by adding:

- 45% of the actual 1993 allocation,
- 100% of the 1994 allocation, and
- 55% of the 1995 allocation.

(a) For 1994, the 1994 allocation excludes safety net moneys and the 1995 allocation is assumed to equal the 1994 allocation unless it is known to be otherwise.

(b) For 1995, the 1994 allocation includes safety net moneys and the 1995 allocation excludes 1995 safety net moneys.

(5) If the result of subsection (3) of this section exceeds the result of subsection (1) of this section and the result of subsection (4) of this section is less than the result of subsection (2) of this section then the district is eligible for safety net moneys.

(a) For 1994 and eligible district's safety net allocation equals 64.5% (100/155) of the difference between the result of subsections (2) and (4) of this section.

(b) For 1995 an eligible district's safety net allocation equals 100% of the difference between the results of subsections (2) and (4) of this section. A school district must have a certified excess levy for 1995 collection to receive a safety net allocation for 1995.

WSR 94-18-042

PROPOSED RULES

MULTIMODAL TRANSPORTATION PROGRAMS AND PROJECTS SELECTION COMMITTEE

[Filed August 31, 1994, 8:34 a.m.]

Original Notice.

Title of Rule: Multimodal Transportation Programs and Projects Selection Committee.

Purpose: To provide rules for the administration of funds for four transportation accounts administered by the multimodal committee. The four accounts are the Central Puget Sound Public Transportation Systems Account, the High Capacity Transportation Account, the Public Transportation Systems Account, and the Surface Transportation Program Statewide Competitive Program Account.

Statutory Authority for Adoption: Chapter 47.66 RCW.
Statute Being Implemented: Chapter 47.66 RCW.

Summary: The proposed rule provides guidance to the multimodal committee if funding is insufficient to meet contract obligations for any of the accounts.

Reasons Supporting Proposal: The rule is necessary to enable the multimodal committee to administer the four transportation fund accounts.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Roediger, Transportation Building, (206) 705-7917.

Name of Proponent: Multimodal Transportation Programs and Projects Selection Committee, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule supplements WSR 94-11-081 by describing the remedial action that the Multimodal Transportation Programs and Projects Selection Committee will take if it is determined by the "committee" that funding in any of the accounts will be insufficient to meet the contracted obligations identified for the selected projects.

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The four accounts administered by the multimodal committee can only be accessed by public agencies and are excluded from the Regulatory Fairness Act according to RCW 19.85.020(1).

Hearing Location: SeaTac Airport Hilton, Peninsula Room, 17620 Pacific Highway South, Seattle, WA 98188, on October 21, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Cheryl Hammer by October 14, 1994, (206) 705-7370.

Submit Written Comments to: Larry Roediger, FAX (206) 705-6822, by October 19, 1994.

Date of Intended Adoption: November 4, 1994.

August 30, 1994

Martha Choe

Chairperson

NEW SECTION

WAC 240-20-076 Funding shortfall. If it shall be determined by the committee that the funding in any of the accounts will be insufficient to meet the contracted obligations identified for the selected projects, the committee shall have discretion as to the remedial action it will take. Such actions may include, but shall not be limited to, termination of projects, reduction in funding to selected projects, and/or an across the board reduction in funding for all projects. Such action shall occur only after the committee holds a public hearing during which the affected parties may testify as to impacts of such actions.

WSR 94-18-047
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed August 31, 1994, 1:45 p.m.]

Original Notice.

Title of Rule: WAC 388-250-1300 Standards of assistance—One hundred eighty-five percent of need standards.

Purpose: Updates the 185% of need standard. This standard is used to determine eligibility for public assistance programs.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Provide filed staff with the current standards to determine eligibility for public assistance.

Reasons Supporting Proposal: Each year the department annually updates need standards. These standards are used to determine eligibility for public assistance.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Brinkman, Division of Income Assistance, 438-8309.

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

Rule is necessary because of federal law, 45 CFR 233.20 (a)(1) and (2).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This standard is used to determine eligibility for various public assistance programs.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on October 11, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by September 27, 1994, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by October 4, 1994.

Date of Intended Adoption: October 12, 1994.

August 31, 1994

Dewey Brock, Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3729, filed 4/6/94, effective 5/7/94)

WAC 388-250-1300 Standards of assistance—One hundred eighty-five percent of need standards. (1) Effective September 1, ((1993)) 1994, the department shall determine one hundred eighty-five percent of the statewide monthly need standard for basic requirements for a household with an obligation to pay shelter costs to be:

Recipients in Household	185% of Need Standard
1	\$ ((1,367)) <u>1,391</u>
2	((1,730)) <u>1,759</u>
3	((2,142)) <u>2,179</u>
4	((2,518)) <u>2,562</u>
5	((2,903)) <u>2,953</u>
6	((3,295)) <u>3,350</u>
7	((3,804)) <u>3,870</u>
8	((4,211)) <u>4,283</u>
9	((4,625)) <u>4,705</u>
10 or more	((5,025)) <u>5,112</u>

(2) Effective September 1, ((1993)) 1994, the department shall determine one hundred eighty-five percent of the statewide monthly need standard for basic requirements for a household with shelter provided at no cost to be:

Recipients in Household	185% of Need Standard
1	\$ ((830)) <u>849</u>
2	((1,052)) <u>1,074</u>
3	((1,304)) <u>1,332</u>
4	((1,531)) <u>1,565</u>
5	((1,766)) <u>1,803</u>
6	((2,005)) <u>2,047</u>
7	((2,314)) <u>2,364</u>

PROPOSED

8	((2,562))	<u>2,617</u>
9	((2,815))	<u>2,874</u>
10 or more	((3,058))	<u>3,124</u>

Date of Intended Adoption: October 12, 1994.
 August 31, 1994
 Dewey Brock, Chief
 Office of Vendor Services

WSR 94-18-048
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed August 31, 1994, 1:47 p.m.]

Original Notice.

Title of Rule: WAC 388-49-420 Resources—Nonexempt.

Purpose: Redefines "ineligible student" as a nonhousehold member for the food stamp program to be consistent with CFR 273.1(b). Clarifies resources of ineligible food stamp household members are considered available to remaining household members, and resources of nonhousehold members including ineligible students are exempt.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050, CFR 273.1(b).

Summary: Rule amendment redefines "ineligible student" as a nonhousehold member for the food stamp program to be consistent with CFR 273.1(b).

Reasons Supporting Proposal: Redefines "ineligible student" as a nonhousehold member for the food stamp program to be consistent with CFR 273.1(b).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Arnaud, Division of Income Assistance, 438-8322.

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

Rule is necessary because of federal law, RCW 74.04.050, CFR 273.1(b).

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This revision impacts the food stamp program and is not business related.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on October 11, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by September 27, 1994, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by October 4, 1994.

AMENDATORY SECTION (Amending Order 3277, filed 10/31/91, effective 12/1/91)

WAC 388-49-420 Resources—Nonexempt. (1) The department shall consider the following resources nonexempt:

- (a) Liquid resources;
 - (b) Real and personal property not exempted by WAC 388-49-410; and
 - (c) Money secured in the form of a lump sum.
- (2) The value of a nonexempt resource, except for licensed vehicles as specified in WAC 388-49-430, shall be its equity value.

(3) The department shall exempt funds having been commingled in an account with nonexempt funds for more than six months.

(4) The department shall consider resources owned jointly by separate households available in their entirety to each household, unless:

- (a) The resource is inaccessible to one of the households, and
 - (b) Ownership is verified, if questionable.
- (5) The department shall consider resources of ~~((the following persons as available to the remaining household members:~~

- ~~(a) Ineligible aliens;~~
- ~~(b) Persons disqualified for failure to meet Social Security number requirements;~~
- ~~(c) Persons disqualified for intentional program violation;~~
- ~~(d) Persons disqualified for failure to comply with work requirements as described under WAC 388-49-360; or~~
- ~~(e) Persons who fail to sign the application attesting to their citizenship or alien status))~~ ineligible household members as available to the remaining household members.

(6) Excluding one thousand five hundred dollars, the department shall consider resources of an alien sponsor and spouse living together available:

- (a) To the household as specified in WAC 388-49-270, for three years following the alien's admission to the United States for permanent residence;
- (b) To the extent deemed resources are divided by the number of sponsored aliens applying for or participating in the program, if the alien can demonstrate the sponsor is sponsoring other aliens; and
- (c) Until one of the following occurs:
 - (i) Alien obtains a new sponsor, should the alien lose a sponsor during the three-year limit;
 - (ii) The three-year period for applying the sponsored alien provisions expires; or
 - (iii) The sponsor dies.

PROPOSED

WSR 94-18-049
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed August 31, 1994, 1:48 p.m.]

Original Notice.

Title of Rule: WAC 388-15-820 Medicaid personal care services—Definitions, 388-15-830 Medicaid personal care services—Eligibility, 388-15-840 Medicaid personal care services—Assessment—Authorization, and 388-15-850 Medicaid personal care services—Nurse oversight.

Purpose: WAC 388-15-820 (5) and (11) expand MPC services to mental health clients who require ongoing prompting to accomplish personal care tasks. This meets the Superior Court requirement; repeal of WAC 388-15-820 (8)(b) and (13)(c) and 388-15-830 (1)(d) eliminates the physician's statement as a requirement for MPC per HB 2492 and OBRA 1993; and amending WAC 388-15-820 (8)(c) and 388-15-850(1) changes the requirement for nurse oversight reviews of MPC clients from three-month intervals to one per year. This allows flexibility so that nurse oversight visits may be more or less frequent as needed with the new minimum being once per year.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Statute Being Implemented: RCW 74.08.090 and 74.09.520, OBRA 1993 and chapter 21, Laws of 1994, amending RCW 74.09.520, Thurston County Superior Court Cause #93-2-1817-4 Bosteder vs. Soliz.

Summary: Expands the MPC program to include clients with disabling mental health conditions. The requirement for a physician's statement will be eliminated. "Nurse oversight visit" will occur as needed at least once a year.

Reasons Supporting Proposal: To comply with court order in Bosteder vs. Soliz. To comply with chapter 21, Laws of 1994, amending RCW 74.09.520.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lois Wusterbarth, Home and Community Services Division, AASA, 493-2538.

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

Rule is necessary because of state court decision, Thurston County Superior Court #93-2-1817-4 Bosteder vs. Soliz.

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

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Expanding MPC services to clients with disabling mental health conditions will cause some program growth which is not clearly measurable at this time. It will not cause an economic impact approaching 10% on any small business; removal of the requirement for a physician's statement has no regulatory

impact on small business. These were not paid for; and changing the requirement for nurse oversight to one year intervals allows flexibility in the program. A comparable number of nurse visits is anticipated as higher risk clients receive additional attention and more stable clients require less often visits. No impact on small business is anticipated.

Hearing Location: OB-2 Auditorium, 14th and Franklin, Olympia, Washington, on October 11, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by September 27, 1994, TDD (206) 753-4595, or SCAN 234-4595.

Submit Written Comments to: Dewey Brock, Chief, Office of Vendor Services, Mailstop 45811, Department of Social and Health Services, 14th Avenue and Franklin Street, Olympia, Washington 98504, Identify WAC Numbers, FAX (206) 586-8487, by October 4, 1994.

Date of Intended Adoption: October 12, 1994.

August 31, 1994

Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3538, filed 4/28/93, effective 5/29/93)

WAC 388-15-820 Medicaid personal care services—Definitions. (1) "Applicant" means a person applying for Medicaid personal care services.

(2) "Client" means a person determined eligible for Medicaid personal care services.

(3) "Community residence" means a:

(a) Client's own home, whether in a building owned or rented by the client;

(b) Licensed adult family home under department contract;

(c) Licensed boarding home under department contract;

(d) Licensed children's foster family home;

(e) Licensed group care facility, as defined in WAC 388-73-014(8); or

(f) Shared living arrangement where two or more adults share expenses and reside together in one of the adult's residences with common facilities, such as living, cooking, and eating areas.

(4) "Direct personal care services" means assistance with tasks involving direct client care which are directly related to the client's medical condition. Such assistance is limited to allowable help with the tasks of ambulation, bathing, body care, dressing, eating, essential shopping, personal hygiene, positioning, self-medication, toileting, transfer, and travel to medical services as defined under WAC 388-15-202.

(5) "Handicapping condition" means a ~~((medical))~~ condition which ~~((causes a functional impairment in activities of daily living))~~ prevents a person from self-performance of personal care tasks without assistance. In assessing the client with a "handicapping condition" the department may require documentation from a physician or a mental health

professional to determine the extent of the person's handicapping conditions.

(6) "Household assistance" means assistance with incidental household tasks provided as an integral, but subordinate part of the personal care furnished directly to a client. Household assistance shall be considered an integral part of personal care when such assistance is directly related to a medical or mental health condition, is reflected in the client's service plan, and is provided only when a client is assessed as needing personal care assistance with one or more direct personal care tasks. Incidental household tasks are limited to housework, laundry, meal preparation and wood supply as defined under WAC 388-15-202.

(7) "Legally responsible relative" means a spouse for a spouse, or a parent of a minor child.

(8) "Medicaid personal care services" means medically-oriented tasks, directed at a client or the client's immediate environment, that are necessitated by the client's handicapping condition. Such services shall be:

(a) Based on an assessment of applicant/client needs;

(b) ~~((Provided in conformance with a service plan ordered by a client's attending physician;~~

~~((e)))~~ Reviewed by a registered nurse at least ~~((every ninety days))~~ once each year;

~~((d)))~~ (c) Performed by qualified and trained personal care aides, excluding a legally responsible relative;

~~((e- Services shall be))~~ (d) Provided in a client's own home when the client is present in the home.

(9) "Medically-oriented tasks" means direct personal care services, household assistance provided as an integral but subordinate part of the personal care furnished directly to a client, and supervision.

(10) "Mental health professional" means:

(a) A physician or osteopath licensed under chapter 18.57 or 18.71 RCW, who is board eligible in psychiatry;

(b) A psychologist licensed under chapter 18.83 RCW;

(c) A psychiatric nurse, which means a registered nurse licensed under chapter 18.88 RCW and having at least two years' experience in the direct treatment of mentally ill individuals under the supervision of a mental health professional;

(d) A social worker, which means a person with a masters or further degree from an accredited graduate school of social work or a degree from a graduate school deemed equivalent by the secretary;

(e) A person having at least a masters degree in behavioral sciences, nursing sciences, or related field from an accredited college or university and having at least two years' experience in the direct treatment of mentally ill individuals under the supervision of a mental health professional;

(f) A mental health counselor or marriage and family therapist certified under chapter 18.19 RCW and having at least two years; experience in the direct treatment of mentally ill individuals under the supervision of a mental health professional;

(g) A professional licensed occupational or physical therapist having at least two years experience in the direct treatment of mentally ill individuals under the supervision of a mental health professional; or

(h) A person having at least a bachelors degree in behavioral sciences or related field from an accredited college or university and having at least five years' experience in the direct treatment of mentally ill individuals under the supervision of a mental health professional.

(11) "Personal care aide" means a person meeting the qualification and training requirements established by the department and providing direct personal care services to a client. This person may be an employee of a qualified agency provider or may be under contract as a qualified individual provider.

~~((11)))~~ (12) "Personal care assistance" means both hands-on physical assistance with personal care tasks ((which requires action by the provider beyond cueing, prompting, reminding, or supervising)) and/or prompting and supervising throughout the task for a client who is incapable of performing personal care tasks without specific instructions.

~~((12)))~~ (13) "Personal care provider" means a qualified agency provider or a qualified individual provider who is not a legally responsible relative of the client and is under department contract to provide Medicaid personal care services.

~~((13)))~~ (14) "Personal care service plan" means a plan which is:

(a) Developed by the department and the client or client's representative in cooperation with appropriate community agency staff;

(b) Written and describes the personal care services which will be provided, frequency of provision, and expected outcomes;

(c) May be ordered by a client's attending physician or mental health professional.

~~((14)))~~ (15) "Physician" means a doctor of medicine, osteopathy or podiatry, as defined under WAC 388-80-005(52), or a client's Christian Science practitioner.

~~((15)))~~ (16) "Physician's order" means written approval by a client's attending physician of the specific personal services to be provided to the client.

~~((16)))~~ (17) "Qualified agency provider" means a community agency which applied for licensing as a home care agency or home health agency.

~~((17)))~~ (18) "Qualified individual provider" means a person meeting the individual provider qualifications established by the department.

~~((18)))~~ (19) "Supervision" means unscheduled help with personal care tasks or protective supervision as defined under WAC 388-15-202, and is provided only when a client is assessed as needing personal care assistance with one or more direct personal care tasks.

AMENDATORY SECTION (Amending Order 3538, filed 4/28/93, effective 5/29/93)

WAC 388-15-830 Medicaid personal care services—Eligibility. (1) The department shall provide Medicaid personal care services to a person:

(a) Certified as a Title XIX categorically needy medical assistance client;

(b) Programmatically eligible; that is, due to a handicapping condition, is determined to need personal care assistance with one or more direct Medicaid personal care tasks to remain in a community residence; and

(c) Residing in own residence, in a licensed and contracted adult family home, a licensed boarding home under department contract, a children's foster family home, or a children's group care facility(~~and~~

~~(d) With a physician's order approving provision of specific personal care services)).~~

(2) A person's eligibility for Medicaid personal care services shall begin upon date of the department's service authorization.

(3) The department shall not authorize chore services or adult family home add-on services to a person qualifying for Medicaid personal care services when the person's service needs are met within the scope of the Medicaid personal care program.

AMENDATORY SECTION (Amending Order 3538, filed 4/28/93, effective 5/29/93)

WAC 388-15-840 Medicaid personal care services—Assessment—Authorization. (1) Department staff shall perform a person's assessment or use assessment information received which has been administered as required under WAC 388-15-202 through 388-15-205.

(2) When a child is assessed, the assessor shall consider the personal care applicant's age in determining if the degree of personal care needed is appropriate to the child's age, or as the result of the applicant's functional impairment. The assessor shall only assess need for personal care services exceeding the level of age appropriate personal care.

(3) The assessor shall perform an assessment or reassessment within the department-established time frames.

(4) The department shall be responsible for authorizing Medicaid personal care services.

(5) For each task listed on the assessment form, the department staff shall determine the degree of assistance needed as required under WAC 388-15-203.

~~((6) A client's attending physician shall review and reauthorize the client's service plan at least once every twelve months.))~~

AMENDATORY SECTION (Amending Order 3538, filed 4/28/93, effective 5/29/93)

WAC 388-15-850 Medicaid personal care services—Nurse oversight. (1) A registered nurse shall visit a client at least once ~~((every ninety days not to exceed four visits in any one))~~ each year ~~((period))~~ to:

(a) Review the client's medical and mental condition;

(b) Review the service plan determining if revisions may be required and, if so, recommend revisions;

(c) Review the client's need for continued care;

(d) Assess the quality of personal care services received; and

(e) Assess the personal care provider's need for additional training.

(2) The registered nurse shall document the result of the nurse's oversight visit on the department-prescribed form.

WSR 94-18-055

WITHDRAWAL OF PROPOSED RULES PERSONNEL RESOURCES BOARD

[Filed August 31, 1994, 3:55 p.m.]

The Washington Personnel Resources Board hereby withdraws proposed repealer of WAC 356-30-331, filed with your office as WSR 94-12-056 on May 27, 1994, and continued as WSR 94-16-050 on July 27, 1994.

Dennis Karras
Secretary

WSR 94-18-066

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Filed September 1, 1994, 10:29 a.m.]

The Department of Labor and Industries is hereby withdrawing the following proposed amended sections of chapter 296-306 WAC, Safety standards for agriculture: WAC 296-306-080 Guarding of hand-held portable power tools, 296-306-165 General requirements for all agricultural equipment, and 296-306-170 Auger conveying equipment.

These proposed changes were filed on June 1, 1994, with public hearings held on July 12 and 13, 1994, WSR 94-12-095.

Mark O. Brown
Director

WSR 94-18-068
WITHDRAWAL OF PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed September 1, 1994, 11:00 a.m.]

Notice is hereby given that the State Board of Education is withdrawing Form CR-102 (WSR 94-16-132, filed August 3, 1994) related to proposed amendments to WAC 180-75-045, 180-75-065, 180-75-085, 180-75-087, 180-79-005 and proposed new chapter 180-82 WAC.

Larry C. Davis
 Executive Director/Secretary

WSR 94-18-069
PROPOSED RULES
SPOKANE COUNTY AIR
POLLUTION CONTROL AUTHORITY

[Filed September 1, 1994, 3:57 p.m.]

Original Notice.

Title of Rule: Spokane County Air Pollution Control Authority Regulation I, Article VI, Emissions Prohibited (Section 6.01 - Open Burning; Section 6.11 - Agricultural Burning).

Purpose: To define the requirements, conditions, and prohibitions relative to open burning and agricultural burning.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: Chapter 70.94 RCW.

Summary: The regulation defines terms relative to burning, establishes conditions under which burning may occur, and establishes which agencies have authority over open burning.

Reasons Supporting Proposal: Changes to chapter 70.94 RCW in 1991, changes to chapter 173-425 WAC in 1992, and impending changes to chapter 173-430 WAC necessitate these amendments for the sake of consistency.

Name of Agency Personnel Responsible for Drafting: Eric Skelton, Spokane, Washington, (509) 456-4727 x 121; **Implementation and Enforcement:** Mabel Caine, Spokane, Washington, (509) 456-4727 x 120.

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The regulation establishes the rules for general open burning and agricultural burning. Its primary purpose is to regulate burning in a manner which protects ambient air quality while at the same time allowing for burning to be used as a management tool. As this regulation change primarily codifies existing practices, the anticipated effect is consistency with state regulations and a better understanding of what is allowed and what is prohibited.

Proposal Changes the Following Existing Rules: The proposal amends the existing Spokane County Air Pollution

Control Authority regulation on open fires. See Explanation of Rule for the described change.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Spokane County Air Pollution Control Authority is not required under chapter 19.85 RCW to file small business economic impact statements.

Hearing Location: Spokane County Public Works Building, West 1026 Broadway, Hearing Room, Spokane, WA, on November 3, 1994, at 9:00 a.m.

Submit Written Comments to: Eric Skelton, Spokane County Air Pollution Control Authority, 1101 West College, Suite 403, Spokane, WA 99201, FAX (509) 459-6828, by October 31, 1994.

Date of Intended Adoption: November 3, 1994.

August 30, 1994

Eric Skelton
 Director

Reviser's note: The material contained in this filing will appear in the 94-19 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 94-18-072
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Pharmacy)
 [Filed September 2, 1994, 8:33 a.m.]

Original Notice.

Title of Rule: Professional education.

Purpose: To clarify procedures relating to approval of continuing education and approval of continuing education providers.

Statutory Authority for Adoption: RCW 18.64.005.

Summary: These revisions clarify procedures relating to approval of continuing education and approval of continuing education providers.

Reasons Supporting Proposal: These changes will streamline the process for approval of CE and approval of CE providers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Donald H. Williams, Board of Pharmacy, 1300 Quince S.E., Olympia, WA 98504-7863, 753-6834.

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: Streamlines CE approval process for approval as CE provider and for CE. Shortens length of required CE proof after audit disapproval.

Proposal changes the following existing rules: Specifies information required to be a board-approved CE provider

and extends length of time allowed to get approval of CE after attendance. Also, shortens the length of time proof of CE is required if pharmacists do not pass CE audit. Also allows pharmacists to use CE approved by other boards of pharmacy.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. A small business economic impact statement was not prepared as this rule change does not affect 10% of any industry or 20% of all industry.

Hearing Location: Red Lion Inn, 818 112th Avenue N.W., Bellevue, WA, on October 28, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Lisa Salmi by October 14, 1994, TDD (206) 664-0064, or 1-800-525-0127 ext 753-6834.

Submit Written Comments to: Donald Williams, P.O. Box 47863, Olympia, WA 98504-7863, by October 20, 1994.

Date of Intended Adoption: October 28, 1994.

August 25, 1994
Donald H. Williams
Executive Director

AMENDATORY SECTION (Amending Order 234B, filed 1/8/92, effective 2/8/92)

WAC 246-861-010 Definitions. (1) "Accredited programs/courses" means continuing education sponsored by providers which are approved by the American Council on Pharmaceutical Education (ACPE).

(2) "Board approved programs/courses" means continuing education which has been reviewed and approved by the board office.

(3) "Approved provider" means any person, corporation, or association approved either by the board or ACPE to conduct continuing professional education programs.

(4) "Continuing education" means accredited or approved post-licensure professional pharmaceutical education designed to maintain and improve competence in the practice of pharmacy, ~~((improve))~~ pharmacy skills, and preserve pharmaceutical standards for the purpose of protecting the public health, safety, and welfare.

(5) "Continuing education unit (CEU)" means one CEU is equivalent to ten contact hours of participation in accredited or board approved continuing education programs/courses.

AMENDATORY SECTION (Amending Order 234B, filed 1/8/92, effective 2/8/92)

WAC 246-861-020 Renewal requirements. (1) No renewal certificate of licensure shall be issued by the board of pharmacy until the applicant submits satisfactory proof to the board that during the twelve months preceding his or her application for renewal he or she has participated in courses of continuing professional pharmaceutical education of the types and number of continuing education credits specified by the board. Such continuing education is hereby declared to be a mandatory requirement for license renewal, except

that pharmacists applying for the first annual renewal of their license following graduation shall be exempt from the provisions of this regulation.

(2) Continuing education requirements must be submitted along with the license application and fee. If the continuing education requirements are not complete the license renewal application will be returned with an explanatory note. The license renewal will not be processed until complete.

(3) A pharmacist shall be required to retain all original certificates and other documented evidence of participation in an approved/accredited continuing education program for a period of at least two years. Upon request, such documentation shall be made available to the board for random audit and verification purposes. Since individual pharmacist audits will usually be retrospective, it is recognized that disallowed credit may work hardship on the pharmacist involved. In cases where a pharmacist is audited and some or all credit is disallowed, the continuing education requirement for the following year will be increased by the amount of hours disallowed. A pharmacist who is audited and has credit disallowed will ~~((automatically be audited for three))~~ be required to submit verification of continuing education for the next two consecutive years by including continuing education certificates with the license renewal application.

(4) Failure to satisfy the continuing education requirement as a result of disallowed credit in two consecutive years or falsification of continuing education evidence and/or documentation will be considered in violation of these rules and will be sufficient cause for imposition of disciplinary action by the board.

(5) A pharmacist who desires to reinstate his or her pharmacist license after having been unlicensed for over one year shall, as a condition for reinstatement, submit proof of fifteen hours of continuing education for each year unlicensed or complete such continuing education credits as may be specified by the board in each individual case.

(6) The board of pharmacy may accept comparable continuing education units which have been approved by other boards of pharmacy.

AMENDATORY SECTION (Amending Order 234B, filed 1/8/92, effective 2/8/92)

WAC 246-861-040 Applications for approval of continuing education program—Post-approval of continuing education program. (1) Applications for approval or post-approval of a continuing education program which is not an accredited program or provided by an approved provider shall be made on the form provided for this purpose by the Washington state board of pharmacy in the law book.

(2) The provider shall submit an application form ~~((sixty))~~ forty-five days prior to the date the program will be held.

(3) A pharmacist who attends a program that has not been preapproved according to this rule, must submit

application for approval within ~~((fifteen))~~ twenty days following the program.

(4) All programs approved by the American Council on Pharmaceutical Education are accepted for continuing education credit and do not require that an individual provider approval be obtained in each case.

(5) The board of pharmacy may accept comparable continuing education units which have been approved by other boards of pharmacy.

AMENDATORY SECTION (Amending Order 234B, filed 1/8/92, effective 2/8/92)

WAC 246-861-050 Continuing education program approved providers. ~~(1) ((The board shall establish the standards and specifications necessary for an organization to obtain approval. These standards and specifications shall at least be equivalent to those established for continuing education programs in pharmacy by the American Council on Pharmaceutical Education.~~

~~(a) A continuing education provider shall supply each attendee or subscriber with a written program description which lists the topic(s) covered, number of speakers or authors, time devoted to the program topic(s), and the instructional objectives of the program. The program description must also bear a statement of the number of hours of continuing education credit assigned by the provider.~~

~~(b) The provider must make available to each attendee or subscriber proof of attendance or participation suitable for verifying to the board the completion of continuing education requirements.~~

~~(c) The provider shall retain, for a period of two years, a list of persons to whom proof of attendance or participation as specified in (b) of this subsection was supplied. Providers of nonevaluated self-instruction units shall be exempt from this requirement.~~

~~(2)) Any ((organization)) provider may apply to the board on forms provided by the board for qualification as an approved provider. If ((an organization)) a provider is approved, the board will issue a certificate or other notification of qualification to it. The approval shall be effective for a period of two years and shall be renewable as set forth by the board. Providers who apply to the board for approved provider status must document the following:~~

~~(a) Identify the individual responsible for the providers' CE program;~~

~~(b) Provide copies of CE material and information used by the provider the previous two years with each renewal; and~~

~~(c) Develop a procedure for establishing:~~

~~(i) Educational goals and objectives for each program;~~

~~(ii) Program evaluation component for each program.~~

~~(d) A continuing education provider shall supply each attendee or subscriber with a written program description which lists the topic(s) covered, number of speakers or authors, time devoted to the program topic(s), and the~~

instructional objectives of the program. The program description must also bear a statement of the number of hours of continuing education credit assigned by the provider.

(e) The provider must make available to each attendee or subscriber proof of attendance or participation suitable for verifying to the board the completion of continuing education requirements.

(f) The provider shall retain, for a period of two years, a list of persons to whom proof of attendance or participation as specified in (b) of this subsection was supplied. Providers of nonevaluation self-instruction units shall be exempt from this requirement.

(2) The board shall establish the standards and specifications necessary for a provider to obtain approval. These standards and specifications shall at least be equivalent to those established for continuing education programs in pharmacy by the American Council on Pharmaceutical Education.

(3) The board may revoke or suspend an approval of a provider or refuse to renew such approval if the provider fails to maintain the necessary standards and specifications required.

NEW SECTION

WAC 246-861-055 Continuing education program.

(1) The continuing professional pharmaceutical education courses may consist of post-graduate studies, institutes, seminars, lectures, conferences, workshops, extension studies, correspondence courses and other similar methods of conveying continuing education as may be approved by the board.

(2) Such courses shall consist of subject matter pertinent to the following general areas of professional pharmaceutical education:

(a) The legal aspects of health care;

(b) The properties and actions of drugs and dosage forms;

(c) The etiology, characteristics, therapeutics, and prevention of the disease state;

(d) Specialized professional pharmacy practice.

(3) Full credit (hour for hour) shall be allowed for:

(a) Speakers.

(b) Panels.

(c) Structured discussion, workshops, and demonstrations.

(d) Structured question and answer sessions.

(4) Credit shall not be allowed for:

(a) Welcoming remarks.

(b) Time spent for meals or social functions.

(c) Business sessions.

(d) Unstructured demonstrations (e.g., poster sessions).

(e) Unstructured question and answer sessions (e.g., after programs ends).

(f) Degree programs except advanced degrees in pharmacy.

(5) Keynote speaker and topics must be submitted through the standard process.

AMENDATORY SECTION (Amending Order 234B, filed 1/8/92, effective 2/8/92)

WAC 246-861-060 Instructors' credit toward continuing education unit. Any pharmacist whose primary responsibility is *not* the education of health professionals, who leads, instructs or lectures to groups of nurses, physicians, pharmacists or others on pharmacy-related topics in organized continuing education shall be granted one hour of continuing education credit for each hour spent in actually presenting the initial course or program which has been approved for continuing education credit. ~~((A presenter shall not be granted multiple credit for multiple presentations of the same program of continuing education.))~~

Any pharmacist whose primary responsibility is the education of health professionals shall be granted continuing education credit only for time expended in leading, instruction or lecturing to groups of physicians, pharmacists, nurses or others on pharmacy related topics outside his/her formal course responsibilities in a learning institution.

A presenter shall not be granted multiple credit for multiple presentations of the same program of continuing education.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-861-030 Continuing education programs.

**WSR 94-18-075
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed September 2, 1994, 1:32 p.m.]

Original Notice.

Title of Rule: Water trail programs.

Purpose: Establish procedures by which the Washington State Parks and Recreation Commission will administer grants supported by water trail program funds; provide for issuance and use of water trail permits; provide for distribution of trail use guidelines.

Statutory Authority for Adoption: RCW 43.51.440.

Statute Being Implemented: RCW 43.51.444 and 43.51.448.

Summary: This establishes procedures and criteria to be used to award grants from the water trails account; eligibility of grant applicants; process for disbursement of funds; provides for issuance of water trail permits and information on the use of the water trail.

Reasons Supporting Proposal: Procedures do not exist now, they need to be written to comply with the RCW.

Name of Agency Personnel Responsible for Drafting: Terry Doran, 220 Walnut Street, Burlington, WA, 98233, (206) 755-9231; Implementation and Enforcement: Terry Doran/Park Managers, 220 Walnut Street, Burlington, (206) 755-9231.

Name of Proponent: Washington State Parks and Recreation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes a new program of administering grants to operate and enhance water trail programs. It establishes a procedure for grant application and award. It establishes water trail permits and their issuance.

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Not required under chapter 19.85 RCW.

Hearing Location: Ramada Inn, International Airport, Spokane, Washington 99219, on October 21, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Terry Doran by October 17, 1994, TDD (206) 428-1028, or (206) 755-9277.

Submit Written Comments to: Terry Doran, P.O. Box 487, Burlington, WA 98233, FAX (206) 755-9277, by October 7, 1994.

Date of Intended Adoption: October 21, 1994.

September 2, 1994
Sharon Howdeshell
Office Manager

**Chapter 352-68 WAC
WATER TRAIL PROGRAMS**

NEW SECTION

WAC 352-68-010 Purpose. This chapter:

- (1) Establishes procedures by which the Washington state parks and recreation commission will administer grants supported by water trail program funds; and
- (2) Provides for issuance and use of water trail permits; and
- (3) Provides for distribution of trail use guidelines.

NEW SECTION

WAC 352-68-020 Definitions. When used in this chapter the following words and phrases shall have the meanings designated in this section:

"Commission" means the Washington state parks and recreation commission.

"Director" means the director of the Washington state parks and recreation commission or the director's designee.

"Site" means a designated area and the fixtures and improvements thereon or nearby provided to people traveling the water trail for their overnight stays ashore.

PROPOSED

"Water trail program funds" means the funds deposited in the water trail program account administered by the Washington state parks and recreation commission pursuant to this chapter and chapter 43.51 RCW.

"Water trail system" means a network of designated water trail sites strategically located for the convenience, and use of holders of water trail permits when traveling from site to site.

NEW SECTION

WAC 352-68-030 Water trail program funds. Water trail program grant funds shall be disbursed by the commission for planning, acquisition, development, maintenance, operation and administration of a water trail program and a water trail system of sites and water trail access and launching areas and facilities, such as sanitary facilities, trails, camping areas, and equipment, and for enforcement, education and information programs. Sites for which water trail program funds are used shall be open to holders of a water trail permit.

NEW SECTION

WAC 352-68-040 Funding priorities. The unranked priorities for the water trail program grant funds are:

- (1) Administering a water trail program which includes safety education and trail information;
- (2) Incorporating public land holdings into the water trail system, with emphasis on reducing distances between sites and provided alternate routes through scenic areas;
- (3) Developing sites that minimize the potential for conflict with other users of public lands;
- (4) Minimizing maintenance costs and reducing the impacts of trail use on sites and adjacent areas by cooperating with public and private entities in the development of programs, regulations, site improvements and equipment;
- (5) Acquiring new sites for the water trail system;
- (6) Conducting studies of the interaction of the trail system, its users, and the public to guide future development of the trail system;
- (7) Supporting special water trail programs; and
- (8) Other water trail program needs as may be determined by the commission.

NEW SECTION

WAC 352-68-050 Eligibility. Any municipal corporation, public agency, or tribe in the state of Washington is eligible to apply for grants of water trail program funds to support up to one hundred percent of the cost of the water trail programs.

NEW SECTION

WAC 352-68-060 Application process. Applicants for water trail program grant funds must:

- (1) Complete an application form and timely file it with the commission.
- (2) File documentation of permission to conduct the proposed program from all owners of land on which the program is to occur.
- (3) Comply with applicable laws and ordinances.
- (4) Agree to:
 - (a) File an annual report on the funded program by January 15 following receipt of the program funds;
 - (b) Return, or replace in kind, to the commission, any losses of grant funds, if due to the action of a recipient of funds, or unspent grant funds if a program is not completed in a timely manner or is canceled;
 - (c) Execute a grant contract with the commission for the program to be funded; and
 - (d) Fulfill all obligations of the grant contract.
- (5) Certify to the commission that any facility for which funds are received will be open to all holders of a water trail permit for the period of time specified in the grant contract.

NEW SECTION

WAC 352-68-070 Grant selection. The selection process which will be used by the commission in the review and disbursement of water trail grant funds is as follows:

- (1) Applications will be reviewed by state parks staff to determine eligibility and consistency with the requirements of this chapter.
- (2) The director will receive and consider the recommendations of the water trails advisory committee and will present final recommendations to the commission.
- (3) The commission retains the authority and responsibility to make the final decision concerning the grant of funds.

NEW SECTION

WAC 352-68-080 Disbursement of funds. The commission may disburse funds for approved water trail programs either:

- (1) After submittal of a billing indicating satisfactory compliance with contractual obligations; or
- (2) In the case of municipal corporations or other public agencies, in advance payment upon written request to and approval by the director.

NEW SECTION

WAC 352-68-090 Accountability. Recipients of water trail program funds shall maintain accurate accounting records on the expenditure of funds, provide the commission with these records upon request, and permit the commission to audit the use of the funds.

NEW SECTION**WAC 352-68-100 Water trail permit—Issuance.**

Permits will be issued on an calendar year basis by Washington state parks and recreation commission or its designee upon payment of the permit fee as specified in WAC 352-32-250. A valid permit entitles the holder to the use of all designated water trail sites that are open for public use.

NEW SECTION**WAC 352-68-110 Water trail permit—Inspection.**

Any person using a designated water trail site shall carry the water trail permit and make it available for inspection when requested by an authorized agent. A violation of this section shall constitute a civil infraction as provided in RCW 43.51.454.

NEW SECTION**WAC 352-68-120 Water trail use regulations.**

Guidelines for use of water trails shall be distributed with the water trail permit. Use of commission owned or commission administered sites shall be subject to all applicable public use regulations of the commission.

NEW SECTION

WAC 352-68-130 Severability. Should any section of the foregoing regulations be found invalid, the remainder of the regulations shall remain in full force and effect.

**WSR 94-18-076
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed September 2, 1994, 1:34 p.m.]

Original Notice.

Title of Rule: Filming within state parks.

Purpose: To establish procedures for the issuance of permits for filming within state parks.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: RCW 43.51.040.

Summary: Clarifies who application for film permit must be made to and establishes the requirement to pay site location fees for use of parks by film makers.

Name of Agency Personnel Responsible for Drafting: Rex Derr, 7150 Cleanwater Lane, Olympia, 98504, (206) 753-2066; Implementation and Enforcement: Rex Derr/Park Mangers, 7150 Cleanwater Lane, Olympia, 98504, (206) 753-2066.

Name of Proponent: Washington State Parks, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes procedures for obtaining a film permit for filming for other than news or personal reasons in state parks.

Proposal Changes the Following Existing Rules: This rule change clarifies that applications for film permits should be submitted to the director of state parks (not the State Parks Commission) and clarifies the requirement that film makers must pay a site location fee for use of state park property.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Not required under chapter 19.85 RCW.

Hearing Location: Ramada Inn, International Airport, Spokane, Washington 99219, on October 21, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Rex Derr by October 17, 1994, TDD (206) 664-3132, or (206) 753-2066.

Submit Written Comments to: Rex Derr, P.O. Box 42650, Olympia, WA 98504-2650, FAX (206) 753-1594, by October 7, 1994.

Date of Intended Adoption: October 21, 1994.

September 2, 1994
Sharon Howdeshell
Office Manager

AMENDATORY SECTION (Amending Order 82, filed 10/2/84)

WAC 352-74-020 Definitions. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Applicant" means an individual or organization who submits an application to the ~~((commission))~~ director to film within state parks for other than personal or news purposes.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Director" means the director of the Washington state parks and recreation commission.

(4) "Film and filming" mean still and movie camera filming and video taping.

(5) "Film maker" means an applicant who has received approval to film within state parks through the issuance of a filming permit by the director or the designee of the director.

AMENDATORY SECTION (Amending WSR 94-08-005, filed 3/24/94, effective 5/1/94)

WAC 352-74-040 Film permit application(~~(-fee)~~). Persons or organizations that desire to film within a state park for other than personal or news purposes shall submit a complete film permit application (~~((provided by the director))~~) with the appropriate fees to the:

PROPOSED

Director

Washington State Parks and
Recreation Commission
7150 Cleanwater Lane ((KY-14))
PO Box 42650
Olympia, WA 98504-2650

~~((Each application shall be accompanied by an application fee of one hundred dollars if submitted ten or more days in advance of filming date or three hundred dollars if submitted less than ten days in advance of filming which shall be in the form of a check or money order payable to the Washington state parks and recreation commission.))~~

NEW SECTION

WAC 352-74-045 Filming fees. (1) Permit application fee - Each application shall be accompanied by an application fee of one hundred dollars if submitted ten or more days in advance of filming date or three hundred dollars if submitted less than ten days in advance of filming which shall be in the form of a check or money order payable to the Washington state parks and recreation commission.

(2) Site location fee - As specified in commission policy 94 - based on impact on park resources and normal public use and number of days involved.

AMENDATORY SECTION (Amending Order 103, filed 3/18/88, effective 5/15/88)

WAC 352-74-060 Issuance and revocation of film permit. The director or designee of the director, shall issue a film permit (~~provided by the commission~~) to an approved applicant after the applicant has submitted to the (~~commission~~) director any fees, bond, damage deposit, and insurance certification established pursuant to WAC 352-74-050 and has demonstrated in its application or otherwise to the satisfaction of the director that filming:

- (1) Is compatible with the activities of park visitors;
- (2) Will not damage facilities or resources, or interfere with park operations;
- (3) Will not disrupt wildlife;
- (4) Will not imply the endorsement of the commission for the content of the film;
- (5) Will acknowledge the cooperation of the commission;
- (6) Is not inconsistent in the judgment of the director with the purposes for, or conditions on which, the property where the filming is to take place was acquired; and
- (7) Will conform with all of the applicable statutes, rules, policies, and procedures of the commission, and the instructions of the commission staff who supervise the filming.

If a film maker does not comply with all of the applicable statutes, rules, policies, and procedures of the commission, the conditions upon which the permit was granted, and the instructions of the commission staff who supervise the

filming, then the director or designee of the director shall revoke the film permit.

AMENDATORY SECTION (Amending Order 103, filed 3/18/88, effective 5/15/88)

WAC 352-74-070 Additional fees and release of bond or damage deposit. After completion of filming the director or the designee of the director shall determine if any additional fees are to be assessed a film maker and whether or not any bond or damage deposit submitted to the (~~commission~~) director by a film maker may be released.

If the director or the designee of the director determines that no additional fees are to be assessed and that a bond or damage deposit is to be released, then a bond or damage deposit shall be returned to a film maker.

If the director or the designee of the director determines that additional fees are to be assessed or that a bond or damage deposit is not to be released, then the film maker shall be so informed.

If a film maker pays additional fees in the form of a check or money order payable to the Washington state parks and recreation commission which is submitted to the (~~commission~~) director within thirty days of receipt of the notice to pay the fees, then the director or the designee of the director shall return a bond or damage deposit to a film maker.

If a film maker does not pay additional fees within the time period and in accordance with the procedures set forth above, then the director or designee of the director shall exercise the rights of the commission under a bond or damage deposit to pay the additional fees and so inform a film maker or exercise any such other legal rights as may be available.

WSR 94-18-077
PROPOSED RULES
PARKS AND RECREATION
COMMISSION

[Filed September 2, 1994, 1:37 p.m.]

Original Notice.

Title of Rule: Public use of state park areas.

Purpose: Establishes rules and fees for the use of state park areas.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: RCW 43.51.060.

Summary: This rule establishes rules and fees for the use of state park areas and defines terms used in public use rules.

Reasons Supporting Proposal: Clarifies the changing of fees for use of certain areas; modifies fees so they produce the revenue necessary to continue providing the service desired; defines new terms in new rules.

Name of Agency Personnel Responsible for Drafting:
Rex Derr, 7150 Cleanwater Lane, Olympia, 98504, (206)

753-2066; Implementation and Enforcement: Rex Derr/Park Managers, 7150 Cleanwater Lane, Olympia, 98504, (206) 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: This WAC establishes rules and fees for the use of state park areas.

Proposal Changes the Following Existing Rules: Adds new definitions for new water trail program; expands the definition of environmental learning center program; expands the procedure for reserving group day use facilities to include overnight group use facilities; authorizes the director of state parks to discount fees for certain reasons; and adds new fees for annual water trail permits.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Not required under chapter 19.85 RCW.

Hearing Location: Ramada Inn, International Airport, Spokane, Washington 99219, on October 21, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Rex Derr by October 17, 1994, TDD (206) 664-3132, or (206) 753-2066.

Submit Written Comments to: Rex Derr, P.O. Box 42650, Olympia, WA 98504-2650, FAX (206) 753-1594, by October 7, 1994.

Date of Intended Adoption: October 21, 1994.

September 2, 1994

Sharon Howdeshell
Office Manager

AMENDATORY SECTION (Amending WSR 94-08-036, filed 3/31/94, effective 5/1/94)

WAC 352-32-010 Definitions. Whenever used in this chapter the following terms shall be defined as herein indicated:

"Boat launch" shall mean any facility located in a state park area designated for the purpose of placing or retrieving any vehicle-born or trailer-born watercraft into or out of the water.

"Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

"Camping unit" shall mean a group of people (one or more persons) that is organized, equipped and capable of sustaining its own camping activity.

"Commission" shall mean the Washington state parks and recreation commission.

"Day area parking space" shall mean any designated parking space within any state park area designated for daytime vehicle parking.

"Director" shall mean the director of the Washington state parks and recreation commission.

"Emergency area" is an area in the park separate from the designated overnight camping area, which may be used for camping between the hours of 9 p.m. and 8 a.m. when no alternative camping facilities are available within reasonable driving distances.

"Environmental learning centers (ELC)" shall mean those designated specialized facilities (~~(((formerly called resident group camps)))~~) designed to promote outdoor camping experiences and/or environmental education by groups (~~((in a residential setting))~~). A group can be a formalized group or an organized collection of families wishing to camp or use the ELC. ELCs for residential and/or environmental education are located at Camp Wooten, Columbia County; Brooks Memorial State Park, Klickitat County; Sun Lakes State Park, Grant County; Deception Pass State Park, Island and Skagit Counties; Fort Flagler State Park, Jefferson County; Millersylvania State Park, Thurston County; Moran State Park, San Juan County; Fields' Spring State Park, Asotin County; and Sequim Bay State Park, Clallam County. Other ELC facilities may be designated by the director for environmental learning purposes.

"Group" shall mean twenty or more people engaged together and commonly in outdoor recreation at one park location.

"Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

~~("Marine trail camping areas" are specially designated group camp areas identified with signs, that are near marine water ways, and that have varying facilities and extent of development.)~~

"Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

"Multiple campsite" shall mean a designated and posted camping facility encompassing two or more individual standard, utility or primitive campsites.

"Paraglider" shall mean an unpowered ultralight vehicle capable of flight, consisting of a fabric, rectangular or elliptical canopy or wing connected to the pilot by suspension lines and straps, made entirely of nonrigid materials except for the pilot's harness and fasteners. The term "paraglider" shall not include hanggliders or parachutes.

"Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

"Popular destination park" shall mean any state park designated by the director as a popular destination park because, it is typically occupied to capacity by Thursday or Friday night during the high use season and the typical park user plans to stay more than one night.

"Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

"Public assembly" shall mean a meeting, rally, gathering, demonstration, vigil, picketing, speechmaking, march, parade, religious service, or other congregation of persons for the purpose of public expression of views of a political or religious nature for which there is a reasonable expectation that more than one hundred persons will attend based on information provided by the applicant. Public assemblies must be open to all members of the public, and are generally the subject of attendance solicitations circulated prior to the event, such as media advertising, flyers, brochures, word-of-mouth notification, or other form of prior encouragement to attend.

Alternatively, the agency director may declare an event to be a public assembly in the following cases: Where evidentiary circumstances and supporting material suggest that more than one hundred persons will attend, even where the applicant does not indicate such an expectation; or where there is reason to expect a need for special preparations by the agency or the applicant, due to the nature or location of the event.

"Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 43.51.170, and shall include the park manager in charge of any state park area.

"Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

"Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

Camping at a given park for more than twenty days within a thirty-day time period May 1 through September 30; or thirty days within a sixty-day time period October 1 through April 30. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights May 1 through September 30 and fifteen consecutive nights October 1 through April 30 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

"Special recreation event" shall mean a group recreation activity in a state park sponsored or organized by an individual or organization that requires reserving park areas, planning, facilities, staffing, or other services beyond the level normally provided at the state park to ensure public welfare and safety and facility and/or environmental protection.

"Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal and flush comfort station. Each campsite includes a camp stove and picnic table.

"State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW 43.51.655 and as regulated under chapter 352-36 WAC.

"Trailer dump station" shall mean any state park sewage disposal facility designated for the disposal of sewage waste from any recreation vehicle, other than as may be provided in a utility campsite.

"Upland" shall mean all lands lying above mean high water.

"Utility campsite" shall mean a standard campsite with the addition of electricity and which may have domestic water and/or sewer.

"Water trail advisory committee" is the twelve-member committee constituted by RCW 43.51.456.

"Water trail camping sites" are specially designated group camp areas identified with signs, that are near water ways, and that have varying facilities and extent of development.

AMENDATORY SECTION (Amending WSR 93-06-001, filed 2/17/93, effective 3/20/93)

WAC 352-32-030 Camping. (1) Camping facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a nonrecreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

No person or camping unit may use any state park facility for residence purposes, as defined (WAC 352-32-010(17)).

(2) No person shall camp in any state park area except in areas specifically designated and/or marked for that purpose or as directed by a ranger.

(3) Occupants shall vacate camping facilities by removing their personal property therefrom prior to 3:00 p.m., (or other appropriate, established time in parks where camping is reserved) if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

(4) Use of utility campsites by tent campers shall be subject to payment of the utility campsite fee except when otherwise specified by a ranger.

(5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign. In the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping unit for present or future camping dates, except as prescribed for multiple campsites. Any site occupied by a camping unit must be actively utilized for camping purposes.

(6) One person may register for one or more sites within a multiple campsite by paying the multiple campsite fee (WAC 352-32-250(6)). Registration preference will be given to multiple camping units who want to use multiple sites. An individual may register and hold a multiple campsite for occupancy on the same day by other camping units. Multiple campsites in designated reservation parks are reservable under the reservation system.

(7) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use, continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights in one park, after which the camping unit must vacate the site for three consecutive nights, May 1 through September 30, not to exceed twenty days in a thirty-day time period; and fifteen consecutive nights in one park, after which the camping unit must vacate the site for three consecutive nights, October 1 through April 30, not to exceed thirty days in a sixty-day time period. This limitation shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

(8) Only one camping unit with a maximum of eight people shall be permitted at a campsite, unless otherwise authorized by a ranger. The number of vehicles occupying a campsite shall be limited to one car or one recreational vehicle: *Provided*, That one additional vehicle without built-in sleeping accommodations may occupy a designated campsite when in the judgment of a ranger the constructed facilities so warrant. The number of tents allowed at each campsite shall be limited to the number that will fit on the designated or developed tent pad as determined by a ranger.

(9) Persons traveling by bicycles, motor bikes or other similar modes of transportation and utilizing campsites shall

be limited to eight persons per site, provided no more than four motorcycles shall occupy a campsite.

(10) All persons camping in organized groups shall use designated group camp areas unless otherwise directed by a ranger and shall pay the applicable group camping fee.

A group can be any formalized group or an organized collection of families wishing to camp together.

Group camping areas other than ~~((marine))~~ water trail camping ((areas)) sites, may be reserved in advance through contact with the local ranger. Any group must have a leader who has reached the age of majority who will be required to read and sign a "Group use permit and regulation form."

(11) ~~((Marine))~~ Water trail camping ((areas)) sites are for the exclusive use of persons traveling by human and wind powered beachable vessels as their primary mode of transportation to the areas. Such camping areas are not subject to the campsite capacity limitations as otherwise set forth in this section. Capacities for ~~((marine))~~ water trail camping ((areas)) sites may be established by the ranger on an individual basis and are subject to change based upon the impacts to the area. All persons using ~~((such camping areas))~~ water trail sites shall ~~((pay the applicable fee))~~ have in their possession a valid water trail permit.

(12) Emergency camping areas set aside in certain state parks may be used only when all designated campsites are full but may not be used prior to 9:00 p.m. Persons using emergency areas must pay the standard campsite fee and must vacate the site by 8:00 the following morning.

(13) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending Order 48, filed 9/22/80)

WAC 352-32-036 Environmental learning centers.

(1) Use of ~~((at))~~ environmental learning centers (ELCs) named in WAC 352-32-010 shall be by reservation only. From Memorial Day to Labor Day, inclusive, any group may reserve an ELC. The remainder of the year, ELCs may be reserved by schools or school districts on a priority basis Monday through Friday, except on legal holidays, and by any group on holidays and weekends. Reservations may be made for overnight or day use by following the reservation procedure provided for in this chapter. Priority of scheduling shall be as provided for herein.

(2) ELC use will be allowed only with an official, nontransferable permit, which will be provided with confirmation of reservation. Permits are revokable for failure, or refusal to fulfill or abide by permit requirements, regulations pertaining to ELC use or regulations pertaining to use of state parks in general, all of which are applicable to ELC use.

(3) All fees and charges for ELC use are due and payable at the conclusion of the use period. Payment shall be made to the park manager of the state park area where the ELC is located (hereinafter referred to as ELC manager),

and shall be made by cash, check or money order made payable to Washington state treasurer.

(4) Each ELC user group shall provide a full time camp director, who shall have attained the age of majority. Camp directors shall be responsible for all activities of the group. The camp director shall maintain all required records, including daily camper attendance as required, and shall be responsible for insuring proper payment of all fees and charges incurred as a result of the use of the ELC. The camp director shall advise the ELC manager as soon as practicable of any accidents occurring to any member of the group and of any damage occurring to state-owned property.

(5) Each ELC user group shall obtain and display all required health permits, and shall maintain all applicable health standards as set forth in the Washington state department of social and health services, division of health service rules and regulations.

(6) No ELC or ELC sleeping quarter may be used by more than the number of persons designated in the rated capacity for the facility. Information on ELC capacities may be obtained from the ELC manager, or from the ELC Reservation Office, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504.

(7) The ELC manager shall have the authority to restrict the use of buildings or areas within the ELC when, in his or her sole discretion, it is determined that such use could be detrimental to the health or safety of the users or others.

(8) Recreation vehicles and tents may be allowed in ELC areas with the permission of the ELC manager.

(9) Motor vehicles may be driven only in authorized areas, and may be parked only in specified parking areas. Only in case of an emergency will motor vehicles be allowed on service roads or within cabin areas. Posted speed limits shall be observed at all times.

(10) Outdoor fires are permitted in approved, designated areas only. No fire is to be left unattended.

(11) No pets are allowed in an ELC area, except as specifically authorized by the ELC manager.

AMENDATORY SECTION (Amending WSR 94-08-036, filed 3/31/94, effective 5/1/94)

WAC 352-32-045 Reservations for use of designated group ((day-use)) facilities. (1) All ~~((reserved))~~ designated group ((day-use activities)) facilities shall be ~~((arranged for only at those parks having identified group day use activity areas. A group is defined as 20 or more people engaged together and commonly in outdoor day use recreation at one park location))~~ reservable by groups.

(2) ~~((Such identified))~~ All designated group ((day-use activity areas)) facilities shall have a predetermined use capacity. No group exceeding this capacity in number shall use these areas. Groups making reservations shall be charged the applicable group fee for the minimum of 20 people, if less than that number actually use the group facility.

(3) Use of ~~((these activity areas shall))~~ designated group facilities may be by reservation. Requests for reservations for groups of 20 to 250 shall be made 15 days in advance and for groups in excess of 250 shall be made 30 days in advance of the proposed use date, using the group use permit. All conditions outlined on the group use permit shall be binding on the group.

(4) ~~((A minimum daily permit fee of fifty dollars for groups of 20 to 50 persons, plus additional fifty dollar increments as the group increases by increments of 50 people.))~~ For use of these facilities, payment of appropriate fees, which may include a reservation fee, a damage deposit, and use fee will be required. Fees are specified in WAC 352-32-250. Payment of the fee must be made with the submission of the group use permit request. In those cases where the fee is submitted at a later date, it must be paid by certified check, bank money order, or postal money order. Refunds will be made only to those groups which cancel their reservations thirty or more days before the effective date of the reservations.

(5) ~~((Reservation requests for groups of 20, but not exceeding 250, may be approved by the park manager of the park the group is requesting to use. Reservations for groups in excess of 250, but not exceeding 1,000, may be approved by the region supervisor for the region in which the park is located. Reservations for groups in excess of 1,000 may be approved by the assistant director for operations.))~~ For overnight group use, parking will be in the provided, defined areas. If additional parking is required, it may be available in the park's extra vehicle parking facility following the payment of the appropriate extra vehicle parking fee.

(6) A damage deposit ~~((shall be submitted with the request for reservation))~~ may be required by the park manager as part of the reservation. In those cases where the deposit is submitted at a date later than the reservation request, it must be paid by certified check, bank money order, or postal money order. This deposit shall be held by the Washington state parks and recreation commission to encourage the cleanliness and good order of the group ~~((activity area))~~ facility. For groups of 20 to 50 persons, this deposit shall be \$50. For groups of 51 to 100 persons, this deposit shall be \$100. For groups of 101 to 500 persons, this deposit shall be \$250. For groups in excess of 500, this deposit shall be \$500. Refund of this deposit shall be determined after an inspection of the area by a ranger and the individuals responsible for the group.

(7) Facility reservations will be accepted for the calendar year, on or after the first working day in January of that calendar year. Reservations ~~((for all groups))~~ shall be made by a person of the age of majority, who must be in attendance during the group's activities. Reservations will be accepted in writing, in person, or by phone at the park. In person and phone reservation requests shall only be accepted during normal park operation hours. All reservation requests will be processed in order of arrival. Group

facility areas not reserved are available on a first-come, first-serve basis.

(8) Any group wishing to sell or dispense alcoholic beverages must request and obtain all appropriate licenses and permits. In order to sell alcoholic beverages, the group must obtain a temporary concession permit from the headquarters office of the Washington state parks and recreation commission.

(9) It shall be within the authority of the park manager, or his representative, to rescind the rights of a reservation, and remove from the park, any or all members of the group whose behavior, at any time, is in conflict with any state laws, becomes detrimental to the health and safety of the group or other park users, or becomes so unruly as to affect the reasonable enjoyment of the park by other park users.

AMENDATORY SECTION (Amending WSR 94-13-080, filed 6/13/94, effective 7/14/94)

WAC 352-32-250 Standard fees charged. The following fees shall be charged in all parks operated by the Washington state parks and recreation commission: Provided, however, That the director has the authority to discount fees to a maximum of 50% below the process listed in this section based on the following guidelines established by the commission:

Prevailing rates for comparable facilities;

Day of the week;

Season of the year;

Amenities of the park area and site;

Marketing opportunities to encourage use and revenues;

The differential fee will be established a minimum of 30 days prior to implementation:

(1) Overnight camping - standard campsite: \$10.00 per night;

(2) Overnight camping - utility campsite: \$15.00 per night. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger. The electrical hookup surcharge reference in WAC 352-32-252(3) shall be \$3.00 per night;

(3) Overnight camping - primitive campsite: \$5.00 per night for nonmotorized vehicle and \$7.00 per night for motorized vehicle;

(4) ~~((Overnight camping--))~~ Reservation fee: ~~((As specified in WAC 352-32-035))~~ \$5.00 nonrefundable per reservation;

(5) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(6) Group camping area - certain parks: \$1.00 per person for groups of 20 or more per day and/or night; nonrefundable reservation/registration fee - \$25.00. Camping

units must pay the primitive campsite fee or other appropriate fee based on facilities available;

(7) Environmental learning center - overnight camping: ~~(((\$5.50))~~ \$6.00 per camper per night;

(a) Camp Wooten environmental learning center during the season the swimming pool is operational: \$6.85 per camper per night;

(b) Environmental learning center - day use only: \$2.00 multiplied by the minimum capacity established for each environmental learning center or \$2.00 for each member of the group - whichever is higher;

(c) A late check-in fee of \$50.00 shall be charged if arrival is more than one hour after the scheduled check-in time, unless the group contacts the park ranger prior to scheduled check-in time in order to reschedule the check-in;

(8) Hot showers: \$.25 for a maximum of six minutes shower time;

(9) Electric stoves: \$.25 for thirty minutes cooking time;

(10) Adirondacks - not to include those located in ELC areas: Same as fee charged for full utility campsite. Occupancy shall be limited to the number of built-in bunks provided;

(11) Extra vehicle overnight parking fee: \$5.00 per night for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: Provided, An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

(12) Marine park moorage facilities - see WAC 352-12-020 and 352-12-030;

(13) Overnight camping - emergency camp area: The fee shall be the standard campsite fee.

These fees do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended.

(14) Unattended vehicle overnight parking permit: \$5.00 per night per vehicle. Unoccupied vehicles parked overnight in designated areas must register and pay the nightly permit fee. The permit must be prominently displayed in the vehicle;

(15) Boat launch permit fee - \$4.00 per day per watercraft for use of all designated boat launches ~~((designated by the commission))~~ with maintained bathrooms, parking areas, and docking facilities. \$3.00 per day per watercraft for use of all other designated boat launches ~~((designated by the commission))~~ with hard surface ramps. Boat launch permit shall not be required for:

(a) Vehicles registered for camping or overnight mooring in the park containing the boat launch area;

(b) Vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park;

(c) Vehicles of persons holding limited-income senior citizen, disability or disabled veteran passes;

(d) Vehicles displaying a valid annual boat launch permit;

(16) Annual boat launch permit fee - ~~(((\$40.00))~~ \$20.00 per boat launching vehicle per calendar year. Valid January 1 - December 31 at any launch designated by the commission. Permit must be displayed as instructed on permit backing;

(17) Trailer dump station fee - \$3.00 per use: Fee shall not be required for registered camping vehicles in the park containing the dump station;

(18) Popular destination park fee - \$1.00 surcharge for use of standard or utility campsite located in a popular destination park during the period of April 1 through September 30;

(19) ~~((Marine trail camping area fee - certain parks: \$1.00 per person per day and/or night))~~ Water trail site permits -

(a) Unlimited use within the calendar year - not to exceed \$35 per person with annual charge set by the director after consultation with the water trail advisory committee. The 1995 cost of the permit is \$14.00;

(b) One day/night use within the calendar year - \$5.00 per person;

(c) For children under 13 years of age the permits shall be issued at no cost;

(d) Water trail permits issued to persons by another state or Canadian province will be honored provided that a similar reciprocal provision for Washington water trail permit holders is issued by that state or province;

(20) A surcharge of \$5.00 per collection shall be assessed for any staff collected fee at a self-registration overnight facility;

(21) Group day use facilities - A minimum daily permit fee of fifty dollars for groups of 20 to 50 persons, plus additional fifty dollar increments as the group increases by increments of 50 people;

(22) Group facilities deposit - For groups of 20 to 50 persons, this deposit shall be \$50. For groups of 51 to 100 persons, this deposit shall be \$100. For groups of 101 to 500 persons, this deposit shall be \$250. For groups in excess of 500, this deposit shall be \$500.

NEW SECTION

WAC 352-32-305 Commercial use permit. Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-047, chapter 352-74 or 352-24 WAC, no person shall engage in commercial activity in any state park area, except by permit granted by the commission under policy guidelines determined by the commission.

WSR 94-18-087

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-061 Plagiarism.

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: To identify prohibited conduct by students.

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Community Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (509) 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994

Geoffrey J. Eng

District Director

Affirmative Action

Administrative Services

NEW SECTION

WAC 132Q-04-061 Plagiarism. Any student who presents the words or ideas of another in direct quotation, indirect quotation, or close paraphrase, must provide acknowledgment. Failure to do so shall constitute plagiarism. Plagiarism shall be cause for disciplinary action.

WSR 94-18-088

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-097 Eligibility for clinical programs.

PROPOSED

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: To identify prohibited conduct by students.

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Community Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (509) 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994
Geoffrey J. Eng
District Director
Affirmative Action
Administrative Services

NEW SECTION

WAC 132Q-04-097 Eligibility for clinical programs.

Any student who fails to comply with the requirements to be eligible for required clinical programs shall be subject to disciplinary action. Requirements may include, but are not limited to, the student having a record of current immunizations and a physical examination, TB test, CPR proficiency, state patrol clearance, proof of liability, medical and accident insurance coverages.

Summary: To identify prohibited conduct by students.

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Community Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (509) 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994
Geoffrey J. Eng
District Director
Affirmative Action
Administrative Services

NEW SECTION

WAC 132Q-04-094 Misuse of computer privileges.

Access to computing facilities is a privilege granted to CCS students, staff and faculty and to those who arrange special rental permits. Computers may not be used for personal financial gain. Unauthorized access, use, and/or experimentation can result in permanent loss of computer privileges, probation, suspension, expulsion, requirements to make financial restitution, a fine and/or imprisonment. For further information see: For further information see RCW 9A.52.110-130, 20 USCS 1232g RCW 42.18.217, RCW 9A.48.070-100, RCW 9.73.030, .060, .080, WAC 172-120 et seq., 17 USC Section 501 et seq.

WSR 94-18-089

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-094 Misuse of computer privileges.

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

WSR 94-18-090

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-083 Assault.

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: To identify prohibited conduct by students.

PROPOSED

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Community Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (509) 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994

Geoffrey J. Eng

District Director

Affirmative Action

Administrative Services

NEW SECTION

WAC 132Q-04-083 Assault. Any student who shall, with criminal negligence, cause bodily harm to another person by any means or other instrument or thing likely to produce bodily harm; or with criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering, will be subject to disciplinary action. RCW 9A.36.011 .021 .031, and 041 is guidance for this regulation.

WSR 94-18-091

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-082 Threatening/objectionable behavior.

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: To identify prohibited conduct by students.

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Commu-

nity Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (509) 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994

Geoffrey J. Eng

District Director

Affirmative Action

Administrative Services

NEW SECTION

WAC 132Q-04-082 Threatening/objectionable behavior: Any student who shall knowingly threaten, or cause bodily injury in the future to the person; or to cause physical damage to the property of a person other than the actor; or to subject the person threatened or any other person to physical confinement or restraint; or maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and the person by words or conduct places the person threatened in reasonable fear that the threat may be carried out will be subject to disciplinary action. RCW 9A.46.020 shall be guidance for this regulation.

WSR 94-18-092

PROPOSED RULES

COMMUNITY COLLEGES OF SPOKANE

[Filed September 2, 1994, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 132Q-04-081 Stalking.

Purpose: To clarify and add to the types of prohibited student conduct.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: To identify prohibited conduct by students.

Reasons Supporting Proposal: To create rule in response to previous occurrences and incidents.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Geoffrey J. Eng, Commu-

PROPOSED

nity Colleges of Spokane, North 2000 Greene Street, Spokane, (509) 533-8667.

Name of Proponent: Community Colleges of Spokane, governmental.

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

Proposal does not change existing rules.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Rule has no small business economic impact.

Hearing Location: Community Colleges of Spokane, District Board Room, North 2000 Greene Street, Spokane, WA 99207, on October 18, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact by October 12, 1994, TDD (509) 533-7466, or (509) 533-8667.

Submit Written Comments to: FAX (598) [509] 533-8052, by October 17, 1994.

Date of Intended Adoption: October 18, 1994.

August 30, 1994

Geoffrey J. Eng

District Director

Affirmative Action

Administrative Services

NEW SECTION

WAC 132Q-04-081 Stalking. Any student who shall intentionally and repeatedly follow another person to that persons home, school, place of employment, business, or any other location, or follows the person while in transit between locations may be subject to disciplinary action if the person being followed is intimidated, harassed, or placed in fear that the stalker intends to injure the person or property of the person being followed, or another person. The feeling of fear, intimidation, or harassment must be one that a reasonable person in the same situation would experience under all the circumstances. RCW 9A.46.110 shall be guidance for this regulation.

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.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapters 19.27 and 34.05 RCW.

Summary: The proposed rule includes adoption of the 1994 Uniform Fire Code, including Appendix II-F, Protected Above Ground Tanks for Motor Vehicle Fuel-Dispensing Stations Outside Buildings, with amendments and the 1994 Uniform Fire Code Standards, including new Standard No. 10-2, with amendments.

Reasons Supporting Proposal: Chapter 19.27 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Al Rhoades, P.O. Box 48300, Olympia, WA 98504-8300, (206) 586-8999; and Enforcement: Local jurisdictions.

Name of Proponent: State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council especially seeks comments on the issues and options that are proposed in the rule.

Explanation of Rule, its Purpose, and Anticipated Effects: See original notice.

Proposal Changes the Following Existing Rules: See original notice.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Kermit Robinson, Unit Manager, State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, phone (206) 753-5927, or FAX (206) 586-5880.

Hearing Location: House Hearing Room A, John L. O'Brien Building, Capitol Campus, Olympia, Washington, on October 13, 1994, at 9 a.m.

Assistance for Persons with Disabilities: Contact Krista Braaksma by October 1, 1994, TDD (206) 753-2200.

Submit Written Comments to: Gene Colin, Chair, P.O. Box 48300, Olympia, WA 98504-8300, FAX (206) 586-5880, by October 12, 1994.

Date of Intended Adoption: November 18, 1994.

July 8, 1994

Gene Colin

Chair

WSR 94-18-093

PROPOSED RULES

BUILDING CODE COUNCIL

[Filed September 2, 1994, 3:58 p.m.]

Continuance of WSR 94-16-113.

Title of Rule: Chapter 51-34 WAC, adoption and amendment of the 1994 Edition of the Uniform Fire Code and chapter 51-35 WAC, adoption and amendment of the 1994 Edition of the Uniform Fire Code Standards.

Purpose: To consider whether to adopt, or amend and adopt the 1994 Uniform Fire Code and 1994 Uniform Fire Code Standards, published by the International Fire Code Institute.

Proposed

WSR 94-18-094

PROPOSED RULES

BUILDING CODE COUNCIL

[Filed September 2, 1994, 4:01 p.m.]

Supplemental Notice to WSR 94-16-143.

Title of Rule: Chapter 51-30 WAC, adoption and amendment of the 1994 Edition of the Uniform Building Code and Standards.

Purpose: To adopt and amend the 1994 Edition of the Uniform Building Codes and Standards, as published by the International Conference of Building Officials. Supplemental notice revises Primary Option 1 of Chapter 11 only.

Other Identifying Information: Copies of the 1994 Uniform Building Codes are available from the International Conference of Building Officials, (206) 451-9541.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapters 19.27 and 70.92 RCW.

Summary: See original notice, WSR 94-16-143.

Reasons Supporting Proposal: Chapter 19.27 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: David Scott, P.O. Box 48300, Olympia, WA 98504-8300, (206) 586-3423; and **Enforcement:** Local jurisdictions.

Name of Proponent: State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: See original notice, WSR 94-16-143.

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

Explanation of Rule, its Purpose, and Anticipated Effects: REGULATORY ANALYSIS (per Executive Order 94-07):

Objective of Rule: RCW 19.27.074 directs the council to adopt and maintain the codes and regulations listed in RCW 19.27.031, which includes the Uniform Building Code and Uniform Building Code Standards and regulations for accessible buildings and facilities, as provided in chapter 70.92 RCW. New editions of the Uniform Building Code and Uniform Building Code Standards are published every three years. The objective of this rule is to adopt and amend the Uniform Building Code and Uniform Building Code Standards, 1994 Edition and adopt and amend regulations for barrier-free facilities, for statewide application and enforcement by each city and county of the state.

Alternative Methods to Achieve Same Objective: The mission of the State Building Code Council is to adopt building codes for uniform application throughout the state. This is best achieved through a single building code. Amending other regulations of other agencies, or directing local governments to adopt the codes independently, have been historically counterproductive to the purpose of the State Building Code Act chapter 19.27 RCW.

Coordination with Other Agencies: The Building Code Council rulemaking process has included participation by local building, fire, mechanical and plumbing officials, and state agency representatives for the Departments of Social and Health Services, Health, the Superintendent of Public Instruction, Fire Protection Services and the State Human Rights Commission. Statute requires local governments to enforce the codes adopted by the council. Technical assistance to local governments is an ongoing activity of council staff. The Departments of Social and Health Services, Health, the Superintendent of Public Instruction, Labor and Industries, Washington State Energy Office and Fire Protection Services are among the state agencies who no

longer write their individual construction standards, but rely on the codes adopted by the State Building Code Council.

Cost Effectiveness: Changes to other rules or statutes will not achieve this same objective, with this proposal being the most cost-effective manner of achieving the regulatory objective.

Anticipated Environmental and Fiscal Consequences: Adopting the most current editions of the codes will allow the state's building industry to utilize current construction trends, materials and technology. The codes foster development of buildings which are safe for the health and safety of the citizens of the state. State buildings and facilities are governed by the State Building Code. Therefore, the benefit obtained by adoption of the most current codes, both fiscally and environmentally, would also be gained by the state.

Interaction with Federal Laws: Federal regulations such as the Americans with Disabilities Act Accessibility Guidelines and the Federal Fair Housing Act have been blended into the latest editions of the proposed amendments to the Uniform Building Code. In addition, equivalent metric measurements have been added along with the English measurements as a result of Federal regulations, continuing to ease the nation into metrification.

Differences in Application to Public and Private Entities: All regulations adopted by the State Building Code Council apply equally to both public and private entities.

Summary of the Revised Version of Primary Option 1: Primary Option 1 is the existing Chapter 31 of chapter 51-20 WAC renumbered and configured to conform with Chapter 11 of the 1994 UBC. In addition to the new number system, there are twenty-two changes from the existing Chapter 31 of chapter 51-20 WAC. Nineteen of these changes were made at the request of the United States Department of Justice in order to meet the Americans with Disabilities Act (ADA) certification requirements. The changes are as follows: In Section 1103.1.2 (3103 (a) 2 A), a requirement has been added that companion seating in assembly areas be provided next to wheelchair seating. This amendment brings the code into further compliance with the ADA; in Section 1103.1.7 (3103 (a) 7), the addition of hotel, lodging rooms and congregate residences has been made to the requirements for private garages and carports serving accessible dwelling units. This amendment brings the code into further compliance with the ADA; in Section 1103.2.2 (3103 (b) 2), the language has been changed to clarify the intent of the 3,000 square foot exception. This amendment brings the code into further compliance with the ADA; a new Section, 1105.4.7.5 Food Service Lines, has been added to specifically address self-service shelves in food service lines. This amendment brings the code into further compliance with the ADA; a new Section, 1106.4.7.7 Orientation, has been added to specifically address curb ramp orientation. This amendment exceeds the ADA requirement by prohibiting the use of diagonally-oriented curb ramps; in Section 1106.5 (3106 (e)), the reference to an accessible route has been taken out. This change only affects the administration of the 20% rule. This

amendment brings the code into further compliance with the ADA; in Section 1106.10.3 (3106 (j) 3), the maneuvering clearances for doors have been expanded, giving a larger selection for accessible passageways. This amendment brings the code into further compliance with the ADA; in Section 1106.10.4 (3106 (j) 4), an exception has been added to allow a 3/4 inch threshold on sliding glass doors in dwelling units, provided there is another accessible entrance to the unit; in Section 1106.11.5.1 (3106 (k) 5 A), clarification has been given stating that a lavatory may not be placed in the clear floor space of a water closet if the water closet is located in a toilet stall. This amendment brings the code into further compliance with the ADA; in Section 1106.11.5.3 (3106 (k) 5 C), grab bar placement at water closets has been clarified. This amendment brings the code into further compliance with the ADA; in Section 1106.11.9.1 (3106 (k) 9 A), a paragraph has been added that specifies lavatory placement when a seat has been provided in a bathtub. This amendment brings the code into further compliance with the ADA; in Section 1106.11.9.4 (3106 (k) 9 D), control placement for bathtubs goes from being a specific measurement to a flexible measurement required to be offset between the front edge of the tub and the mid-point of the tub. This amendment brings the code into further compliance with the ADA; in Section 1106.11.10.2 (3106 (k) 10 B), clear floor space placement relevant to shower stalls is clarified. This amendment brings the code into further compliance with the ADA; in Section 1106.11.10.3 (3106 (k) 10 C), specific seat placement and size requirements for seats in shower stalls have been added. This amendment brings the code into further compliance with the ADA; in Section 1106.11.10.5 (3106 (k) 10 E), two paragraphs have been added that address control placement in roll-in and transfer shower stalls. This amendment brings the code into further compliance with the ADA; in Section 1106.16.5.1 (3106 (p) 5 A), the requirement for the raised characters to be in simple type face has been added to the sign requirements. This amendment brings the code into further compliance with the ADA; in Section 1106.19.2 (3106 (s) 2), depth of the knee space has been added to the other space requirements for tables, counters and sinks. This amendment brings the code into further compliance with the ADA; in Section 1106.27.1 (3106 (aa)), an exception has been added to allow multi-story dwelling units, such as town houses, to qualify as Type A dwelling units provided that all features necessary to create a unit; for example one bathroom, one kitchen, one bedroom, one living room, are provided on the first story of the unit; in Section 1107.1.2 (3107 (a) 2), the requirement for 20% of parking spaces associated with medical care facilities specializing in the treatment of persons with disabilities to be accessible has been extended to outpatient facilities as well as inpatient facilities. This amendment brings the code into further compliance with the ADA; in Section 1107.1.3 (3107 (a) 3), the requirement for 10% of parking spaces associated with outpatient facilities has been dropped from the Group B Occupancy category; in

Section 1112.2 (3112 (b)), an exception has been added to exempt the requirement for Type B dwelling units in substantially altered buildings; and in Section 1112.3.7.1 (3112 (c) 7 A), a requirement has been added that unisex toilet facilities used in lieu of making an existing facility accessible be located in the same area as the existing facilities. This amendment brings the code into further compliance with the ADA.

Proposal Changes the Following Existing Rules: See original notice.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Kermit Robinson, Unit Manager, State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, phone (206) 753-5927, or FAX (206) 586-5880.

Hearing Location: House Hearing Room A, John L. O'Brien Building, Capitol Campus, Olympia, Washington, on October 13, 1994, at 9 a.m.

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Submit Written Comments to: Gene Colin, Chair, P.O. Box 48300, Olympia, WA 98504-8300, FAX (206) 586-5880, by October 12, 1994.

Date of Intended Adoption: November 18, 1994.

July 8, 1994

Gene Colin

Chair

PRIMARY OPTION 1

NEW SECTION

WAC 51-30-1100 Chapter 11 Accessibility.

PART I - GENERAL

NEW SECTION

WAC 51-30-1101 Section 1101—Scope.

Section 1101.1 General. Buildings or portions of buildings shall be accessible to persons with disabilities as required by this chapter.

Chapter 11 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 11 for FFHA and ADA requirements not regulated by this chapter. See Section 101.3.

1101.2 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.

1101.3 Maintenance of Facilities. Any building, facility, dwelling unit, or site which is constructed or altered to be accessible or adaptable under this chapter shall be maintained accessible and/or adaptable during its occupancy.

1101.4 Alternate Methods. The application of Section 104.2.8 to this chapter shall be limited to the extent that alternate methods of construction, designs, or technologies shall provide substantially equivalent or greater accessibility.

1101.5 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 104.2.7, 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 51-30-1102 Section 1102—Definitions.

Section 1102. For the purpose of this 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 1101.2, 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.

ALTERATION (See Section 1110).

ALTERATION, SUBSTANTIAL (See Section 1110).

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 1106.2).

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 in accordance with this chapter 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 in accordance with this chapter. (Type B Dwelling Unit Standards are based on the U.S. Department of Housing and Urban Development (HUD) 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.

PATH OF TRAVEL (See Section 1110).

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 use of a building or facility.

POWER-ASSISTED DOOR is a door used for human passage, with a mechanism that helps to open the door, or relieve the opening resistance of a door, upon the activation of a switch or a continued force applied to the door itself.

PRIMARY ENTRANCE is a principal entrance through which most people enter the building. A building may have more than one primary entrance.

PRIMARY ENTRANCE LEVEL is the floor or level of the building on which the primary entrance is located.

PRIMARY FUNCTION is a major function for which the facility is intended.

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.

RAMP is any walking surface having a running slope exceeding 1 unit vertical in 48 units horizontal.

SERVICE ENTRANCE 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.

TECHNICALLY INFEASIBLE (See Section 1110).

TEXT TELEPHONE is machinery or equipment that employs interactive graphic (e.g. 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 51-30-1103 Section 1103—Building accessibility.

Section 1103.1 Where required.

1103.1.1 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 11.

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, narrow passageways, or freight elevators, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

2. 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. This exception does not include walkways or pedestrian protection required by Chapter 30.

1103.1.2 Group A Occupancies.

1103.1.2.1 General. All Group A Occupancies shall be accessible as provided in this chapter.

EXCEPTION: In the assembly areas 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 1106. Open edges on the raised platform shall be protected by a curb with a height of not less than 2 inches (51 mm).

Stadiums, theaters, auditoriums and similar occupancies shall provide wheelchair spaces in accordance with Table No. 11-A.

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. At least one companion fixed seat shall be provided next to each wheelchair space. Removable seats shall be permitted in the wheelchair spaces.

In addition, one percent, but not less than one, of all fixed seats shall be aisle seats with no armrests, or shall have removable or folding armrests on the aisle side. Each such seat shall be identified by a sign complying with Section 1106.16.1.1.

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.

1103.1.2.2 Assistive listening devices. Assistive listening systems complying with Section 1106.21.2 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 systems shall be provided at a rate of 4 percent of the total number of seats, but in no case fewer than two receivers. 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 1106.16.1.3 shall be installed to notify patrons of the availability of the listening system.

1103.1.3 Group B, F, M and S Occupancies. All Group B, F, M, and S Occupancies shall be accessible as provided in this chapter. Assembly spaces in Group B, F, M, and S Occupancies shall comply with Section 1103.1.2.2.

1103.1.4 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 1103.1.2.2.

1103.1.5 Group H Occupancies. All Group H Occupancies shall be accessible as provided in this chapter.

1103.1.6 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:

1. In Group I, Division 1.1 patient care units within hospitals which specialize in treating conditions that affect mobility, all patient rooms in each nursing unit including associated toilet rooms and bathrooms.

2. In Group I, Division 1.1 patient care units within 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.

3. 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.

4. In Group I, Division 3 mental health occupancies, at least 1 in every 10 patient rooms, including associated toilet rooms and bathrooms.

5. 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.

6. In Group I Occupancies, all treatment and examination rooms shall be accessible.

In Group I Division 1.1 and 2 Occupancies, at least one accessible entrance that complies with Section 1103.2 shall be under shelter. Every such entrance shall include a passenger loading zone which complies with Section 1108.2.

1103.1.7 Group U Occupancies. Group U, Division 1 Occupancies shall be accessible as follows:

1. Private garages and carports which contain accessible parking serving Type A dwelling units, accessible hotel and lodging rooms and congregate residences.

2. In Group U, Division 1 agricultural buildings, access need only be provided to paved work areas and areas open to the general public.

1103.1.8 Group R Occupancies.

1103.1.8.1 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.

EXCEPTION: Common- or public-use facilities accessory to buildings not required to contain either Type A or Type B dwelling units in accordance with Section 1103.1.8.2.

1103.1.8.2 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. 11-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 no more than three dwelling units need not be accessible.

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 standards for Type B dwelling units; provided:

2.1. Where the ground floor is not a Group R Occupancy, the first level of Group R Occupancy, including dwelling units, shall be accessible; and

2.2. The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 11-B. See also Section 1105.3.1.

3. Dwelling units with two or more stories in a non-elevator building need not comply with standards for Type B dwelling units.

4. For sites where multiple, non-elevator 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:

4.1. Number of Dwelling Units:

4.1.1. 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

4.1.2. The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 11-B; and

4.2. 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

4.3. Common-use facilities accessory to buildings not required to contain either Type A or B dwelling units in accordance with Item 4.1.1, above, need not be accessible unless there are no other similar facilities provided on the site.

See also Appendix Chapter 11, Division 1.

1103.1.8.3 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 11-C. In addition, sleeping rooms or suites for persons with hearing impairments shall be provided in accordance with Table 11-D. In addition, public- 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 1106.15. Such rooms shall have installed telephones complying with Section 1106.14.3, and an electrical outlet installed within 48 inches (1220 mm) 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.

1103.1.8.4 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 guest rooms shall be apportioned among the various classes of sleeping accommodations.

1103.1.8.5 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. 11-C shall be accessible in accordance with Section 1106.26.

EXCEPTION: Congregate residences with 10 or fewer occupants need not be accessible.

1103.1.9 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. 11-F.

1103.2 Design and Construction.

1103.2.1 General. When accessibility is required by this chapter, it shall be designed and constructed in accordance with this chapter.

1103.2.2 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. 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.

EXCEPTIONS:

1. A single accessible route shall be permitted to pass through a kitchen or storage room in an accessible dwelling unit.
2. An accessible route of travel need not be provided between floor levels, provided that:

All floor levels in the building contain less than 3,000 square feet (278.7 m²) each; or

Where only two floor levels are provided, either floor is less than 3,000 square feet (278.7 m²).

This exception shall not apply to:

- 2.1. The offices of health care providers; or,
 - 2.2. Transportation facilities and airports; or,
 - 2.3. Buildings owned or leased by government agencies; or
 - 2.4. Multi-tenant Group M retail and wholesale occupancies of five tenant spaces or more.
3. For sites where natural terrain or other unusual property characteristics do not allow the provisions 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.

(For Group R, Division 1 occupancies, see Section 1105.3.1.)

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.

Where more than one building or facility is located on a site, accessible routes of travel shall connect 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.

1103.2.3 Primary entrance access. At least 50% of all public entrances, or a number equal to the number of exits required by Section 1003.1, whichever is greater, shall be accessible. One of the accessible public entrances shall be the primary entrance to a building. At least one accessible entrance must be a ground floor entrance. Public entrances do not include loading or service entrances.

EXCEPTION: In Group R, Division 1 apartment buildings only the primary entrance need be accessible, provided that the primary entrance 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 entrances, the primary entrance to each individual dwelling unit required to be accessible, and each individual tenant space, shall be accessible.

1103.2.4 Signs.

1103.2.4.1 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 entrance when not all entrances are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance).

EXCEPTION: Individual entrances 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 entrance and facilities.

See also Sections 1103.1.2.1, 1104.2.5 and 1106.24.3.

1103.2.4.2 Other signs. Where provided, signs which identify permanent rooms and spaces shall comply with Sections 1106.16.2, 1106.16.3 and 1106.16.5. Where provided, other signs which provide direction to or information about the building or portion of a building shall comply with Sections 1106.16.3 and 1106.16.4.

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 51-30-1104 Section 1104—Egress and areas of evacuation assistance.

Section 1104.1 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 10. When an exit required by Chapter 10 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. 9-1, 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 1106.

1104.2 Areas for Evacuation Assistance.

1104.2.1 Location and construction. An area for evacuation assistance shall be one of the following:

1. A portion of a landing within a smokeproof enclosure, complying with Section 1110.

2. A portion of an exterior exit balcony, located immediately adjacent to an exit stairway, when the exterior exit balcony complies with Section 1005. Openings to the

interior of the building located within 20 feet (6096 mm) of the area for evacuation assistance shall be protected with fire assemblies having a three-fourths-hour fire-protection rating.

3. A portion of a one-hour fire-resistive corridor complying with Sections 1005.7 and 1005.8 located immediately adjacent to an exit enclosure.

4. A vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required by Section 1005.7 and 1005.8.

5. 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.

6. 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.

7. An elevator lobby complying with Section 1104.4.

1104.2.2 Size. Each area for evacuation assistance shall provide at least two wheelchair spaces not smaller than 30 inches by 48 inches (760 mm by 1220 mm) for each space. The area for evacuation assistance shall not encroach on any required exit width. The total number of such 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 (760 mm) by 48-inch (1220 mm) areas to one for each area for evacuation assistance on floors where the occupant load is less than 200.

1104.2.3 Stairway width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches (1220 mm) between handrails.

1104.2.4 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 entrance. The telephone or other two-way communication system shall be located with the reach ranges specified in Section 1106.2.4. The fire department may approve location other than the primary entrance. The communication system shall not require voice communication.

1104.2.5 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 1013.3 and 1013.4. 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.

1104.3 Accessible Exits. All exterior exits which are located adjacent to accessible areas and within 6 inches (152 mm) of grade shall be accessible.

1104.4 Area for Evacuation Assistance, High-rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 403, 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 1104.2; and,

2. Elevator shafts are pressurized as required for smokeproof enclosures in Section 1009. 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 has established and maintains a written fire- and life-safety emergency plan which, in addition to other provisions, shall specifically address the evacuation of persons with disabilities. Such plan shall be approved by the building official and the fire chief.

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

NEW SECTION

WAC 51-30-1105 Section 1105—Facility accessibility.

Section 1105.1 General. Where buildings are required to be accessible, building facilities shall be accessible to persons with disabilities as provided in this section. For Group R, Division 1 apartment buildings, 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 1106.

1105.2 Bathing and Toilet Facilities.

1105.2.1 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 a separate bathtub and shower are provided in the same room, at least one shall be accessible.

1105.2.2 Toilet facilities. Toilet facilities located within accessible dwelling units, guest rooms, and congregate residences shall comply with Sections 1106.11 and 1106.27.

EXCEPTION: Within accessible dwelling units, only one toilet facility need be accessible.

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 ambulatory accessible toilet stall complying with Section 1106.11.4 shall also be installed.

Where urinals are provided, at least one urinal shall be accessible.

1105.2.3 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.

1105.2.4 Adaptable fixtures in dwelling units. See Section 1106.27.2 for adaptable fixtures in dwelling units.

1105.3 Elevators, Platform Lifts and Stairways.

1105.3.1 Elevators.

1105.3.1.1 Where required. In multi-story buildings or portions thereof required to be accessible by Section 1103, at least one elevator shall serve each level, including mezzanines. Other than within an individual dwelling unit, where 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 multi-story 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 all accessible guest rooms are located on the ground floor.

1105.3.1.2 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.

1105.3.2 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 that are not open to the public; or,
4. To provide access where existing site 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.

1105.3.3 Stairways. Stairways shall comply with Section 1106.9.

1105.4 Other Building Facilities.

1105.4.1 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 1106.13 and at least one fountain shall be mounted at a standard height.

1105.4.2 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 1106.2.4.5.

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 electrical outlet complying with Section 1106.14.7.

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 1106.14.3 and shall be dispersed among the public telephones provided in the building.

Where four or more public 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 1106.14.

Where interior public pay phones are provided in transportation facilities; assembly and similar areas including stadiums and arenas; convention centers; hotels with conven-

tion facilities; or covered malls; or in or adjacent to hospital emergency, recovery, or waiting rooms; at least one interior text telephone shall be provided.

1105.4.3 Kitchens. Kitchens within accessible dwelling units shall be designed in accordance with Sections 1106.12 and 1106.27.

EXCEPTION: Kitchens in Type B dwelling units need not comply with Section 1106.12.1 (See Section 1106.27.1).

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 1106. Countertops and sinks shall be no more than 34 inches (865 mm) above the finished floor. At least 50 percent of shelf space in cabinets and appliances shall be within the reach ranges of Section 1106.2.4.

1105.4.4 Recreation facilities. Where common- or public-use recreational facilities, 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 need be accessible only to the edge of the facility.

EXCEPTION: Common- or public-use facilities accessory to buildings not required to contain either Type A or Type B dwelling units in accordance with Section 1103.1.8.2.

1105.4.5 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 one, shall be accessible. Accessible fixed or built-in seating or tables shall comply with Section 1106.19. In eating and drinking establishments, such seating or tables shall be distributed throughout the facility.

1105.4.6 Storage facilities. 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 1106.18.

1105.4.7 Customer service facilities.

1105.4.7.1 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 1106.24.

1105.4.7.2 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 1106.24.2.

1105.4.7.3 Shelving and display. Self-service shelves or display units in retail occupancies shall be located on an accessible route of travel in accordance with Section 1103.2.2. Not all self-service shelves and display units need be located within reach ranges required by Section 1106.2.4.

1105.4.7.4 Check-out aisles. Accessible check-out aisles shall be installed in accordance with Table No. 11-E and Section 1106.24.3.

1105.4.7.5 Food service lines. Where self-service shelves are provided in dining and drinking establishments, at least 50 percent of each type shall comply with Sections 1106.2 and 1106.22.

1105.4.8 Controls, operating mechanisms, and hardware. Controls, operating mechanisms, and hardware, including; switches that control lighting, ventilation or electrical outlets; in accessible spaces, along accessible routes or as parts of accessible elements, shall comply with Section 1106.3.

1105.4.9 Alarms. Where provided, alarm systems shall include both audible and visible alarms. Visible alarm devices shall be located in all assembly areas; common-use areas, including toilet rooms and bathing facilities; hallways and lobbies; and hotel guest rooms as required by Section 1103.1.8.3.

- EXCEPTIONS:**
1. Alarm systems in Group I, Division 1.1 and 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 51-30-1106 Section 1106—Accessible design and standards.

Section 1106.1 General. Where accessibility is required by this chapter, buildings and facilities shall be designed and constructed in accordance with this section, unless otherwise specified in this chapter.

1106.2 Space Allowance and Reach Ranges.

1106.2.1 Wheelchair passage width. The minimum clear width for single wheelchair passage shall be 36 inches (915 mm). The minimum width for two wheelchairs to pass is 60 inches (1525 mm).

- EXCEPTION:** The minimum width for single wheelchair passage may be 32 inches (815 mm) for a maximum distance of 24 inches (610 mm).

1106.2.2 Wheelchair turning spaces. Wheelchair turning spaces shall be designed and constructed to satisfy one of the following requirements:

1. A turning space not less than 60 inches (1525 mm) in diameter; or,
2. A turning space at T-shaped intersections or within a room, where the minimum width is not less than 36 inches (915 mm). Each segment of the T shall be clear of obstructions not less than 24 inches (610 mm) in each direction.

Wheelchair turning space may include knee and toe clearance in accordance with Section 1106.2.4.3.

1106.2.3 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 (737 mm). 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 (230 mm) in height and not more than 6 inches (152 mm) in depth.

1106.2.4 Clear floor or ground spaces and maneuvering clearance space for wheelchairs.

1106.2.4.1 Size. The minimum clear floor or ground space required to accommodate a single, stationary wheelchair occupant shall be not less than 30 inches (760 mm) by 48 inches (1220 mm).

1106.2.4.2 Approach. Wheelchair spaces shall be designed to allow for forward or parallel approach to an accessible feature.

1106.2.4.3 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 (760 mm) in width, a minimum of 27 inches (685 mm) in height, and not greater than 25 inches (635 mm) 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.

1106.2.4.4 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 (915 mm) in width where forward approach is provided, or 60 inches (1525 mm) in width where parallel approach is provided.

1106.2.4.5 Forward reach. Where the clear floor space allows only forward approach to an object, the maximum forward reach allowed shall not be higher than 48 inches (1220 mm). Reach obstructions 20 inches (510 mm) or less in depth may project into the clear space provided that knee clearance is maintained in accordance with Section 1106.2.4.3. Reach obstructions greater than 20 inches (510 mm) in depth may project into the clear space provided that the reach obstruction shall not exceed 25 inches (635 mm) in depth and the maximum forward reach shall not exceed 44 inches (1118 mm) in height. The minimum low forward reach shall not be lower than 15 inches (380 mm).

1106.2.4.6 Side reach. Where the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall not be higher than 54 inches (1370 mm). Obstructions no greater than 34 inches (865 mm) in height and no more than 24 inches (610 mm) in depth may be located in the side reach area provided that when such obstructions are present, the side reach shall not

exceed 46 inches (1170 mm) in height. The minimum low side reach shall not be lower than 9 inches (230 mm).

1106.3 Controls and Hardware.

1106.3.1 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 which does not require tight grasping, pinching or twisting to operate. Doors shall comply with Section 1004.

The force to activate controls on lavatories and water fountains and flush valves on water closets and urinals shall not be greater than 5 pounds (22.2 N).

1106.3.2 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 1106.2.4, and not less than 36 inches (915 mm) above the floor. Electrical and communications system receptacles on walls shall be mounted a minimum of 15 inches (380 mm) above the floor. Door hardware shall be mounted at not less than 36 inches (915 mm) and not more than 48 inches (1220) above the floor.

1106.3.3 Clear floor space. Clear floor space that allows a forward or a side approach shall be provided at all controls or hardware.

1106.4 Accessible Route of Travel.

1106.4.1 Width. The minimum clear width of an accessible route of travel shall be 36 inches (915 mm) except at doors (see Section 1106.10.2). Where an accessible route includes a 180 degree turn around an obstruction which is less than 48 inches (1220 mm) in width, the clear width of the accessible route of travel around the obstruction shall be 42 inches (1065 mm) minimum. For exterior accessible routes of travel, the minimum clear width shall be 44 inches (1118 mm).

EXCEPTION: The minimum width for single wheelchair passage may be 32 inches (815 mm) for a maximum distance of 24 inches (610 mm).

Where an accessible route of travel is less than 60 inches (1525 mm) in width, passing spaces at least 60 inches (1525 mm) by 60 inches (1525 mm) shall be located at intervals not to exceed 200 feet (61 m). A T-shaped intersection of two corridors or walks may be used as a passing space.

1106.4.2 Height. Accessible routes shall have a clear height of not less than 79 inches (2007 mm). Where the vertical clearance of an area adjoining an accessible route of travel is less than 79 inches (2007 mm) but more than 27 inches (685 mm), a continuous permanent barrier shall be installed to prevent traffic into such areas of reduced clearance.

1106.4.3 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 1106.8. Cross slopes of an accessible route of travel shall not exceed 1 vertical in 48 horizontal.

1106.4.4 Changes in level. Changes in level along an accessible route of travel shall comply with Section 1106.6. Stairs or escalators 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 (1220 mm) long connecting the ramps.

1106.4.5 Surfaces.

1106.4.5.1 General. All floor and ground surfaces in an accessible route of travel shall comply with Section 1106.7.

1106.4.5.2 Detectable warnings. Curb ramps shall have detectable warnings complying with Section 1106.17. Detectable warnings shall extend the full width and depth of the curb ramp.

1106.4.6 Illumination. Illumination shall be provided along an exterior accessible route of travel at any time the building is occupied, with an intensity of not less than one footcandle (10.76 lx) on the surface of the route.

1106.4.7 Curb ramps.

1106.4.7.1 Slope. Slopes of curb ramps shall comply with Section 1106.8. 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.

1106.4.7.2 Width. Curb ramps shall be not less than 36 inches (915 mm) in width, exclusive of the required side slopes.

1106.4.7.3 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.

EXCEPTION: Where the width of the walking surface at the top of the ramp and parallel to the run of the ramp is less than 48 inches (1220 mm), the maximum side slope shall be 1 vertical in 12 horizontal.

1106.4.7.4 Location. Built-up curb ramps shall be located so as not to project into vehicular ways nor be located within accessible parking spaces.

1106.4.7.5 Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

1106.4.7.6 Location at marked cross walks. Curb ramps at marked cross walks shall be wholly contained within the markings, excluding any sloped sides.

1106.4.7.7 Orientation. Curb ramps shall be oriented in the same direction as pedestrian flow of crosswalks; diagonally oriented curb ramps are prohibited.

1106.4.8 Vehicular areas. Where an accessible route of travel crosses or adjoins a vehicular way, and where there are no curbs, railings or other elements which separate the pedestrian and vehicular areas, and which are detectable by a person who has a severe vision impairment, the boundary between the areas shall be defined by a continuous detectable warning not less than 36 inches (915 mm) wide, complying with Section 1106.17.

1106.5 Protruding Objects. Protruding objects shall not reduce the clear width of a route of travel or maneuvering space. Any wall- or post-mounted object with its leading edge between 27 inches (685 mm) and 79 inches (2007 mm) above the floor may project not more than 4 inches (102 mm) into a route of travel, corridor, passageway, or aisle. Any wall- or post-mounted projection greater than 4 inches (102 mm) shall extend to the floor.

1106.6 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 (6 mm) shall be beveled to 1 vertical in 2 horizontal. Changes in level greater than 1/2 inch (13 mm) shall be accomplished by means of a ramp meeting the requirements of Section 1106.8, a curb ramp meeting the requirements of Section 1106.4.7, or an elevator or platform lift meeting the requirements of Section 1105.3. For Type B dwelling units, see also Section 1106.27.

1106.7 Floor Coverings and Surface Treatments.

1106.7.1 General. All surfaces shall be firm and stable.

1106.7.2 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.

1106.7.3 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.

1106.7.4 Grates. Within an accessible route of travel, grates shall have openings not more than 1/2 inch (13 mm) 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 (3 mm).

1106.7.5 Expansion and construction joints. Expansion and construction joints in exterior routes of travel shall have a width of not more than 1/2 inch (13 mm), shall be filled with a firm, compressible, elastic material, and shall be substantially level with the surface of the accessible route of travel.

1106.8 Ramps.

1106.8.1 General. Ramps required to be accessible shall comply with Section 1007 and the provisions of this section. No ramp shall change direction between landings, except ramps with an inside radius of 30 feet (9144 mm) or greater.

1106.8.2 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 (760 mm).

1106.8.3 Width. The minimum width of a ramp shall be not less than 36 inches (915 mm) for interior ramps and 44 inches (1118 mm) for exterior ramps.

1106.8.4 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 (760 mm) of rise. Landings shall be level and have a minimum dimension measured in the direction of ramp run of not less than 60 inches (1525 mm). Where the ramp changes direction at a landing, the landing shall be not less than 60 inches (1525 mm) by 60 inches (1525 mm). The width of any landing shall be not less than the width of the ramp.

1106.8.5 Handrails. Ramps having slopes steeper than 1 vertical to 20 horizontal shall have handrails as required for stairways, except that intermediate handrails as required in Section 1006.9 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 (305 mm) beyond the top and bottom of any ramp run.

EXCEPTION: Ramps having a rise less than or equal to 6 inches (152 mm), or a run less than or equal to 72 inches (1830 mm), need not have handrails.

1106.8.6 Exterior ramps. Exposed ramps and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

1106.8.7 Edge protection. Any portion of the edge of a ramp with a slope greater than 1 vertical in 20 horizontal, or landing which is more than 1/2 inch (13 mm) above the adjacent grade or floor, shall be provided with edge protection in accordance with the following:

1. **Walls and Curbs.** When used, walls or curbs shall be not less than 2 inches (51 mm) in height above the surface of the accessible route of travel.

2. Railings. When used, railings shall comply with Section 1106.8.5 and also shall have one of the following features:

2.1. An intermediate rail mounted 17 to 19 inches (430 to 485 mm) above the ramp or landing surface, or

2.2. A guardrail complying with Section 509.

1106.9 Stairways.

1106.9.1 General. Stairways required to be accessible shall comply with Section 1006 and provisions of this section.

1106.9.2 Open risers. Open risers shall not be permitted.

EXCEPTION: Stairways in Group R, Division 1 apartment buildings may have open risers.

1106.9.3 Nosings. Stair nosings shall be flush, slip-resistant, and rounded to a radius of 1/2 inch (13 mm) 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 (38 mm).

1106.9.4 Exterior stairways. Exposed stairways and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

1106.10 Doors.

1106.10.1 General. Doors required to be accessible shall comply with Section 1004 and with 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.

1106.10.2 Clear width. Doors shall be capable of being opened so that the clear width of the opening is not less than 32 inches (815 mm).

EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have a clear opening of not less than 20 inches (510 mm).

1106.10.3 Maneuvering clearances at doors. Except as provided in Section 1106.27, all doors shall have minimum maneuvering clearances as follows:

1. For a forward approach, where a door must be pulled to be opened, an unobstructed floor space shall extend at least 18 inches (455 mm) beyond the strike jamb and extend at least 60 inches (1525 mm) perpendicular to the doorway.

2. For a forward approach, 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 (305 mm) beyond the strike jamb and extend at least 48 inches (1220 mm) perpendicular to the doorway.

3. For a forward approach, where a door must be pushed to be opened and is not equipped with a closer and

a latch, an unobstructed floor space shall be at least the width of the doorway and extend at least 48 inches (1220 mm) perpendicular to the doorway.

4. For a hinge side approach, where a door must be pulled to be opened, an unobstructed floor space shall extend at least 36 inches (915 mm) beyond the latch side of the door and at least 60 inches (1525 mm) perpendicular to the doorway, or shall have an unobstructed floor space that extends at least 42 inches (1065 mm) beyond the latch side of the door and at least 54 inches (1370 mm) perpendicular to the doorway.

5. For a hinge side approach, where a door must be pushed to be opened and is not equipped with both a closer and a latch, an unobstructed floor space, measured from the latch side, shall extend across the width of the doorway and beyond the hinge side of the door for a total width of not less than 54 inches (1370 mm); and at least 42 inches (1065 mm) perpendicular to the doorway.

6. For a hinge side approach, where a door must be pushed to be opened and is equipped with both latch and closer, an unobstructed floor space, measured from the latch side, shall extend across the width of the doorway and beyond the hinge side of the door for a total width of not less than 54 inches (1370 mm); and at least 48 inches (1220 mm) perpendicular to the doorway.

7. For a latch side approach, where a door must be pulled to be opened and is equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 54 inches (1370 mm) perpendicular to the doorway.

8. For a latch side approach, where a door must be pulled to be opened and is not equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 48 inches (1220 mm) perpendicular to the doorway.

9. For a latch side approach, where a door must be pushed to be opened and is equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 48 inches (1370 mm) perpendicular to the doorway.

10. For a latch side approach, where a door must be pushed to be opened and is not equipped with a closer, an unobstructed floor space shall extend at least 24 inches (610 mm) parallel to the doorway, beyond the latch side of the door and at least 42 inches (1065 mm) perpendicular to the doorway.

11. For a forward approach, to a sliding or folding door, an unobstructed floor space shall extend the same width as the door opening and at least 48 inches (1220 mm) perpendicular to the doorway.

12. For a slide side approach to a sliding or folding door, an unobstructed floor space, measured from the latch

side, shall extend across the width of the doorway and beyond the slide side of the door for a total width of not less than 54 inches (1370 mm); and at least 42 inches (1065 mm) perpendicular to the doorway.

13. For a latch side approach to a sliding or folding door, an unobstructed floor space shall extend at least 24 inches (610 mm) beyond the latch side of the door and at least 42 inches (1065 mm) perpendicular to the doorway.

14. Where two doors are in series, the minimum distance between two hinged or pivoted doors shall be 48 inches (1220 mm), in addition to any area needed for door swing. Doors in series shall swing either in the same direction, or away from the space between the doors.

15. All doors in alcoves shall comply with the requirement for a forward approach.

1106.10.4 Thresholds at doors. Thresholds at doors shall comply with Section 1106.6.

EXCEPTION: Exterior doors other than the accessible entrance to a dwelling unit, may be sliding doors with thresholds not exceeding 3/4 inch (19 mm).

1106.10.5 Automatic and power-assisted doors. Door-closers or power-operators shall be operable as required by Section 1004.8.

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 (915 mm) above the floor and not less than 18 inches (455 mm), nor more than 36 inches (915 mm), 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 (915 mm) 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.

1106.10.6 Door closers. Where provided, door closers shall be adjusted to close from an open position of 70 degrees to a point 3 inches (76 mm) from the latch, in not less than 3 seconds, when measured to the leading edge of the door.

1106.10.7 Vision panels. Where a door contains one or more vision panels, the bottom of the glass of at least one panel, shall be not more than 40 inches (1015 mm) above the floor.

1106.11 Bathrooms, Toilet Rooms, Bathing Facilities, and Shower Rooms.

1106.11.1 General. Bathrooms, toilet rooms, bathing facilities, and shower rooms shall be designed in accordance with this section. For dwelling units, see also Section 1106.27.

1106.11.2 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 (1525 mm). Doors in any position may encroach into this space by not more than 12 inches (305 mm). The clear floor spaces at fixtures, the accessible route of travel, and the unobstructed floor space may overlap.

1106.11.3 Wheelchair accessible toilet stalls.

1106.11.3.1 Dimensions. Wheelchair accessible toilet stalls shall be at least 60 inches (1525 mm) in width. Where wall-hung water closets are installed, the depth of the stall shall be not less than 56 inches (1420 mm). Where floor-mounted water closets are installed, the depth of the stall shall be not less than 59 inches (1500 mm). Entry to the compartment shall have a clear width of 32 inches (815 mm). 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 (1220 mm) 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.

1106.11.3.2 Toe clearances. In any toilet stall, the front partition and at least one side partition shall provide a toe clearance of at least 9 inches (230 mm) above the floor.

EXCEPTION: Toe clearance is not required in a stall with a depth greater than 60 inches (1525 mm).

1106.11.3.3 Door hardware. Doors of accessible toilet stalls shall comply with Section 1106.3.

1106.11.4 Ambulatory accessible toilet stalls. Ambulatory accessible toilet stalls shall be at least 36 inches (915 mm) 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 1106.11.5.3 and 1106.11.11.

1106.11.5 Water closets.

1106.11.5.1 Clear floor space. The lateral distance from the center line of the water closet to the nearest obstruction, excluding grab bars, shall be 18 inches (455 mm) on one side and not less than 42 inches (1065 mm) on the other side. In other than stalls, a clear floor space of not less than 32 inches (815 mm), measured perpendicular to the wall on which the water closet is mounted, shall be provided in front of the water closet.

EXCEPTION: In other than a toilet stall, 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 Section 1106.11.7, below, and:

1. In Type B dwelling units the edge of the lavatory shall be located not less than 15 inches (380 mm) from the centerline of the water closet; or,
2. In all other occupancies the edge of the lavatory shall be located not less than 18 inches (455 mm) from the centerline of the water closet.

1106.11.5.2 Height. The height of water closets shall be a minimum of 17 inches (430 mm) and a maximum of 19

inches (485 mm) measured to the top of the seat. Seats shall not be sprung to return to a lifted position.

1106.11.5.3 Grab bars. Grab bars shall be installed at one side and at the back of the water closet. The top of grab bars shall be not less than 33 inches (840 mm) and not more than 36 inches (915 mm) above and parallel to the floor. Grab bars located at the side shall be a minimum 42 inches (1065 mm) in length located not more than 12 inches (305 mm) from the rear wall and extending at least 54 inches (1370 mm) from the rear wall. Grab bars located at the back shall be a minimum of 36 inches (915 mm) in length and shall extend at least 12 inches (305 mm) beyond the center of the water closet toward the side wall and at least 24 inches (610 mm) toward the open side of the water closet. Grab bars located at the back shall be mounted not more than 9 inches (230 mm) behind the water closet seat. See also Section 1106.11.11.

1106.11.5.4 Flush controls. Flush controls shall be mounted for use from the wide side of the water closet area and not more than 44 inches (1118 mm) above the floor. Flush valves shall comply with Section 1106.3.

1106.11.5.5 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 unobstructed floor space or grab bar utilization.

1106.11.6 Urinals. A clear floor space measuring 30 inches (760 mm) in width by 48 inches (1220 mm) in depth shall be provided in front of urinals to allow for forward approach. Urinal shields shall have a clear space between them of not less than 29 inches (737 mm) 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 (430 mm) above the floor. Flush controls shall be mounted not more than 44 inches (1118 mm) above the floor. Flush valves shall comply with Section 1106.3.

1106.11.7 Lavatories and sinks.

1106.11.7.1 Clear floor space. A clear floor space not less than 30 inches (760 mm) in width by 48 inches (1220 mm) in depth shall be provided in front of lavatories and sinks to allow a forward approach. The clear floor space may include knee and toe clearances not to exceed 19 inches (485 mm) extending under the lavatory or sink.

1106.11.7.2 Height. Lavatories and sinks shall be mounted with the rim or counter surface no higher than 34 inches (865 mm) above the finished floor.

1106.11.7.3 Knee and toe clearances.

1106.11.7.3.1 Lavatories. The total depth of the clear space beneath a lavatory shall be not less than 17 inches (430 mm), of which toe clearance shall be not more than 6 inches (152 mm) of the total depth. Knee clearance shall be

not less than 29 inches (237 mm) in height and 30 inches (760 mm) in width.

1106.11.7.3.2 Sinks. Knee clearance not less than 27 inches (685 mm) in height, 30 inches (760 mm) in width, and 19 inches (485 mm) in depth shall be provided underneath sinks.

1106.11.7.4 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.

1106.11.7.5 Faucets. Faucet control handles shall be located not more than 17 inches (430 mm) from the front edge of the lavatory, sink or counter, and shall comply with Section 1106.3. Self-closing valves shall remain open for at least 10 seconds per operation.

1106.11.7.6 Sink depth. Sinks shall be not more than 6-1/2 inches (165 mm) in vertical depth.

1106.11.8 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 (1015 mm) of the floor.

Drying equipment, towel or other dispensers, and disposal fixtures shall be mounted so as to not exceed 40 inches (1015 mm) above the finished floor to any rack, operating controls, receptacle or dispenser.

1106.11.9 Bathtubs.

1106.11.9.1 Clear floor space. A clear floor space not less than 60 inches (1525 mm) 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 (1905 mm) in length. The clear floor space shall be not less than 30 inches (760 mm) in width where access to the space is parallel to the tub and not less than 48 inches (1220 mm) in width where access to the space is at right angles to the tub.

A lavatory which complies with Section 1106.11.7, above, may be located in the clear floor space for the tub.

Where a seat is provided and a lavatory is located in the clear floor space for the tub, the lavatory shall be located at the end of the tub adjacent to the controls.

1106.11.9.2 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 (305 mm) 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 (380 mm) from the end of the tub. Seats shall be mounted securely and shall not slip during use.

1106.11.9.3 Grab bars. All required grab bars shall be installed parallel to the floor. Lower grab bars shall be

installed centered 9 inches (230 mm) above the tub rim. Upper or single grab bars shall be installed centered not less than 33 inches (840 mm) and not more than 36 inches (915 mm) above the floor of the clear space.

Where a tub has a seat at the end, two grab bars not less than 48 inches (1220 mm) in length shall be installed on the wall opposite the clear floor space. One end of each grab bar shall terminate where the tub abuts the seat.

Where a tub has an in-tub seat, two grab bars, not less than 24 inches (610 mm) in length, shall be installed on the wall opposite the clear floor space. The grab bars shall extend to not less than 24 inches (610 mm) from one end of the tub and not less than 12 inches (305 mm) 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 (305 mm) 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 (610 mm) from the clear floor space.

1106.11.9.4 Controls and fixtures. Faucets and other controls shall be located above the tub rim and below the grab bars, shall be offset laterally from the clear floor space between the open edge of the tub and the mid-point of the tub and shall comply with Section 1106.3.

A shower spray unit, with a hose at least 60 inches (1525 mm) long, that can be used as a fixed shower head or as a hand-held shower, shall be provided.

1106.11.9.5 Bathtub enclosures. Where provided, enclosures for bathtubs shall not obstruct controls or obstruct transfer from wheelchairs onto bathtub seats or into tubs. Bathtub enclosures shall not have tracks mounted on the tub rim.

1106.11.10 Shower stalls.

1106.11.10.1 Configuration. Shower stalls shall have one of the following configurations:

1. Transfer shower stalls shall be 36 inches by 36 inches (915 by 915 mm), nominal, and shall have a seat; or,
2. Roll-in shower stalls shall be not less than 30 inches (760 mm) in depth by 60 inches (1525 mm) in length.

1106.11.10.2 Clear floor space. A clear floor space shall be provided adjacent to shower stalls.

1. For transfer shower stalls, a clear floor space not less than 48 inches (1220 mm) in length, parallel to the open side of the shower stall, and not less than 36 inches (915 mm) in width, perpendicular to the open edge of the shower stall, shall be located so as to extend at least 12 inches (305 mm) beyond the wall on which the seat is mounted.

2. For roll-in shower stalls, a clear floor space not less than 60 inches (1525 mm) in length, parallel to the open edge of the shower stall, and not less than 36 inches (915

mm) in width, perpendicular to the open edge of the shower stall, shall be provided. A lavatory which complies with Section 1106.11.7, above, may be located within one end of the clear floor space. Where a seat is provided in the shower, a lavatory may be located only at the opposite end of the clear space.

1106.11.10.3 Seats. Transfer shower stalls shall be provided with a folding or non-folding seat located on the wall opposite the shower controls.

Roll-in shower stalls shall be provided with a folding seat located on the wall adjacent to the shower controls.

EXCEPTION: Roll-in shower stalls located in occupancies other than hotels, lodging houses and congregate residences need not be provided with a seat.

The seat shall be mounted not less than 17 inches (430 mm) and not more than 19 inches (485 mm) above the floor. The seat shall be mounted not more than 1-1/2 inches (38 mm) from the shower walls. The leading edge of the seat may be set back not more than 1-1/2 inches (38 mm) from the leading edge of the shower stall.

The seat shall be L-shaped and shall extend the full depth of the stall. The section of the seat adjacent to the wall opposite the clear floor space shall be at least 22 inches (560 mm) and not more than 23 inches (585 mm) wide, measured from the wall on which the seat is mounted. That section of the seat shall extend not less than 14 inches (355 mm) but not more than 15 inches (380 mm), measured from the wall opposite the clear floor space. The remaining portion of the seat shall be not less than 15 inches (380 mm) and not more than 16 inches (405 mm) wide, measured from the wall on which the seat is mounted, and shall extend the remaining depth of the stall.

1106.11.10.4 Grab bars. All required grab bars shall be installed parallel to the floor. All grab bars shall be installed not less than 33 inches (840 mm) and not more than 36 inches (915 mm) above the floor of the adjacent clear space.

For transfer shower stalls, a grab bar, not less than 18 inches (455 mm) in length, shall be installed on the wall opposite the clear floor space. One end of the grab bar shall terminate at the wall opposite the seat. A grab bar not less than 27 inches (685 mm) 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 (685 mm) in length. The grab bar located opposite the clear space shall be not less than 48 inches (1220 mm) in length.

1106.11.10.5 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 (965 mm) or more than 48 inches (1220 mm) above the shower floor and shall comply with Section 1106.3. In addition:

1. For transfer shower stalls, the controls shall be located on the wall opposite the shower seat. The controls shall be located within 18 inches (455 mm) of the open side of the shower stall.

2. For roll-in shower stalls equipped with seats, the controls shall be mounted on the wall adjacent to the seat not more than 27 inches (685 mm) from the wall where the seat is mounted. For roll-in shower stalls without seats, the controls may be located on any wall. Where the controls are located on the back wall, they shall be located not more than 27 inches (685 mm) from a side wall.

A shower spray unit, with a hose at least 60 inches (1525 mm) 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 (1220 mm) above the stall floor.

1106.11.10.6 Thresholds. In transfer shower stalls, thresholds shall be flush or beveled with a maximum edge height of 1/2 inch (13 mm), and a maximum slope of not more than 1 vertical in 2 horizontal.

Thresholds in roll-in shower stalls shall be level with the adjacent clear space.

1106.11.10.7 Shower enclosures. Where provided, enclosures for shower stalls shall not obstruct controls or obstruct transfer from wheelchairs onto shower seats.

1106.11.11 Structural requirements for grab bars, and tub and shower seats.

1106.11.11.1 General. All grab bars, and tub and shower seats required to be accessible, shall comply with this section.

1106.11.11.2 Size and spacing of grab bars. Grab bars shall have an outside diameter of not less than 1-1/4 inch (32 mm) nor more than 1-1/2 inches (38 mm) and shall provide a clearance of 1-1/2 inches (38 mm) between the grab bar and the wall.

1106.11.11.3 Structural strength. The structural strength of grab bars, tub and shower seats, fasteners and mounting devices shall meet the following specification:

1. Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 300 pounds (1334 N) 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 pounds (1334 N) 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 pounds (1334 N) 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 pounds (1334 N) plus the maximum moment from the application of 300 pounds (1334 N) shall be less than the allowable withdrawal load between the fastener and the supporting structure.

1106.11.11.4 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 (3 mm).

1106.12 Kitchens.

1106.12.1 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 (1525 mm). Doors in any position may encroach into this space by not more than 12 inches (305 mm). The clear floor spaces at fixtures, the accessible route of travel, and the unobstructed floor space may overlap.

1106.12.2 Counter surfaces and shelving. Within Type A dwelling units, a counter surface, a minimum of 30 inches (760 mm) wide by 24 inches (610 mm) deep, shall be provided at a maximum height of 34 inches (865 mm), with a knee space beneath at least 27 inches (685 mm) 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 Section 1106.2.4.

1106.13 Water Fountains.

1106.13.1 Clear floor space. Wall- and post-mounted cantilevered units shall have a minimum clear floor space in front of the unit, of 30 inches (760 mm) in width by 48 inches (1220 mm) in depth to allow a forward approach.

Free-standing or built-in units not having a clear space beneath them shall have an adjacent clear floor space at least 30 inches (760 mm) in depth by 48 inches (1220 mm) in width in order to allow a person in a wheelchair to make a parallel approach to the unit.

1106.13.2 Knee space. Wall- and post-mounted cantilevered units shall have knee space in accordance with Section 1106.2.4.3. The knee space shall be not less than 19 inches (485 mm) in depth.

1106.13.3 Spout location. Spouts shall be located not more than 36 inches (915 mm) above the floor or ground surface. Spouts shall be located at the front of the unit and shall direct a water flow not less than 4 inches (102 mm) in height, in a trajectory parallel to the front of the unit. Recessed units shall be installed such that the spout is not recessed beyond the plane of the wall.

1106.13.4 Controls. Controls shall be located not more than 6 inches (152 mm) from the front of the unit and shall comply with Section 1106.3. The force required to activate the control shall not exceed 5 pounds (22.2 N).

1106.13.5 Water fountains in alcoves. Where a unit is installed in an alcove greater than 8 inches (205 mm) in depth, the alcove shall be not less than 48 inches (1220 mm) in width. A minimum 24 inches (610 mm) of clear space shall be provided from the spout to the nearest side wall of the alcove.

1106.14 Telephones.

1106.14.1 Clear floor or ground space. A clear floor or ground space, not less than 30 inches (760 mm) by 48 inches (1220 mm), 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 farther than 10 inches (255 mm) beyond the face of the telephone.

Where a forward approach is provided, any shelf shall not project farther than 20 inches (510 mm) beyond the face of the telephone; any enclosure panels shall be a minimum 30 inches (760 mm) apart, and where less than 36 inches (915 mm) apart, shall project no more than 24 inches (610 mm) beyond the face of the phone.

1106.14.2 Height. The highest operable part of a telephone shall be within the reach ranges specified in Section 1106.2.4.

1106.14.3 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 nor more than 18 dbA above normal.

EXCEPTION: Where an automatic reset is provided, 18 dbA may be exceeded.

1106.14.4 Controls. Telephones shall have pushbutton controls where service for such equipment is available.

1106.14.5 Cord length. The cord from the telephone to the handset shall be not less than 29 inches (737 mm) in length.

1106.14.6 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.

1106.14.7 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 (255 mm by 255 mm) in dimension, with a vertical clearance above the shelf of not less than 6

inches (152 mm). The telephone handset shall be capable of being placed flush on the surface of the shelf.

1106.15 Alarms.

1106.15.1 Audible alarms. Audible alarms shall produce a sound in accordance with the Fire Code.

1106.15.2 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 (2030 mm) above floor level, or 6 inches (152 mm) below the ceiling, whichever is lower, and at an interval of not more than 50 feet (15 m) horizontal, in rooms, corridors, and hallways.

In rooms or spaces exceeding 100 feet (30 m) in horizontal dimension, with no obstructions exceeding 6 feet (1830 mm) in height above the finished floor, visible alarms may be placed around the perimeter at intervals not to exceed 100 feet (30 m) horizontally.

Visible alarm signals shall comply with the following criteria:

1. The lamp shall be a xenon strobe type or equivalent.
2. The color shall be clear or unfiltered white light.

3. The maximum pulse duration shall be two-tenths or one second (0.2 sec) with a maximum duty cycle of 40 percent. The pulse duration is defined as the time interval between initial and final point of 10 percent of maximum signal.

4. The intensity shall be a minimum of 75 candela.

5. The flash rate shall be a minimum of 1 Hz and a maximum of 3 Hz.

1106.15.3 Access to manual fire alarm systems. Manual fire alarm devices shall be mounted not more than 54 inches (1370 mm) above the floor where a parallel approach is provided.

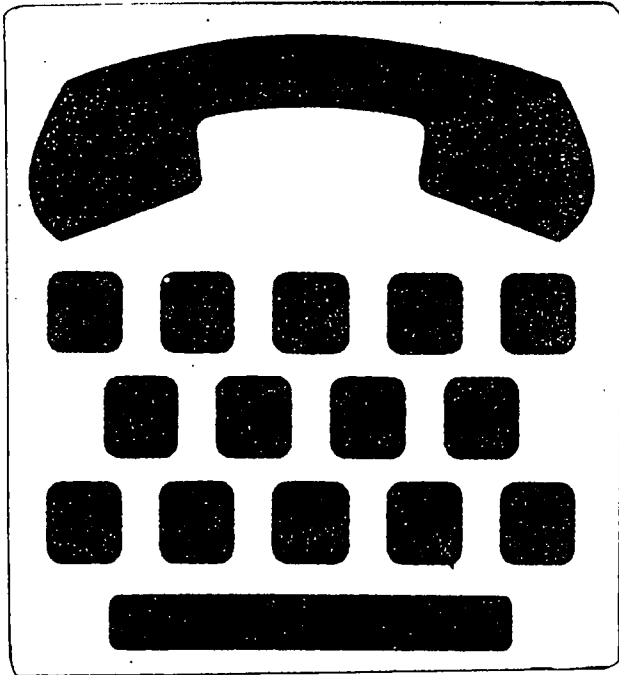
1106.16 Signage.

1106.16.1 Symbols.

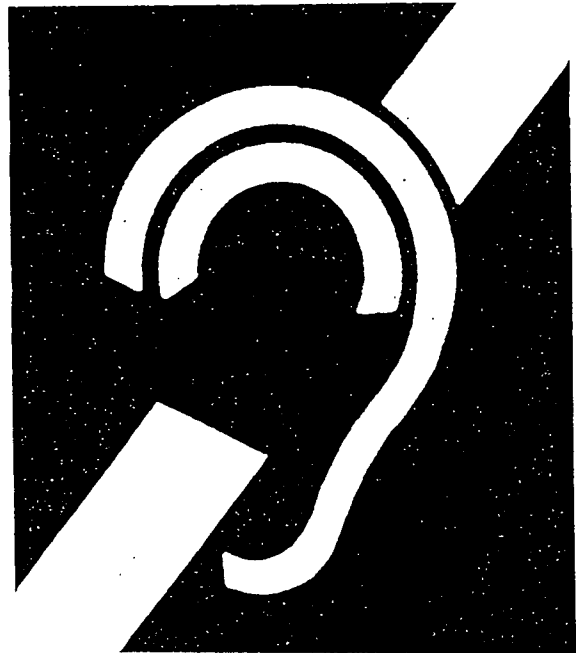
1106.16.1.1 International Symbol of Access. The International Symbol of Access shall be as shown below:



1106.16.1.2 Text telephones. Text Telephones required by Section 1105.4.2 shall be identified by the International Text Telephone symbol as shown below:



1106.16.1.3 Assistive listening systems. Permanently installed assistive listening systems that are required by Section 1103.1.2.2 shall be identified by the International Symbol of Access for Hearing Loss as shown below:



1106.16.1.4 Volume control telephones. Telephones required by Section 1105.4.2 to have volume controls shall be identified by a handset containing a depiction of a telephone handset with radiating sound waves.

1106.16.2 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 (1525 mm) above the finished floor. Mounting location for such signage shall be such that a person may approach within 3 inches (76 mm) of signage without encountering protruding objects or standing within the swing of a door.

1106.16.3 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.

1106.16.4 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 (76 mm) for upper case letters. Lower case letters are permitted.

1106.16.5 Raised and Braille characters and pictorial symbol signs (pictograms).

1106.16.5.1 Raised characters and symbols. Characters and symbols on tactile signs shall be raised at least 1/32 inch

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(.8 mm). Raised characters and symbols shall be simple type face upper case characters. Raised characters and symbols shall be between 5/8 inch (16 mm) and 2 inches (51 mm) in height. Raised characters shall be accompanied by Braille in accordance with this section.

1106.16.5.2 Braille. Braille shall be separated from the corresponding raised characters or symbols. Braille shall be Grade 2.

1106.16.5.3 Pictograms. 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 (152 mm) in height.

1106.17 Detectable Warnings. Detectable warnings on walking surfaces shall consist of raised truncated domes having a diameter of 0.9 inches (23 mm) nominal, a height of 0.2 inches (5 mm) nominal, and a center-to-center spacing of 2.35 inches (60 mm) nominal, and shall contrast visually with adjoining surfaces.

1106.18 Storage, Shelving and Display Units.

1106.18.1 Clear floor space. Storage, shelving and display units shall have a clear floor space, not less than 30 inches (760 mm) by 48 inches (1220 mm), that allows for either a forward or parallel approach.

1106.18.2 Height. Accessible storage, shelving and display units shall be within the reach ranges specified in Section 1106.2.4. Clothes rods shall be not more than 54 inches (1370 mm) above the floor.

1106.19 Seating, Tables, and Sinks.

1106.19.1 Clear floor space. Sinks and seating spaces at tables shall have a clear floor space of not less than 30 inches (760 mm) by 48 inches (1220 mm), that allows forward approach. The clear floor space shall not overlap knee space by more than 19 inches (483 mm).

1106.19.2 Knee clearances. Knee spaces at tables, counters, and sinks shall be provided in accordance with Section 1106.2.4.3. In addition, the depth of the knee space shall be not less than 19 inches (483 mm). No projection which might obstruct the arm of a wheelchair may intrude into this clearance, within 24 inches (610 mm) horizontally from the table edge.

1106.19.3 Height. The tops of tables and sinks shall be not less than 28 inches (710 mm) nor more than 34 inches (865 mm) in height above the floor or ground.

1106.20 Aisles. All aisles required to be accessible, including check out aisles, food service lines, and aisles between fixed tables, shall be not less than 36 inches (915 mm) in width.

1106.21 Assembly Areas.

1106.21.1 Wheelchair spaces.

1106.21.1.1 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.

1106.21.1.2 Size. Wheelchair spaces shall be not less than 33 inches (840 mm) in width. Where forward or rear approach is provided, wheelchair spaces shall be not less than 48 inches (1220 mm) in depth. Where only side approach is provided, wheelchair spaces shall be not less than 60 inches (1525 mm) in depth.

1106.21.1.3 Surfaces. The ground or floor surfaces at wheelchair locations shall be level and shall comply with Section 1106.7.

1106.21.2 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 (15 m) from the stage or performance area.

1106.22 Restaurants and Cafeterias.

1106.22.1 Aisles. Aisles to fixed tables required to be accessible shall comply with Section 1106.20.

1106.22.2 Food service lines.

1106.22.2.1 Clear floor space. Food service lines shall comply with Section 1106.20.

1106.22.2.2 Height. Tray slides shall be mounted not more than 34 inches (865 mm) in height above the floor.

1106.22.2.3 Counters and bars. Where service of food or drink is provided at counters more than 34 inches (865 mm) in height, to customers seated on stools or standing, a portion of the main counter shall be provided in compliance with Section 1106.19, or service shall be available at accessible tables within the same area.

1106.22.2.4 Tableware and condiment areas. Self-service shelves and dispensing devices for tableware, dishware, condiments, food, and beverages shall be installed to comply with Section 1106.18.

1106.23 Patient bedrooms. Each patient bedroom shall be designed and constructed to provide space for a 180-degree turn that complies with Section 1106.2.2. Each patient room shall have a minimum clear floor space not less than 36 inches (915 mm) on each side of any bed.

1106.24 Customer Service Facilities.

1106.24.1 Dressing and fitting rooms.

1106.24.1.1 Clear floor space. Each dressing and fitting room shall have a clear floor space complying with Section 1106.2.

EXCEPTION: Dressing and fitting rooms that are entered through a curtained opening need not comply with Section 1106.2.2.

1106.24.1.2 Doors. All doors to accessible dressing and fitting rooms shall comply with Section 1106.10.

1106.24.1.3 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 (610 mm) in width and 48 inches (1220 mm) in length, and shall be mounted not less than 17 inches (430 mm) nor more than 19 inches (483 mm) 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 1106.11.11.3.

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.

1106.24.1.4 Mirrors. Where provided, mirrors in accessible dressing and fitting rooms shall be not less than 18 inches (455 mm) in width by 54 inches (1370 mm) in height and shall be mounted opposite the bench.

1106.24.2 Counters and windows. Where counters are required to be accessible, the accessible portion shall be not less than 36 inches (915 mm) in length and not more than 36 inches (915 mm) in height above the finished floor.

Where accessible windows are required, they shall be no more than 36 inches (915 mm) in height above the finished floor.

EXCEPTION: An auxiliary counter with a maximum height of 36 inches (915 mm) is installed in close proximity to the main counter.

1106.24.3 Check-out aisles. The width of accessible check-out aisles shall comply with Section 1106.20. Counters in accessible check-out aisles shall be not more than 38 inches (965 mm) in height, and the top of the raised edge of the counter shall not exceed 40 inches (1015 mm) in height above the finished floor.

Accessible check-out aisles shall be identified by the International Symbol of Access in accordance with Section 1106.16.1.1.

1106.25 Libraries.

1106.25.1 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 1106.19. Clearances between fixed accessible tables and study carrels shall comply with Section 1106.20.

1106.25.2 Check-out areas. At least one lane at each check-out area shall comply with Section 1106.20. Any traffic control or book security gates or turnstiles shall comply with Section 1106.10.

1106.25.3 Card catalogs, magazine displays and stacks.

1106.25.3.1 Aisles. Aisles between card catalogs, magazine displays or stacks shall comply with Section 1106.20.

1106.25.3.2 Height. Card catalogs or magazine displays shall have a reach height of not more than 54 inches (1370 mm) for side approach and not more than 48 inches (1220 mm) for forward approach.

Not all shelves in library stacks need be located within reach ranges required by Section 1106.2.4.

1106.26 Hotels and Congregate Residences.

1106.26.1 Clear floor space. Each sleeping room shall have a space complying with Section 1106.4.1, along both sides of each bed.

EXCEPTION: In rooms with two beds, only one 36 inch (915 mm) wide maneuvering space need be provided between the two beds.

1106.26.2 Accessible route of travel. An accessible route of travel complying with Section 1103.2.2 shall connect all accessible spaces and elements; including telephones, patios, terraces, balconies, carports, garages or parking spaces; with all accessible sleeping rooms.

1106.26.3 Doors. Doors within all sleeping rooms, suites or other covered units shall comply with Section 1106.10.

1106.26.4 Storage. Where fixed or built-in storage is provided in accessible units, sleeping rooms, or suites; including cabinets, shelves, closets, and drawers; at least one of each type shall comply with Section 1106.18.

1106.26.5 Controls. All controls in accessible units, sleeping rooms, and suites shall comply with Section 1106.3.

1106.27 Dwelling Units.

1106.27.1 Type A and B dwelling units. Type A and B dwelling units shall comply with Section 1106.

EXCEPTIONS:

1. In a Type A accessible dwelling unit with two or more stories, access to other levels is not required if the accessible level complies with all requirements for Type A accessible dwelling units and that kitchen, toilet and bathing facilities, and at least one bedroom are provided on the accessible level.
2. Kitchens in Type B dwelling units need not comply with Section 1106.12.1, provided that:
 - 2.1. A clear space at least 30 inches by 48 inches (760 mm by 1220 mm) 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,
 - 2.2. In all other kitchens, clearance between all opposing counters, base cabinets, countertops, appliances, and walls shall be not less than 40 inches (1015 mm); and,

2.3. 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 (1525 mm) shall be provided.

3. Bathrooms in Type B dwelling units need not comply with Section 1106.11.2, provided that sufficient maneuvering space which is not less than 30 inches by 48 inches (760 by 1220 mm) 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.

4. Doors in Type B dwelling units, other than the primary entry door, need not comply with Section 1106.10.3.

5. Mezzanines in Type A or B dwelling units need not be accessible.

6. 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.

7. Counter surfaces in Type B dwelling units need not comply with Section 1106.12.2.

8. Within an individual dwelling unit in an elevator building, access to other levels is not required if the accessible level complies with all requirements for accessible dwelling units and contains a bathroom.

9. In Type B dwelling units, exterior deck, patio, or balcony surfaces may be no more than 4 inches (100 mm) below the floor level of the interior surface where the exterior surface is constructed of an impervious material such as concrete, brick, or flagstone.

10. Vanities or lavatories in Type A and B dwelling units may be located in the clear floor spaces as permitted in Section 1106.11.5.1.

11. Seats for bathtubs or showers are not required in Type B dwelling units.

12. In Type B dwelling units, the clear floor space for bathtubs or showers may be reduced to not less than 30 inches (760 mm) in width by 48 inches (1220 mm) in length.

1106.27.2 Adaptable fixtures for dwelling units.

1106.27.2.1 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.

1106.27.2.2 Kitchen counters. Cabinets or shelving may be installed beneath the counter space required by Section 1106.12.2, provided that such cabinetry or shelving is not permanent, and is easily removable.

1106.27.2.3 Lavatories. Cabinets or shelving may be installed beneath bathroom lavatories provided that such cabinetry or shelving is not permanent, and is easily removable.

1106.27.2.4 Signage. Parking signage required by Section 1107.3 need not be installed in spaces designated for accessible dwelling units.

NEW SECTION

WAC 51-30-1107 Section 1107—Parking facilities.

Section 1107.1 Accessible Parking Required.

1107.1.1 General. 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. 11-F.

1107.1.2 Inpatient and outpatient medical care facilities. For Group I, Division 1.1, 1.2 and 2 units and facilities specializing in the treatment of persons with mobility impairments on either an inpatient or outpatient basis, 20 percent of the parking spaces provided accessory to such units and facilities shall be accessible.

1107.1.3 Outpatient medical care facilities. For Group I, Division 1.1 and 1.2 Occupancies providing outpatient medical care facilities, 10 percent of the parking spaces provided accessory to such occupancies shall be accessible.

1107.1.4 Apartment buildings. For Group R, Division 1 apartment buildings where parking is provided, one accessible parking space shall be provided for each Type A dwelling unit and reserved for its occupants. 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.

1107.1.5 Van parking. For other than Group R, Division 1 apartment buildings, where accessible parking is required, one of every eight accessible parking spaces, or fraction thereof, shall be designed to be accessible to vans.

1107.1.6 Location of parking. 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.

EXCEPTION: In multilevel parking structures, all accessible van parking spaces may be located on the same level.

Where a parking facility is not accessory to a particular building, accessible parking spaces shall be located on the shortest accessible route to an accessible pedestrian entrance to the parking facility.

1107.2 Design and Construction.

1107.2.1 General. When accessible parking spaces are required by this section, they shall be designed and constructed in accordance with this section.

1107.2.2 Size. Parking spaces shall be not less than 96 inches (2440 mm) in width and shall have an adjacent access aisle not less than 60 inches (1525 mm) in width. Van accessible parking spaces shall have an adjacent access aisle not less than 96 inches (2440 mm) 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 the aisles will not be used as parking space.

1107.2.3 Vertical clearance. Where accessible parking spaces are required for vans, the vertical clearance shall be not less than 114 inches (2895 mm) at the parking space and along at least one vehicle access route to such spaces from site entrances and exits.

1107.2.4 Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed 1 vertical in 48 horizontal.

1107.2.5 Surface. Parking spaces and access aisles shall be firm, stable, smooth, and slip-resistant.

1107.3 Signs. Every parking space required by this section shall be identified by a sign, centered between 3 and 5 feet (915 mm and 1525 mm) 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".

Van accessible parking spaces shall have an additional sign mounted below the International Symbol of Access identifying the spaces as "Van Accessible."

EXCEPTION: Where all of the accessible parking spaces comply with the standards for van accessible parking spaces.

(See also Section 1106.27.2)

NEW SECTION

WAC 51-30-1108 Section 1108—Passenger loading zones.

Section 1108.1 Location. Where provided, passenger loading zones shall be located on an accessible route of travel.

1108.2 Design and Construction.

1108.2.1 General. Passenger loading zones shall be designed and constructed in accordance with this section.

1108.2.2 Size. Passenger loading zones shall provide an access aisle not less than 60 inches (1525 mm) in width by 20 feet (6 m) in length with the long dimension abutting and parallel to: A: the vehicle space on one side; and B: an accessible route of travel on the other.

1108.2.3 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 51-30-1109 Section 1109—Scope.

Section 1109.1 General. The provisions of this part apply to renovation, alterations, 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.

1109.2 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 51-30-1110 Section 1110—Definitions.

Section 1110. 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 appraised 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 which is an essential part of the structural frame, or because site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and necessary to provide accessibility.

NEW SECTION

WAC 51-30-1111 Section 1111—Additions.

Section 1111 Additions. 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. **Entrances.** Where a new addition to a building or facility does not have an accessible entrance, at least one entrance in the existing building or facility shall be accessible.

2. **Accessible Route.** Where the only accessible entrance 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 1106 or with Section 1112.3.7.

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 1103.1.6, but in no case more than the total number of rooms required by Section 1103.1.6, shall comply with Section 1106.23. Where toilet or bathing facilities are part of the accessible rooms, they shall comply with Section 1106.11.

5. **Path of Travel.** 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.

EXCEPTION: Subject to the approval of the building official, the path of travel need not be made accessible if the cost of compliance with this part would exceed 20 percent of the total cost of construction, inclusive of the cost of eliminating barriers, within a 36-month period.

NEW SECTION

WAC 51-30-1112 Section 1112—Alterations.

Section 1112 Alterations.

1112.1 General.

1112.1.1 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 1110, alterations to Group R, Division 1 apartment buildings need not comply with this section.

1112.1.2 Existing elements. Where 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 11 Division II.

EXCEPTIONS:

1. An 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. Subject to the approval of the building official, the path of travel need not be made accessible if the cost of compliance with this part would exceed 20 percent of the total cost of construction, inclusive of the cost of eliminating barriers, within a 36-month period.

1112.1.3 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.

1112.1.4 Other requirements.

1112.1.4.1 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.

1112.1.4.2 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.

1112.1.4.3 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 11 does not apply.

1112.1.4.4 Where alterations would increase the number of public pay telephones to four, with at least one in the interior, or where the facility has four or more public pay telephones and one or more is altered; at least one interior text telephone shall be provided in accordance with Section 1106.14.

1112.1.4.5 Where a building has an accessible entrance, altered entrances need not be made accessible unless they provide access to areas of primary function.

1112.1.4.6 Where sleeping rooms are altered in an existing Group R, Division 1 hotel, at least 1 sleeping room that complies with Section 1106.26 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 1103.1.8.3.

1112.1.4.7 Where patient bedrooms are altered in an existing Group I Occupancy, a percentage of the altered

bedrooms equal to the requirement of Section 1103.1.6, but in no case more than the total number of bedrooms required by Section 1103.1.6, shall comply with Section 1106.23. Where toilet or bathing facilities are part of the accessible rooms, they shall comply with Section 1106.11.

1112.2 Substantial Alterations. Where substantial alteration as defined in Section 1110 occurs to a building or facility, the entire building or facility shall comply with Part II of this code.

EXCEPTIONS:

1. Areas of evacuation assistance need not be added to a substantially altered building.
2. Type B Dwelling units need not be provided in buildings which are substantially altered.

1112.3 Modifications.

1112.3.1 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.

1112.3.2 Ramps. Curb ramps and ramps constructed on existing sites, or in existing buildings or facilities, may have slopes and rises greater than specified in Part II of this chapter, where space limitations preclude the use of 1 vertical in 12 horizontal slope or less, provided that:

1. A slope not greater than 1 vertical in 10 horizontal is allowed for a maximum rise of 6 inches (152 mm).
2. A slope not greater than 1 vertical in 8 horizontal is allowed for a maximum rise of 3 inches (76 mm).
3. Slopes greater than 1 vertical in 8 horizontal are prohibited.

1112.3.3 Stairways. 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.

1112.3.4 Elevators. Elevators shall comply with Chapter 296-81, Washington Administrative Code.

1112.3.5 Platform lifts. Upon the approval of the building official, platform lifts may be used 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 of the Washington Administrative Code.

1112.3.6 Doors.

1112.3.6.1 Clearance. When existing elements prohibit strict compliance with the clearance requirements, a projection of 5/8 inch (16 mm) maximum is permitted for the latch side door stop.

1112.3.6.2 Thresholds. Existing thresholds measuring 3/4 inch (19 mm) high or less which are modified to provide a beveled edge on each side, may be retained.

1112.3.7 Toilet rooms.

1112.3.7.1 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 11. The unisex facility shall be located in the same area as existing facilities.

1112.3.7.2 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.

1112.3.7.3 Signage. When existing toilet facilities are altered and not all are made accessible, directional signage complying with Section 1106.16.3 and 1106.16.4 shall be provided indicating the location of the nearest accessible toilet facility.

1112.3.8 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.

1112.3.9 Dressing rooms. Where it is technically infeasible to meet the requirements of Part II of this chapter, one dressing room for each sex, or a unisex dressing room, on each level shall be accessible.

NEW SECTION

WAC 51-30-1113 Section 1113—Historic preservation.

Section 1113.1 General. Generally the accessibility provisions of this part shall be applied to historic buildings and facilities as defined in Section 3403.5 of this code.

The building official, after consulting 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 1112.3 for that feature may be utilized.

1113.2 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 of travel shall be provided.

2. At least one accessible entrance which is used by the public shall be provided.

EXCEPTION: Where it is determined by the building official that no entrance used by the public can comply, access at any accessible entrance which is unlocked during business hours may be used provided directional signs are located at the primary entrance, and the accessible entrance has a notification system. The route of travel for the accessible entrance 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 1111 and 1112 shall be provided along an accessible route. Such toilet facility shall be a shared facility available to both sexes.

4. Accessible routes from an accessible entrance to all publicly used spaces, on at least the level of accessible entrance, shall be provided. Access should be provided to all levels of a building or facility when practical. Displays and written information and documents shall be located where they can be seen by a seated person.

NEW SECTION

WAC 51-30-1114 Section 1114—Appeal.

Section 1114.1 Request for Appeal. An appeal from the standards for accessibility for existing buildings may be filed with the building official in accordance with Section 105, when existing structural elements or physical constraints of the site prevent full compliance or would threaten or destroy the historical significance of a historic building.

1114.2 Review.

1114.2.1 Consideration of alternative methods. Review of appeal requests shall include consideration of alternative methods which may provide partial access.

1114.2.2 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 51-30-1120 Table No. 11-A.

TABLE NO. 11-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 51-30-1121 Table No. 11-B.

TABLE NO. 11-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 51-30-1122 Table No. 11-C.

TABLE NO. 11-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	None
26 - 50	2	None
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 rooms	
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 51-30-1123 Table No. 11-D.

TABLE NO. 11-D
NUMBER OF ACCESSIBLE ROOMS FOR PERSONS WITH HEARING IMPAIRMENTS

Total Number Of Rooms	Minimum Required Rooms
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

PROPOSED

NEW SECTION

WAC 51-30-1124 Table No. 11-E.

TABLE NO. 11-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 51-30-1125 Table No. 11-F.

TABLE NO. 11-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 - 1000	2% of total spaces
Over 1000	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1000

**DIVISION I
US DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
FEDERAL FAIR HOUSING ACT
GUIDELINES FOR SITE TERRAIN EXEMPTIONS**

NEW SECTION

WAC 51-30-93115 Section 93115.

Section 93115.1 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.

93115.2 Scope.

93115.2.1 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.

93115.2.2 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.

93115.3 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, leveling, grading, and development has been completed.

UNDISTURBED SITE means the site before any construction, leveling, grading, or development associated with the current project.

93115.4 Site Impracticality.

93115.4.1 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 (1), or the site analysis test provided in paragraph (2). 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 (1).

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 (1) or paragraph (2). 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.

1. 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:

1.1. The slopes of the undisturbed site measured between the planned entrance and all vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance exceed 10 percent.

1.2. The slopes of the planned finished grade measured between the entrance and all vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance also exceed 10 percent.

If there are no vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance, the slope for the purpose of this paragraph (1) will be measured to the closest vehicular or pedestrian arrival point.

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For purposes of these guidelines, vehicular or pedestrian arrival points include public or resident parking areas; public transportation stops; passenger loading zones; and public streets or sidewalks. To determine site impracticality, (1) the slope would be measured at ground level from the point of the planned entrance, or (2) if there are no vehicular or pedestrian arrival points close 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.

2. 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:

2.1. 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 (610 mm) 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.

2.2. To determine the practicality of providing accessibility to planned multifamily dwellings based on the topography of the existing natural terrain, the minimum percentage of ground floor units to be made accessible should equal the percentage of the total buildable area (not including floodplain, wetlands, or other restricted use areas) of the undisturbed site that has an existing natural grade of less than 10% slope.

2.3. In addition to the percentage established in paragraph 2.2, all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%.

B. Site Impracticality Due to Unusual Characteristics. Unusual characteristics include sites located in a federally-designated floodplain or coastal high-hazard area and sites subject to other similar requirements of law or code that the lowest structural member of the lowest floor must be raised to a specified level at or above the base flood elevation. An accessible route to a building entrance is impractical due to unusual characteristics of the site when:

1. The unusual site characteristics result in a difference in finished grade elevation exceeding 30 inches (760 mm) and 10 percent measured between an entrance and all

vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance; or

2. If there are no vehicular or pedestrian arrival points within 50 feet (15 m) of the planned entrance, the unusual characteristics result in a difference in finished grade elevation exceeding 30 inches (760 mm) and 10 percent measured between an entrance and the closest vehicular or pedestrian arrival point.

93115.4.2 Exceptions to Site Impracticality. Regardless of site considerations described in Section 93115.4.1, 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:

1. 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.

2. 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
US DEPARTMENT OF JUSTICE
AMERICANS WITH DISABILITIES ACT
GUIDELINES FOR READILY ACHIEVABLE BARRIER REMOVAL**

NEW SECTION

WAC 51-30-93116 Section 93116.

Section 93116.1 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.

93116.2 Scope.

93116.2.1 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.

93116.2.2 Applicability of Other Provisions. Except as specifically allowed by this division, all buildings and

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portions thereof shall meet all applicable provisions of this code.

93116.3 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—
 - 3.1. Facilities that are covered or expressly exempted from coverage under the Fair Housing Act of 1968, as amended (42 U.S.C. 3601-3631);
 - 3.2 Aircraft; or
 - 3.3. 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 Disabilities 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.

93116.4 Removal of Barriers. 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.

93116.5 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.

93116.6 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 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.

3. Third, 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.

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 accommodation.

93116.7 Relationship to Alterations Requirements of Chapter 11, Part III 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 Chapter 11, Part III 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 Chapter 11, Part III 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.

93116.8 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.

93116.9 Interpretation of Readily Achievable.

93116.9.1 Barrier removal is not readily achievable if it would result in significant loss of profit or significant loss of efficiency of operation.

93116.9.2 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.

93116.10 Alternatives to Barrier Removal.

93116.10.1 General. Where a public accommodation can demonstrate that barrier removal is not readily achievable, a public accommodation shall not fail to make its goods and services, facilities, privileges, advantages, or accommodations available through alternative methods, if those methods are readily achievable.

93116.10.2 Examples. Examples of alternatives to barrier removal include, but are not limited to, the following actions:

1. Providing curb service or home delivery;
2. Retrieving merchandise from inaccessible shelves or racks;
3. Relocating activities to accessible locations;
4. Providing refueling service at inaccessible self-service gas stations.

93116.11 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.

93116.12 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.

93116.13 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 respects 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.

93116.14 Accessible or Special Goods.

93116.14.1 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.

93116.14.2 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 unstocked goods, and if the accessible or special goods can be obtained from a supplier with whom the public accommodation customarily does business.

93116.14.3 Examples of accessible or special goods include items such as Braille 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.

93116.15 Seating in Assembly Areas. To the extent that it is readily achievable, a public accommodation shall:

1. Provide a reasonable number of wheelchair seating spaces in assembly areas; and,
2. Locate the wheelchair seating spaces so that they:
 - 2.1. Are dispersed throughout the seating area;
 - 2.2. Provide lines of sight comparable to those in all viewing areas;
 - 2.3. Adjoin an accessible route of travel that also serves as a means of egress in case of emergency; and,

2.4. 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.

**APPENDIX CHAPTER 11
DIVISION III
US ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR DETECTABLE WARNINGS**

NEW SECTION

WAC 51-30-93117 Section 93117.

Section 93117.1 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.

93117.2 Raised Truncated Domes. Raised truncated domes shall have a diameter of 0.9 (23 mm) inches nominal, a height of 0.2 inches (5 mm) nominal and a center-to-center spacing of 2.35 (60 mm) inches nominal. Raised truncated domes shall comply with Appendix Chapter 11, Division VI for visual contrast.

**APPENDIX CHAPTER 11
DIVISION IV
US ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR AUDIBLE ALARMS**

NEW SECTION

WAC 51-30-93118 Section 93118.

Section 93118.1 Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for audible alarms.

93118.2 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.

**APPENDIX CHAPTER 11
DIVISION V
US ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD
AMERICANS WITH DISABILITIES ACT**

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ALTERNATE GUIDELINES FOR VISUAL CONTRAST

NEW SECTION

WAC 51-30-93119 Section 93119.

Section 93119.1 Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visual contrast.

93119.2 Guidelines for Visual Contrast.

93119.2.1 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] x 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.

93119.2.2 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] x 100

Where: B^1 = light reflectance value (LRV) of the lighter area; and, B^2 = light reflectance value (LRV) of the darker area.

APPENDIX CHAPTER 11

DIVISION VI

US ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD

AMERICANS WITH DISABILITIES ACT GUIDELINES

FOR AUTOMATED TELLER MACHINES

NEW SECTION

WAC 51-30-93120 Section 93120.

Section 93120.1 Purpose. The purpose of this division is to provide the United States Architectural and Transportation Barriers Compliance Board Americans with Disabilities Act Guidelines for automated teller machines.

93120.2 Accessible buildings: Automated teller machines. Where automated teller machines are provided, each machine shall comply with the requirements below except where two or more machines are provided at a location, then only one must comply.

EXCEPTION: Drive-up-only automated teller machines are not required to comply with 93120.4 and 93120.5.

93120.3 General. Each automated teller machine required to be accessible by 93120.2 shall be on an accessible route and shall comply with the provisions of the section.

93120.4 Clear floor space. The automated teller machine shall be located so that clear floor space complying with 1106.2.4.1, 1106.2.4.2, 1106.2.4.3 and 1106.2.4.4 is provided to allow a person using a wheelchair to make a forward approach, a parallel approach, or both, to the machine.

93120.5 Reach ranges.

1. Forward approach only. If only a forward approach is possible, operable parts of all controls shall be placed within the forward reach range specified in 1106.2.4.5.

2. Parallel approach only. If only a parallel approach is possible, operable parts of controls shall be placed as follows:

2.1 Reach Depth Not More Than 10 in (255 mm). Where the reach depth to the operable parts of all controls as measured from the vertical plane perpendicular to the edge of the unobstructed clear space at the farthest protrusion of the automated teller machine or surround is not more than 10 in (255 mm), the maximum height above the finished floor or grade shall be 54 in (1370 mm).

2.2 Reach Depth More Than 10 in (255 mm). Where the reach depth to the operable parts of any control as measured from the vertical plane perpendicular to the edge of the unobstructed clear floor space at the farthest protrusion of the automated teller machine or surround is more than 10 in (255 mm), the maximum height above the finished floor or grade shall be as follows:

Table with 4 columns: Reach Depth (In, Mm) and Maximum Height (In, Mm). Rows list reach depths from 10 to 24 inches and corresponding maximum heights.

3. Forward and parallel approach. If both a forward and parallel approach are possible, operable parts of controls

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shall be placed within at least one of the reach ranges in paragraphs (1) and (2) of this section.

4. **Bins.** Where bins are provided for envelopes, waste paper, or other purposes, at least one of each type provided shall comply with the applicable reach ranges in paragraph (1), (2), or (3) of this section.

EXCEPTION: Where a function can be performed in a substantially equivalent manner by using an alternate control, only one of the controls needed to perform that function is required to comply with this section. If the controls are identified by tactile markings, such markings shall be provided on both controls.

93120.6 Controls. Controls for user activation shall comply with 1106.3.

93120.7 Equipment for persons with vision impairments. Instructions and all information for use shall be made accessible to and independently usable by persons with vision impairments.

**WSR 94-18-100
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed September 6, 1994, 8:32 a.m.]**

Original Notice.

Title of Rule: WAC 246-853-990 Osteopathic fees, 246-802-990 Acupuncture fees, 246-922-990 Podiatry fees, and 246-847-990 Occupational therapy fees.

Purpose: Reduce surplus revenues, comply with legislative mandates, eliminate unnecessary fees.

Statutory Authority for Adoption: RCW 43.70.250.

Statute Being Implemented: Chapters 18.57, 18.57A, 18.22, 18.06, and 18.59 RCW.

Summary: Fees are being reduced to comply with audits of revenue and expenditures, fees are proposed to implement new legislation and to eliminate unnecessary fees.

Name of Agency Personnel Responsible for Drafting: Arlene Robertson, 1300 Quince Street S.E., Olympia, WA, (206) 586-8438; Implementation and Enforcement: Arlene Robertson/Carol Neva, 1300 Quince Street S.E., Olympia, WA, (206) 586-8438/753-3132.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Fees are being reduced and modified to reduce excessive revenues and comply with legislative mandates.

Proposal Changes the Following Existing Rules: Renewal fees are reduced, other fees are modified or eliminated.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. Consensus of the four professions surveyed indicated there would be no increased cost or recordkeeping or loss of sales or revenues as a result of the proposed rule changes.

Hearing Location: Department of Health, Firgrove Business Park, 1st Floor Conference Room, 2413 Pacific Avenue, Olympia, WA 98504, on October 18, 1994, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact by October 14, 1994, TDD (206) 664-0064, or 1-800-525-0127, ext 664 3722.

Submit Written Comments to: Ann Foster, Rules Coordinator, P.O. Box 47890, Olympia, WA 98504-7890, by October 14, 1994.

Date of Intended Adoption: October 18, 1994.

September 2, 1994
Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending Order 281, filed 6/25/92, effective 7/26/92)

WAC 246-853-990 Osteopathic fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Osteopath:	
Renewal	((\$410.00)) <u>\$360.00</u>
((Duplicate	15.00))
Certification	25.00
Osteopathic physician:	
Endorsement application	500.00
License renewal	((410.00)) <u>360.00</u>
Inactive license renewal	((270.00)) <u>250.00</u>
Late renewal penalty	50.00
((Flex exam/state exam application	600.00))
Inactive license reinstatement	<u>360.00</u>
Endorsement/state exam application	500.00
((Retake flex I	300.00))
Retake flex II	<u>350.00</u>)
Reexam	100.00
((Duplicate license	15.00))
Certification	25.00
Limited license application	250.00
Limited license renewal	205.00
Temporary permit application	50.00
Impaired program surcharge	15.00
Osteopathic physician assistant:	
Application	150.00
Renewal	50.00
((Duplicate license	15.00))
Certification	<u>25.00</u>
Practice plan	<u>50.00</u>
Impaired program surcharge	<u>15.00</u>

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AMENDATORY SECTION (Amending Order 295B, filed 8/13/92, effective 9/13/92)

WAC 246-802-990 Acupuncture fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application nonrefundable	\$200.00
Annual license renewal	((610.00)) <u>510.00</u>
Inactive renewal	225.00
Late renewal penalty	100.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	500.00

AMENDATORY SECTION (Amending Order 280, filed 6/25/92, effective 7/26/92)

WAC 246-922-990 Podiatry fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application (examination and reexamination)	\$500.00
Reciprocity application	400.00
License renewal	((650.00)) <u>625.00</u>
Inactive license renewal	135.00
Late renewal penalty	100.00
Duplicate license	15.00
Certification	25.00
Retired active status	150.00
Temporary practice permit	50.00
<u>Limited license application</u>	<u>150.00</u>
<u>Limited license renewal</u>	<u>200.00</u>
<u>Impaired program surcharge</u>	<u>25.00</u>

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-847-990 Occupational therapy fees. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Occupational therapist:	
Application fee (nonrefundable)	\$ 90.00
Initial license	80.00
License renewal	125.00
Limited permit fee	40.00
Late renewal fee	60.00
Duplicate	15.00
Certification	25.00
Occupational therapy assistant:	
Application fee (nonrefundable)	90.00
Initial license	80.00

License renewal	((125.00)) <u>95.00</u>
Late renewal fee	60.00
Limited permit fee	40.00
Duplicate	15.00
Certification	25.00

WSR 94-18-101
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed September 6, 1994, 10:47 a.m.]

Original Notice.
 Title of Rule: Amending WAC 415-112-415.
 Purpose: To amend rule by removing reference to sick leave.

Statutory Authority for Adoption: RCW 41.50.050.
 Summary: Amends WAC 415-112-415 to remove reference to sick leave.

Reasons Supporting Proposal: To eliminate inconsistency between statute and prior version of rule concerning leave cashouts by clarifying rule only applies to cashouts of annual leave.

Name of Agency Personnel Responsible for Drafting: Paul Neal, 1025 East Union Avenue, Olympia, 586-3368;
 Implementation and Enforcement: Jerry Long, 1025 East Union Avenue, Olympia, 753-3108.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amends WAC 415-112-415 by removing references to sick leave. Purpose is to eliminate inconsistency between prior version of rule and statutes concerning leave cashouts. Clarifies that rule applies only to cashouts of annual leave.

Proposal Changes the Following Existing Rules: Removes reference to sick leave in WAC 415-112-415.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. This rule does not impact small businesses.

Hearing Location: Department of Retirement Systems, 1025 East Union Avenue, Capital Plaza Building, 2nd Floor Boardroom, Olympia, WA 98504-8380, on October 21, 1994, at 4:00 - 5:00.

Assistance for Persons with Disabilities: Contact Paul Neal by October 17, 1994, TDD (206) 586-5450, or SCAN 321-5450.

Submit Written Comments to: Paul Neal, Department of Retirement Systems, FAX (206) 753-3166, by October 17, 1994.

Date of Intended Adoption: October 28, 1994.
 August 30, 1994
 Paul Neal
 Rules Coordinator

PROPOSED

AMENDATORY SECTION (Amending WSR 94-11-009, filed 5/5/94, effective 6/5/94)

WAC 415-112-415 Treatment of cash payments made in lieu of unused leave—First-in-first-out accounting method for determining when leave earned—Forms of leave deemed excess compensation—Conversions. (1) Cash compensation in lieu of unused annual (~~(or sick)~~) leave may be considered earnable compensation for Plan I members subject to the provisions of RCW 41.32.010 (10)(a) and WAC 415-112-410. Employers may not limit the inclusion of cash compensation paid in lieu of unused annual (~~(or sick)~~) leave as compensation earnable in conflict with RCW 41.32.010 (10)(a). Provisions of collective bargaining agreements, employment and administrative policies or other rules applied by an employer that conflict with RCW 41.32.010 (10)(a) and rules adopted thereunder are without legal effect.

(2) When an employer provides cash compensation in lieu of unused annual (~~(or sick)~~) leave, the department applies a first-in-first-out accounting method to determine when the compensated leave was earned and when or whether the leave was used or cashed out, unless the employer has in place a regulation, charter provision, ordinance, collective bargaining agreement, or other comparable written policy statement which clearly delineates when the cashed out leave was accrued, or a different method of accounting for the accrual and use of leave, and, if applicable, compensation for unused leave and the same such method is consistently applied in each instance and for all purposes.

Any employer's policy which is not consistent for all purposes which is contained in a regularly negotiated labor agreement in effect on the effective date of this section will be honored until the expiration date of the agreement not including any extensions at which time it will be brought into compliance with this section. Any employer's policy which is not consistent for all purposes which is established by the employer shall be brought into compliance within sixty days of the effective date of this section. In the event an employer fails to come into full compliance with this section by the dates established herein, the department will treat cashed out leave on the same basis as the employer has established for using leave.

(3) A cash out of leave which is not annual leave as defined under WAC 415-112-015, shall be treated by the department as "any other form of leave" under RCW 41.50.150(2). The department shall bill the employer for any such leave cash out as excess compensation under RCW 41.50.150.

(4) For purposes of determining average final compensation and excess compensation, hours of leave earned by a member shall be considered for all purposes in the form in which it was earned. The department shall disregard any conversion of leave by an employer of one form to another and bill the employer for the amount converted as excess compensation pursuant to RCW 41.50.150.

WSR 94-18-102

WITHDRAWAL OF PROPOSED RULES BOARD OF BOILER RULES

(By the Code Reviser's Office)

[Filed September 6, 1994, 10:50 a.m.]

WAC 296-104-281, proposed by the Board of Boiler Rules in WSR 94-05-072, appearing in issue 94-05 of the State Register, which was distributed on March 2, 1994, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 94-18-103

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF HEALTH

(By the Code Reviser's Office)

[Filed September 6, 1994, 10:51 a.m.]

WAC 246-830-485, proposed by the Department of Health in WSR 94-05-080, appearing in issue 94-05 of the State Register, which was distributed on March 2, 1994, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 94-18-104

WITHDRAWAL OF PROPOSED RULES MULTIMODAL TRANSPORTATION PROGRAMS AND PROJECTS SELECTION COMMITTEE

(By the Code Reviser's Office)

[Filed September 6, 1994, 10:52 a.m.]

WAC 240-20-075, proposed by the Multimodal Transportation Programs and Projects Selection Committee in WSR 94-05-100, appearing in issue 94-05 of the State Register, which was distributed on March 2, 1994, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 94-18-106

PROPOSED RULES DEPARTMENT OF FINANCIAL INSTITUTIONS

(Division of Credit Unions)

[Filed September 6, 1994, 12:33 p.m.]

Continuance of WSR 94-13-044.

Title of Rule: Credit union field of membership expansion, chapter 419-72 WAC.

Hearing Location: General Administration Building, Auditorium, 11th and Columbia, Olympia, Washington 98504, on December 15, 1994, at 10:30.

Assistance for Persons with Disabilities: Contact Chris Martin by December 8, 1994, TDD (206) 664-8126.

Submit Written Comments to: Division of Credit Unions, P.O. Box 41204, Olympia, WA 98504-1204, FAX (206) 753-6070, by December 15, 1994.

Date of Intended Adoption: December 22, 1994.

August 30, 1994

John L. Bley

Director

WSR 94-18-107
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Division of Credit Unions)
 [Filed September 6, 1994, 12:34 p.m.]

Continuance of WSR 94-13-043.

Title of Rule: Credit union common bond definition, chapter 419-70 WAC.

Hearing Location: General Administration Building, Auditorium, 11th and Columbia, Olympia, Washington 98504, on December 15, 1994, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Chris Martin by December 8, 1994, TDD (206) 664-8126.

Submit Written Comments to: Division of Credit Unions, P.O. Box 41204, Olympia, WA 98504-1204, FAX (206) 753-6070, by December 15, 1994.

Date of Intended Adoption: December 22, 1994.

August 30, 1994

John L. Bley

Director

WSR 94-18-122
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Filed September 7, 1994, 10:07 a.m.]

Original Notice.

Title of Rule: Dredged material disposal site proprietary fee increase.

Purpose: Amend WAC 332-30-166 to increase proprietary fees for disposal of dredged material to open water sites in Puget Sound and the Straits of Juan de Fuca. Also amend this rule to reflect existing fees for Grays Harbor and Willapa Bay dredge material disposal sites.

Other Identifying Information: Sites are established under the Puget Sound dredged disposal analysis program (PSDDA).

Statutory Authority for Adoption: RCW 79.90.560, 79.90.555, and 79.90.550.

Statute Being Implemented: RCW 43.30.150.

Summary: The proprietary fee funds environmental monitoring of the dredged material disposal sites required by both federal and state regulatory agencies. A drop in revenue requires an increase in the proprietary fee in order to meet monitoring requirements to keep the sites open for use.

Reasons Supporting Proposal: The legislature has determined that management and environmental monitoring of open water dredge material disposal sites is necessary to protect the environment and to assure appropriate use of state lands. Without the rule change, DNR may not have funds to monitor the sites and will have to close them.

Name of Agency Personnel Responsible for Drafting: Phil Hertzog, Olympia, (206) 902-1066; Implementation and Enforcement: Celia Barton, Olympia, (206) 902-1086.

Name of Proponent: Washington Department of Natural Resources, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Recommend adoption of the attached language.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment of WAC 332-30-166 will increase the dredged material disposal site proprietary use fee from \$0.40/cubic yard (cy) to \$0.45/cy for open water sites in Puget Sound and the Straits of Juan de Fuca. The fee covers the Department of Natural Resources' dredged material disposal site administrative and site environmental monitoring expenses. Regulatory agencies require the environmental monitoring of the disposal sites. Without the fee increase, the Department of Natural Resources would not be able to meet its environmental monitoring requirements and, the disposal sites would be closed. Closure of the disposal sites could result in loss of water-dependent jobs that rely on maintenance of navigational channels.

Proposal Changes the Following Existing Rules: Amends WAC 332-30-166 to increase the dredged material disposal site proprietary use fee from \$0.40/cy to \$0.45/cy for open water sites in Puget Sound and the Straits of Juan de Fuca. WAC 332-30-166 also is amended to include the existing proprietary fee of \$0.10/cy for use of Grays Harbor and Willapa Bay open water disposal sites.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Phil Hertzog, Department of Natural Resources, P.O. Box 47027, Olympia, WA 98504-7027, phone (206) 902-1066, or FAX (206) 902-1786.

Hearing Location: Federal Center South (Corps Office), Joint Use Auditorium North, 4735 East Marginal Way South, Seattle, WA, on October 13, 1994, at 2 p.m. - 5 p.m.

Assistance for Persons with Disabilities: Contact Phil Hertzog, by October 7, 1994, 902-1066.

Submit Written Comments to: Phil Hertzog, Department of Natural Resources, P.O. Box 47027, Olympia, WA 98504-7027, FAX (206) 902-1786, by October 21, 1994.

Date of Intended Adoption: November 1, 1994.

September 6, 1994

Jennifer M. Belcher, Chair
Board of Natural Resources

AMENDATORY SECTION (Amending WSR 90-02-085, filed 1/3/90, effective 2/3/90)

WAC 332-30-166 Open water disposal sites. (1)

Open water disposal sites are established primarily for the disposal of dredged material obtained from marine or fresh waters. These sites are generally not available for disposal of material derived from upland or dryland excavation except when such materials would enhance the aquatic habitat.

(2) Material may be disposed of on state-owned aquatic land only at approved open water disposal sites and only after authorization has been obtained from the department. Applications for use of any area other than an established site shall be rejected. However, the applicant may appeal to the interagency open water disposal site evaluation committee for establishment of a new site.

(3) Application for use of an established site must be for dredged material that meets the approval of federal and state agencies and for which there is no practical alternative upland disposal site or beneficial use such as beach enhancement.

(4) The department will only issue authorization for use of the site after:

(a) The environmental protection agency and department of ecology notify the department that, in accordance with Sections 404 and 401, respectively, of the Federal Clean Water Act, the dredged materials are suitable for in-water disposal and do not appear to create a threat to human health, welfare, or the environment; and

(b) All necessary federal, state, and local permits are acquired.

(5) Any use authorization granted by the department shall be subject to the terms and conditions of any required federal, state, or local permits.

(6) The department shall suspend or terminate any authorization to use a site upon the expiration of any required permit.

(7) All leases for use of a designated site must require notification to DNR in Olympia twenty-four hours prior to each use. DNR Olympia must be notified five working days prior to the first use to permit an on-site visit to confirm with dump operator the site location.

(8) Pipeline disposal of material to an established disposal site will require special consideration.

(9) Fees will be charged at rates sufficient to cover all departmental costs associated with management of the sites. Fees will be reviewed and adjusted annually or more often as needed. A penalty fee may be charged for unauthorized dumping or dumping beyond the lease site. Army Corps of Engineers navigation channel maintenance projects (~~(where there is no local sponsor))~~ where there is no local sponsor are exempt from this fee schedule.

FEES

(a) Puget Sound and Strait of Juan De Fuca:

~~((+))~~ All disposal sites ~~((-\$0.40))~~ \$0.45 per cubic yard ~~((e-y-f-))~~ (c.y.), \$2,000 minimum ~~((f-h-))~~

(b) Grays Harbor/Willapa ~~(Harbor)~~ Bay: All disposal sites \$0.10 per cubic yard (c.y.), m((M)) inimum fee \$300.00

(c) Damage fee - \$5.00/cubic yard

(10) Open water disposal site selection. Sites are selected and managed by the department with the advice of the interagency open water disposal site evaluation committee (a technical committee of the aquatic resources advisory committee). The committee is composed of representatives of the state departments of ecology, fisheries, game, and natural resources as well as the Federal Army Corps of Engineers, National Marine Fisheries Service, Environmental Protection Agency, and Fish and Wildlife Service. The department chairs the committee. Meetings are irregular. The committee has developed a series of guidelines to be used in selecting disposal sites. The objectives of the site selection guidelines are to reduce damage to living resources known to utilize the area, and to minimize the disruption of normal human activity that is known to occur in the area. The guidelines are as follows:

(a) Select areas of common or usual natural characteristics. Avoid areas with uncommon or unusual characteristics.

(b) Select areas, where possible, of minimal dispersal of material rather than maximum widespread dispersal.

(c) Sites subject to high velocity currents will be limited to sandy or coarse material whenever feasible.

(d) When possible, use disposal sites that have substrate similar to the material being dumped.

(e) Select areas close to dredge sources to insure use of the sites.

(f) Protect known fish nursery, fishery harvest areas, fish migration routes, and aquaculture installations.

(g) Areas proposed for dredged material disposal may require an investigation of the biological and physical systems which exist in the area.

(h) Current velocity, particle size, bottom slope and method of disposal must be considered.

(i) Projects transporting dredged material by pipeline will require individual review.

(j) Placement of temporary site marking buoys may be required.

(k) The department will assure disposal occurs in accordance with permit conditions. Compliance measures may include, but are not limited to, visual or electronic

surveillance, marking of sites with buoys, requiring submittal of operator reports and bottom sampling or inspection.

(l) Special consideration should be given to placing material at a site where it will enhance the habitat for living resources.

(m) Locate sites where surveillance is effective and can easily be found by tugboat operators.

(11) The department shall conduct such subtidal surveys as are necessary for siting and managing the disposal sites.

WSR 94-18-124
PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed September 7, 1994, 10:12 a.m.]

Original Notice.

Title of Rule: Various rules under Title 50 RCW, pertaining to unemployment insurance compensation.

Purpose: To delete verbatim quotes and update regulations to comply with current statutory language, without changing the substance or intent of the regulations.

Statutory Authority for Adoption: RCW 50.12.010.

Summary: WAC 192-12-030 and 192-12-150 are revised to delete outdated statutory language. WAC 192-16-036, 192-16-040, 192-16-042, 192-16-045, and 192-16-047 are revised to refer to current language in RCW 50.22.020 and 50.20.050. WAC 192-10-320 is repealed because it refers to the federal WIN program, which has been repealed by congress.

Reasons Supporting Proposal: Housekeeping changes, to update regulations to comply with current statutory language.

Name of Agency Personnel Responsible for Drafting: Juanita Myers, 212 Maple Park, (206) 753-5131; Implementation and Enforcement: Dale Ziegler, 212 Maple Park, (206) 753-5120.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed changes are of a housekeeping nature only. The amendments to WAC 192-12-030 and 192-12-150 are necessary because the statutes quoted therein no longer accurately reflect the current language of those statutes. Other amendatory sections are filed to clarify language and to comply with amendatory language passed during the 1993 legislative session. WAC 192-10-320 is repealed because the federal program to which it refers has been repealed by congress. It is anticipated that the only effect of these changes will be to provide clarity to employers and claimants.

Proposal Changes the Following Existing Rules: All changes are nonsubstantive, bringing the existing rules into line with existing state and federal statutes.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? No. The proposed changes will not result in any additional costs to business.

Hearing Location: Employment Security Department, 605 Woodland Square Loop, 2nd Floor Conference Room, Lacey, WA, on October 13, 1994, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact ESD Affirmative Action by October 10, 1994, TDD (206) 753-5198, or (206) 586-6456.

Submit Written Comments to: John Nemes, Rules Coordinator, OMR, P.O. Box 9046, Olympia, WA 98507-9046, FAX (206) 438-3226, by October 12, 1994.

Date of Intended Adoption: October 28, 1994.

Dale M. Ziegler
Assistant Commissioner

AMENDATORY SECTION [(Amending Order 1-78, filed 8/14/78)]

WAC 192-12-030 Reports required of persons or entities for whom personal services are performed as provided by RCW 50.12.070 and 50.20.150. ((RCW 50.12.070 provides:

~~"* * * The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he deems necessary for the effective administration of this act. Each employer shall make periodic reports at such intervals as the commissioner may by regulation prescribe, setting forth the remuneration paid for employment to workers in its employ, the names of all such workers and such other information as the commissioner may by regulation prescribe."~~

RCW 50.20.150 provides:

~~"The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If during the benefit year, the applicant becomes unemployed after having accepted subsequent work, and files a claim for waiting period credit or benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes."~~

RCW 50.32.020 provides:

~~"The applicant or claimant, his most recent employing unit or any interested party which the commissioner by regulation prescribes, may file an appeal from any determination or redetermination with the appeal tribunal within ten days after the date of notification or mailing, whichever is earlier, of such determination or redetermination to his last known address: * * *" RCW 50.12.010 provides:~~

~~"It shall be the duty of the commissioner to administer this act. He shall have the power and authority to adopt,~~

~~amend, or rescind such rules and regulations, * * * as he deems necessary or suitable to that end. * * *~~
~~The commissioner accordingly prescribes:))~~

(1) **Employer's status report.** Every person or entity which has or subsequent to January 1, 1936, had one or more individuals performing services for it in the state of Washington shall have on file with the commissioner immediately after the effective date of this regulation an employer's status report in ~~((accordance with the form therefor furnished))~~ a format prescribed by the commissioner.

(2) **Contribution and wage reports:**

(a) **Contribution report.** Each employer shall not later than the last day of the month following the expiration of any calendar quarter file with the commissioner, ~~((on forms))~~ in a format which the commissioner shall ~~((furnish))~~ prescribe, a report with respect to such quarter setting forth the wages paid for employment to individuals in ~~((his))~~ its employ. Calendar quarters shall be deemed to end March 31, June 30, September 30 and December 31 respectively of each year.

(b) **Wage report.** Each employer shall not later than the last day of the month following the expiration of such calendar quarter file with the commissioner, on forms which the commissioner shall furnish, a report with respect to such calendar quarter setting forth the wages paid during such calendar quarter for employment to individuals in ~~((his))~~ its employ, the number of hours worked by each individual, the names of such individuals and their social security account numbers. Exceptions to the foregoing provisions (2)(a) and (b) relative to the time and manner of reporting shall be allowed only after application has been made requesting exceptions and the application has been approved by the commissioner.

(c) **Termination of business.** Each employer who ceases business or for any reason causes ~~((his))~~ its account to be closed by the department shall immediately file:

(i) A contribution report with respect to the current calendar quarter which report shall cover contributions due to the date such account is closed;

(ii) A quarterly wage report with respect to the current calendar quarter as provided in section (2)(b) of this regulation which report shall include all wages paid to the date such account is closed.

(d) **Reports for maritime service.**

(i) **Maritime contribution reports.** Contribution reports with respect to wages, including advances, allotments, slops, and payment in kind, such as board and lodging, earned in any pay period shall be submitted as of the calendar quarter in which any such wages in cash were actually paid or such wages in kind were furnished, except that any of such items which are unknown to the reporting office will be considered paid in the calendar quarter in which the voyage is terminated.

(ii) **Maritime wage reports.** Individual wage detail reports on wages falling within the purview of this regulation

need not be filed prior to the time when reports regarding wages paid at the termination of such period must be filed; except, however, supplemental quarterly wage detail reports shall be filed whenever wages involved were actually paid in a previous calendar quarter. Such supplemental report shall be filed along with the related contribution report.

(iii) **Maritime special reports.** The employer shall, upon request of the commissioner, promptly furnish a statement of the wages of a seaman, whenever such statement is necessary in order to determine such seaman's eligibility for and rate of benefits. Such statements shall be prepared and submitted in such a manner as the commissioner may in each case prescribe.

(3) **Report of circumstances of applicant's separation from employment.** Whenever an individual files an application for an initial determination or thereafter lapses his or her reporting at the local office and later renews such reporting following intervening employment, a notice of such filing or renewal shall be mailed to the applicant's most recent employing unit as stated by the applicant. Any employing unit receiving such a notice and having knowledge of any factors which might render the applicant ineligible for waiting period credit or benefits shall report such factors to the employment security department at the address indicated on the notice within ten days of the date of mailing of such notice. The absence of the receipt of the employing unit's report within the ten day period shall be deemed to justify allowances to the applicant of waiting period credit and the payment of benefits, provided the applicant is in all respects eligible.

In the event that information reported by an employing unit, in response to either of the notices required herein, is claimed by the employing unit to require disqualification from allowance of waiting period credit or payment of benefits, a determination of benefit rights will be made and a copy of such determination mailed to the employing unit.

(4) **Low earnings report.** When requested to do so by an authorized representative of the commissioner any person or entity for whom personal services are performed by individuals working less than full time during a "week" as defined in WAC 192-12-020 with resulting loss of earnings, to wit: Less than the maximum weekly benefit amount established by law, shall thereafter file with the nearest employment office, ~~((upon forms furnished))~~ in a format prescribed by the commissioner, a report of low earnings with respect to such individuals for all weeks designated in the request.

(5) **Labor dispute report.** When any person or entity for whom personal services are performed has substantially curtailed or stopped operation by reason of a labor dispute or should such person or entity have reason to believe that such substantial curtailment or stoppage is due to a labor dispute, it shall advise the nearest employment office in writing of the date of the commencement of such substantial curtailment or stoppage of operations and upon the demand of the commissioner shall furnish, upon forms furnished by

the commissioner, a report setting out the conditions under which such substantial curtailment or stoppage of operations occurred, together with the names, social security account numbers and job classifications of the individuals involved. Changes in the condition under which the labor dispute arose or in the status of any such individuals, occurring during the course of the dispute, shall be reported in the same manner.

Subsequent to the termination of the labor dispute, such person or entity shall advise the nearest employment service office in writing of the date of the termination of the labor dispute.

(6) **Vacation reports.** Each employer temporarily ceasing or substantially curtailing operations in order to allow a vacation period for individuals in its employ pursuant to an employment contract shall seven days prior to cessation or substantial curtailment of operations file with the nearest employment office a report giving the date of commencement and duration of the vacation period and shall further, upon the demand of the commissioner, furnish a report setting forth (a) the name of each individual ceasing work by reason of such cessation or curtailment of operations; (b) ~~((his))~~ each individual's Social Security account number; (c) the amount of wages or remuneration, if any, paid or payable to each individual for the vacation period; and (d) the identity of such individuals who have been or will be granted vacations during some other period.

(7) **Report form instructions.** All instructions ~~((containing on any report form))~~ issued by the employment security department for the preparation of forms or formats shall have the same force and effect as if such instructions had been incorporated into and made a part of this regulation.

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

AMENDATORY SECTION [(Amending Order 1-78, filed 8/14/78)]

WAC 192-12-150 Payment of benefits to partially unemployed persons and stand-by workers as provided by RCW 50.04.310, 50.20.010, and 50.20.130. ~~((RCW 50.20.130 provides: ". . . Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less seventy five percent of that part of the remuneration (if any) payable to him with respect to such week which is in excess of five dollars. . . ."~~

RCW 50.20.010 provides: "An unemployed individual shall be eligible to receive waiting period credit or benefits with respect to any week only if the commissioner finds that

"(1) he has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other

types of cases or situations with respect to which he finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title; . . ."

~~RCW 50.04.310 provides: "An individual shall be deemed to be 'unemployed' in any week during which he performs no services and with respect to which no remuneration is payable to him, or in any week of less than full time work, if the remuneration payable to him with respect to such week is less than his weekly benefit amount. The commissioner shall prescribe regulations applicable to unemployed individuals making such distinctions in the procedures as to such types of unemployment as the commissioner deems necessary."~~

~~RCW 50.12.010 provides: "The commissioner shall administer this title. He shall have the power and authority to adopt, amend, or rescind such rules and regulations, . . . as he deems necessary or suitable to that end. . . ."~~

~~The commissioner accordingly prescribes:))~~

(1) **Definitions.**

(a) The term "employer" as used in this regulation shall mean any person or entity for whom personal services are performed for wages.

(b) A partially unemployed individual is one who during a particular week earned some remuneration but less than his or her weekly benefit amount, was employed by his or her regular employer and worked less than his or her normal customary full hours for such regular employer because of lack of full-time work.

(c) With respect to a partially unemployed individual whose remuneration is paid on a calendar week basis, a week of partial unemployment shall consist of the calendar week.

(d) With respect to partially unemployed individuals whose pay periods do not coincide with calendar weeks, remuneration earned during such pay periods may, if not allocated by the employer, be allocated by a representative of the commissioner directly from the employer's payroll records or from certified earnings reports from the employer to each calendar week during which such remuneration was earned.

(e) A "stand-by" worker is an individual who is totally unemployed, but who expects to resume work with his or her regular employer within a reasonable time and whose best interests and those of ~~((his))~~ the individual's regular employer are served, in the judgment of the commissioner, by ~~((his))~~ the individual remaining in readiness to resume such work.

(2) **Employer responsibility in the initiation of first claim for partial benefits in a new spell of partial unemployment.**

(a) Immediately after the termination of any week beginning a new spell of partial unemployment in which an employer has furnished any individual in ~~((his))~~ its employ less than such individual's customary full time hours of work and earnings of less than the maximum weekly benefit

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amount established by law, or, if weekly benefit amount is known, earnings less than such weekly benefit amount, such employer shall either

(i) Advise the worker that he or she may be entitled to partial benefits by handing ~~((him))~~ the worker a weekly low earnings report or a substitute device for presentation at an employment office, or

(ii) Notify the local employment office nearest the establishment and await and abide by the instructions of that office concerning the taking of claims.

(3) **Weekly low earnings report or substitute devices.** After the employer has given notice to individuals in ~~((his))~~ its employment and/or the employment office, as required above, ~~((he))~~ the employer shall, throughout the continuance of the spell of partial unemployment, after the termination of each pay period within such spell, issue to each affected individual a weekly low earnings report showing the actual earnings of each such individual for each week of partial unemployment occurring within such pay period or shall furnish such individual with a payroll by-product. Such weekly low earnings reports or payroll by-products shall be issued by the employer not more than thirty days after the end of the week of partial unemployment to which they pertain. The payroll by-product must show in ink or typewriting:

(a) The name and official unemployment compensation code number of the employer;

(b) The name and social security account number of the individual in employment;

(c) The beginning or ending date of such week;

(d) The amount of remuneration earned in such week;

(e) The following certification: "I certify that the above amount represents reduced earnings in a week of less than full-time work because of lack of work."

(f) A signature (actual or facsimile) by the employer to the above certification, or other positive identification of the authority supplying the evidence.

In the event the local employment office furnishes a representative at the employer's establishment for the purpose of taking the claims and obtaining from the employer verification of earnings and affirmative evidence that all available work with such employer was taken by each claimant, no such low earnings report or substitute thereof shall be required.

Utilization of the payroll by-product is permissible only in the event the pay period for partial unemployment coincides with the calendar week.

(4) **Registration and filing of claims for partial unemployment.** An individual attached to a regular job may file a claim with respect to any calendar week during the next succeeding four calendar weeks following the receipt from the employer of information as to his or her earnings in any such week: *Provided*, That if the commissioner finds that the failure of any individual to file a claim for partial unemployment benefits within such four weeks was due to failure on the part of the employer to comply

with any of the provisions of subsection (b) and (c) above of this regulation, or to coercion or to intimidation exercised by the employer to prevent the prompt filing of such claim, or to failure by the employment security department to discharge its responsibilities promptly in connection with such partial unemployment, the commissioner shall extend the period during which such claim may be filed to a date which shall be not less than one week after the individual has received appropriate notice of his or her potential rights to benefits and his or her earnings during the period of such partial unemployment.

A partially unemployed applicant for benefits who is attached to a regular job shall not be required to register for work in any week with respect to which ~~((he))~~ the applicant is partially unemployed, and prior registration shall not be a condition precedent to the filing of a claim for benefits for partial unemployment. Registration for work, initial applications, and claims for waiting period credit and benefits may be filed by mail on forms furnished by the employment security department, and given the same effect as though filed in person at an established employment security office whenever, in the judgment of the commissioner, the personal reporting of such claimant is or becomes impracticable.

(5) **Registration and filing of claims by "stand-by" workers.** The commissioner may waive the requirement of registration for work by a "stand-by" worker during the first four weeks of such worker's unemployment, and in such event prior registration shall not be a condition precedent to filing a claim for benefits for such four weeks. Such worker shall, however, during any calendar week for which benefits are claimed report in person, and in the next succeeding period of two calendar weeks shall make a certification with respect to the week for which benefits are claimed: *Provided*, That registration for work, initial applications, and claims for waiting period credit and benefits may be filed by mail on forms furnished by the employment security department, and given the same effect as though filed in person at an established employment security office whenever, in the judgment of the commissioner, the personal reporting of such claimant is or becomes impracticable; and *Provided further*, That whenever failure to comply with this regulation is for reasons which, in the judgment of the commissioner, constitute good cause, the commissioner may make such exceptions to this regulation as he deems necessary.

Whether or not any claimant shall be determined by the commissioner to be in a "stand-by" status shall depend upon the length of the prospective period of unemployment, the availability of other suitable work, the temporary or permanent nature of the new prospective employment, the effect upon the employer and the worker of acceptance of new employment, the nature of the contract to be entered into by the worker in prospective new employment, and such other factors as the commissioner deems pertinent.

(6) **Employer records in connection with partial unemployment.** Each employer shall maintain its payroll records in such form that it will be possible from an inspec-

tion thereof by the employment security department to determine with respect to each individual in its employ who may be eligible for partial benefits: (a) Remuneration earned, by weeks, in such manner as to make possible and practical the allocating to calendar weeks of remuneration earned if the pay period does not coincide with calendar weeks; (b) whether any week was in fact a week of less than full-time work; and (c) time lost, if any, by each such worker, due to his or her unavailability for work.

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

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

AMENDATORY SECTION [(Amending Order 6-82, filed 8/17/82)]

WAC 192-16-036 Interpretive regulation—Qualification for regular shareable, extended, or additional benefits under RCW 50.20.050(4). (~~RCW 50.22.020(7) provides that individuals cannot requalify for regular shareable or extended benefits unless such requalification is based upon employment subsequent to the date of the disqualifying separation.~~

~~RCW 50.22.100(3) provides that eligibility for additional benefits shall be determined and paid under the same terms and conditions as extended benefits.)~~

An individual disqualified under RCW 50.20.050(4) who has requalified on the basis of reporting for ten weeks will not be eligible for regular shareable, extended, or additional benefits unless such an individual has, subsequent to the disqualifying separation, (performed) obtained work ((in each of five weeks earning not less than)) and earned wages equal to five times his or her suspended weekly benefit amount ((in each of such weeks)). This requirement shall not apply to weeks of unemployment exempted by RCW 50.22.020.

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

AMENDATORY SECTION [(Amending Order 6-82, filed 8/17/82)]

WAC 192-16-040 Interpretive regulation—Good prospects of obtaining work within a reasonably short period of time under RCW 50.22.020(3)—Shareable, extended, or additional benefits. As provided in ((For the purpose of)) RCW 50.22.020(((3))), an individual shall be deemed to have a good prospect for work within a reasonably short period of time if said individual has (1) a definite recall or hire date, within five weeks, or (2) a probable recall or hire date within five weeks, based on an extremely favorable position on a union out-of-work list, seasonal factors, or historical experience. This provision shall not

apply to any week of unemployment specifically exempted by the statute.

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

AMENDATORY SECTION [(Amending Order 6-82, filed 8/17/82)]

WAC 192-16-042 Interpretive regulation—Failure to apply for or accept work under RCW 50.22.020 (4)(b)—Shareable, extended, or additional benefits. (~~RCW 50.22.020(4) provides, in part:~~

~~"Extended compensation shall not be denied under subsection (1)(a) of this section to any individual for any week by reason of a failure to accept an offer of, or apply for, suitable work if: . . . (b) The position was not offered to such individual in writing and was not listed with the employment security department";~~

~~This section means that))~~ As provided in RCW 50.22.020, a person will be disqualified from receiving extended, shareable, or additional benefits for failure to accept or apply for suitable work((, as defined in RCW 50.22.020(3)),) if the job at issue was either offered to the person in writing or was listed with the employment security department and the other requirements of ((that subsection)) the statute have been met. This regulation shall not apply to any week of unemployment exempted by the statute.

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

AMENDATORY SECTION [(Amending Order 6-82, filed 8/17/82)]

WAC 192-16-045 Interpretive regulation—Disqualification for failing to accept an offer of or to apply for suitable work—Shareable, extended, or additional benefits. (1) If, during a week for which an individual has claimed regular shareable, extended, or additional benefits, he or she fails to accept any offer of work or fails to apply for any work to which he or she was referred by the employment security department:

(a) Such individual will be disqualified from benefits under the terms of RCW 50.20.080 if the work was "suitable" under the provisions of RCW 50.20.100 and RCW 50.20.110 and if the individual's failure was without "good cause";

(b) Such individual, if disqualified from benefits under RCW 50.20.080 as provided in subparagraph (a) above, will further be disqualified from regular shareable, extended, and additional benefits ((under)) as provided by RCW 50.22.020 (((1)(a) and (2) unless this additional disqualification is precluded by RCW 50.22.020(4))));

(c) Such individual may be disqualified from ((regular shareable or extended)) benefits under only the provisions of RCW 50.22.020 (((1)(a) and (2))) if ((the work was not

~~"suitable" under)) the provisions of RCW 50.20.100 and RCW 50.20.080 have been met ((or if the individual had "good cause" in refusing the work)).~~

(2) This regulation shall not apply to any week of unemployment exempted by RCW 50.22.020.

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

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

AMENDATORY SECTION [(Amending Order 6-82, filed 8/17/82)]

WAC 192-16-047 Interpretive regulation— Interpretation of requirements of RCW 50.22.020(5)— Tangible evidence of a systematic and sustained effort to obtain work—Shareable, extended, or additional benefits. Work search efforts for individuals claiming shareable and extended benefits must be of a quality and frequency that would clearly indicate that the individual is making sincere efforts to immediately return to gainful employment.

The completed work search section of the continued claim form which includes the date of work seeking contact, the name of the employer or union involved, and the type of work sought will be considered as tangible but not conclusive evidence of a systematic and sustained effort to obtain work.

An individual engaged in a training program approved by the commissioner in accordance with the requirements of 26 U.S.C. § 3304(a)(8), WAC 192-12-182, and 192-12-184 will be deemed to meet the requirements of RCW 50.22.020(5).

This regulation shall not apply to any week of unemployment exempted by RCW 50.22.020.

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

AMENDATORY SECTION [(Amending Order 4-84, filed 6/18/84)]

WAC 192-23-320 Failure to respond to a request for documentation of a systematic and sustained work search. As provided in RCW 50.22.020: (1) If a claimant is receiving shareable or extended benefits and fails to report a systematic and sustained work search and fails to respond to a request to provide work search information, the claimant shall be presumed to have failed to actively engage in seeking work and be subject to denial of benefits (~~(pursuant to RCW 50.22.020 (1) and (2))~~).

(2) The denial of benefits under this section is indefinite in nature and shall continue until the requalifying provisions (~~(of RCW 50.22.020(2))~~) are met.

(3) This regulation shall not apply to any week of unemployment exempted by the statute.

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

REPEALER

WAC 192-10-320.

**WSR 94-18-126
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed September 7, 1994, 10:46 a.m.]

Original Notice.

Title of Rule: WAC 296-17-855 Experience modification, 296-17-875 Table I primary losses for selected claim values, 296-17-880 Table II "B" and "W" values, 296-17-885 Table III expected loss rates and D-ratios, 296-17-890 Table IV maximum experience modifications for firms with no compensable accidents, 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry, 296-17-919 Table I retrospective rating plans A, A1, A2, A3, and B, 296-17-920 Assessment for supplemental pension fund, 296-17-640 Classification 4504 and 296-17-727 Classification 6605; proposed new WAC (legislative mandate) WAC 296-17-925 Student volunteers; and proposed new WAC 296-17-73111 Classification 6620.

Purpose: **Industrial Insurance Rates:** The purpose of this proposal is to establish 1995 experience rates for the 300 industry risk classifications in order to ensure the actuarial solvency of the state fund and appropriate distribution of premiums. **Student Volunteers:** The purpose is to accommodate legislation passed during the 1994 legislative session that mandated medical aid coverage be available to for-profit employers who participate in school district approved shadowing programs for students grades K-12. **Entertainers:** The purpose for classifying entertainers in a unique risk class is [to] implement more responsive rates to changes in industry hazard, greater financial incentives for employers who maintain safer work environments for their workers, and a more equitable workers compensation rate setting process for these industry groups.

Statutory Authority for Adoption: RCW 51.04.020.

Statute Being Implemented: RCW 51.16.035.

Summary: This packet proposes the 1995 rates for each industrial insurance classification and related tables and values. It will also add new WACs covering student volunteers (legislative mandate) and entertainers, including a new risk classification and rate.

Reasons Supporting Proposal: This proposal is needed to ensure actuarial solvency of the accident, medical aid and supplemental pension funds and to ensure appropriate distribution of premiums.

Name of Agency Personnel Responsible for Drafting: Mary Pat Fredrick/Beth Johnson, Tumwater, 956-4739/956-4741; Implementation and Enforcement: Theresa

Whitmarsh/Mary Pat Fredrick, Tumwater, 956-4209/956-4739.

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: **Industrial Insurance Rates:** The purpose of this proposal is to establish 1995 experience rates for the 300 industry risk classifications in order to ensure the actuarial solvency of the state fund and appropriate distribution of premiums. There is no revision to the base rates. There is, however, adjustments to be made to each of the individual risk classifications to more accurately reflect more current loss experience associated with each industry. The anticipated effect of holding base rates at no increase but adjusting individual risk classifications to reflect current loss experience will enable the department to adequately pay industrial insurance claims while maintaining the solvency of the state fund. **Student Volunteers:** The purpose is to accommodate legislation passed during the 1994 legislative session that mandated medical aid coverage be available to for-profit employers who participate in school district approved shadowing programs for students grades K-12. The effect provides protection under industrial insurance for employers who participate in these programs and also affords medical aid benefits to any student volunteer who may be injured and whose employer elects such coverage. There is no adverse financial impact anticipated on the state fund. **Entertainers:** The purpose for classifying entertainers in a unique risk class is [to] implement more responsive rates to changes in industry hazard, greater financial incentives for employers who maintain safer work environments for their workers, and a more equitable workers compensation rate setting process for these industry groups. The effect under this proposal is that employers with operations subject to the new classification would experience a premium rate increase of approximately 19 cents per work hour over the 1994 rate level. Employers remaining in the original risk class(es) would experience a rate reduction of just over 10 cents per hour. The overall reduction in premium is approximately \$166,219 to be paid under the dual classification proposal.

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Mary Pat Frederick, Program Manager for Policy Management Services, Department of Labor and Industries, P.O. Box 44140, Olympia, WA 98504-4140, phone (206) 956-4739, or FAX (206) 956-4721.

Hearing Location: On October 25, at 8:30 a.m., Seattle, Best Western Executel, Olympic Room, 20717 Pacific Highway South. Contact person: Liz Bolian, (206) 878-1814. Directions: Take Exit 151 (for 200th Street). Turn left at the stop sign (Military Road). At the first stop light,

turn left again (200th). At the second stop light on 200th, turn left onto International Boulevard (aka 99th or Pacific Highway). Best Western is at the bottom of the hill on the right-hand side; on October 26, at 8:30 a.m., Spokane, Red Lion Inn, Ponderosa Room, North 1100 Sullivan Road. Contact person: Kelly Lindlies, (509) 922-6513. Directions: Take Exit 291 and turn right. At the first stop light turn left and go into the Red Lion parking lot; on October 27, at 8:30 a.m., Yakima, Red Lion, Naches Room, 1507 North First Street. Contact person: Kim Hary, (509) 248-7850. Directions: Take a right out of the airport on Washington. Go to 16th Street (first light) and turn left on 16th; go to Highway 12 (about 5 miles). Take the ramp to the right; get on Highway 12; then get on 1st Street exit; when you get to the bottom go right. It is three blocks down on the left; and on October 28, at 8:30 a.m., Olympia, Department of Labor and Industries, Auditorium, 7273 Linderson Way S.W.

Assistance for Persons with Disabilities: Contact Beth Johnson by October 10, 1994, TDD (206) 956-4741.

Submit Written Comments to: FAX (206) 956-4721, by October 28, 1994.

Date of Intended Adoption: November 28, 1994.

September 7, 1994

Mark O. Brown

Director

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-640 Classification 4504.

Theatres all types

This classification includes managers, stage hands, box office employees, parking lot attendants, ushers, motion picture operators, snack bar employees, clerical office and sales personnel but excludes actors, performers, players, musicians and/or entertainers ((rated)) which are to be reported separately under risk classifications 6605 (WAC 296-17-727) and 6620 (WAC 296-17-73111).

AMENDATORY SECTION (Amending Order 85-33, filed 11/27/85, effective 1/1/86)

WAC 296-17-727 Classification 6605.

Actors and performers, N.O.C.

Dance halls - all employment

~~((Entertainers, N.O.C.))~~

Musicians, N.O.C.

~~((Players, entertainers and musicians hired by theatres, N.O.C.))~~

This classification includes actors, performers, players and musicians of theaters but excludes entertainers such as ballet, dance, gymnastics, ice dance/skate performers which are to be reported separately under risk classification 6620 (WAC 296-17-73111).

NEW SECTION

WAC 296-17-73111 Classification 6620.

Entertainers, N.O.C.

This classification covers entertainers whose routines and performances are of a physical nature such as but not limited to ballet, dance, gymnastics, and ice dance/skate performers.

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{A_p + W A_e + (1-W) E_e + B}{E + B}$$

The components A_p , $W A_e$, and $(1-W) E_e$ are values which shall be charged against an employer's experience record. The component, E , shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

" A_p " signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ~~(\$8,809)~~ \$9,271 the primary actual loss shall be determined from the formula:

$$\text{PRIMARY LOSS} = \frac{((22,022)) \ 23,177}{\text{Total loss} + ((13,213)) \ 13,906} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ~~(\$8,809)~~ \$9,271 the full value of the claim shall be considered a primary loss.

" A_e " signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

" W " signifies "W value." For each employer, the W value determines the portion of the actual excess losses

which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol " $W A_e$ " in the experience modification formula. W values are set forth in Table II.

" E " signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

" E_e " signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by " $(1-W) E_e$ " in the experience modification formula. D-Ratios are set forth in Table III.

" B " signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-875 Table I.

Primary Losses for Selected Claim Values

CLAIM VALUE	PRIMARY LOSS
((8,809))	8,809
9,132	9,000
10,991	10,000
13,187	11,000
15,821	12,000
19,039	13,000
23,060	14,000
28,225	15,000
44,728	17,000
142,757*	20,156
220,220**	20,775)
9,271	9,271
10,553	10,000
12,562	11,000
14,930	12,000
17,764	13,000
21,215	14,000
25,510	15,000
31,002	16,000
48,351	18,000

PROPOSED

145,175*
231,770**

21,151
21,865

- * Average death value
- ** Maximum claim value

AMENDATORY SECTION (Amending WSR 93-24-114,
filed 12/1/93, effective 1/1/94)

WAC 296-17-880 Table II.

"B" and "W" Values

Maximum Claim Value = ((\$220,220)) \$231,770

Average Death Value = ((\$142,757)) \$145,175

Expected Losses	B	W
((4,771 & Under	41,550	0.00
4,772	41,135	0.01
9,614	40,719	0.02
14,529	40,304	0.03
19,519	39,888	0.04
24,584	39,473	0.05
29,728	39,057	0.06
34,952	38,642	0.07
40,258	38,226	0.08
45,649	37,811	0.09
51,126	37,395	0.10
56,691	36,980	0.11
62,348	36,564	0.12
68,099	36,149	0.13
73,946	35,733	0.14
79,891	35,318	0.15
85,938	34,902	0.16
92,089	34,487	0.17
98,347	34,071	0.18
104,716	33,656	0.19
111,198	33,240	0.20
117,797	32,825	0.21
124,516	32,409	0.22
131,358	31,994	0.23
138,327	31,578	0.24
145,428	31,163	0.25
152,664	30,747	0.26
160,039	30,332	0.27
167,557	29,916	0.28
175,224	29,501	0.29
183,043	29,085	0.30
191,019	28,670	0.31
199,158	28,254	0.32
207,465	27,839	0.33
215,946	27,423	0.34
224,606	27,008	0.35
233,451	26,592	0.36
242,487	26,177	0.37
251,722	25,761	0.38
261,162	25,346	0.39
270,814	24,930	0.40
280,686	24,515	0.41
290,786	24,099	0.42
301,122	23,684	0.43
311,704	23,268	0.44
322,539	22,853	0.45
333,638	22,437	0.46
345,011	22,022	0.47
356,669	21,606	0.48
368,622	21,191	0.49
380,883	20,775	0.50
393,465	20,360	0.51
406,379	19,944	0.52
419,641	19,529	0.53
433,265	19,113	0.54
447,266	18,698	0.55
461,661	18,282	0.56
476,467	17,867	0.57
491,702	17,451	0.58
507,387	17,036	0.59
523,542	16,620	0.60
540,188	16,205	0.61
557,349	15,789	0.62
575,051	15,374	0.63
593,320	14,958	0.64
612,184	14,543	0.65
631,673	14,127	0.66
651,819	13,712	0.67
672,658	13,296	0.68
694,227	12,881	0.69
716,565	12,465	0.70
739,714	12,050	0.71
763,722	11,634	0.72
788,637	11,219	0.73
814,512	10,803	0.74
841,406	10,388	0.75
869,381	9,972	0.76
898,504	9,556	0.77
928,849	9,141	0.78
960,495	8,725	0.79
993,529	8,310	0.80
1,028,046	7,894	0.81
1,064,148	7,479	0.82
1,101,950	7,063	0.83
1,141,576	6,648	0.84
1,183,163	6,232	0.85
1,226,861	5,817	0.86
1,272,836	5,401	0.87
1,321,275	4,986	0.88
1,372,381	4,570	0.89
1,426,384	4,155	0.90
1,483,540	3,739	0.91
1,544,134	3,324	0.92
1,608,489	2,908	0.93
1,676,969	2,493	0.94
1,749,987	2,077	0.95
1,828,012	1,662	0.96

PROPOSED

1,911,581	2,001,308	1,246	0.97	
2,001,309	2,097,906	831	0.98	
2,097,907	2,202,199	415	0.99	
2,202,200 & Over		0	1.00))	
<u>5,021</u>	<u>&</u>	<u>Under</u>	<u>43,730</u>	<u>0.00</u>
<u>5,022</u>	<u>-</u>	<u>10,117</u>	<u>43,293</u>	<u>0.01</u>
<u>10,118</u>	<u>-</u>	<u>15,290</u>	<u>42,855</u>	<u>0.02</u>
<u>15,291</u>	<u>-</u>	<u>20,541</u>	<u>42,418</u>	<u>0.03</u>
<u>20,542</u>	<u>-</u>	<u>25,873</u>	<u>41,981</u>	<u>0.04</u>
<u>25,874</u>	<u>-</u>	<u>31,286</u>	<u>41,544</u>	<u>0.05</u>
<u>31,287</u>	<u>-</u>	<u>36,784</u>	<u>41,106</u>	<u>0.06</u>
<u>36,785</u>	<u>-</u>	<u>42,369</u>	<u>40,669</u>	<u>0.07</u>
<u>42,370</u>	<u>-</u>	<u>48,042</u>	<u>40,232</u>	<u>0.08</u>
<u>48,043</u>	<u>-</u>	<u>53,806</u>	<u>39,794</u>	<u>0.09</u>
<u>53,807</u>	<u>-</u>	<u>59,664</u>	<u>39,357</u>	<u>0.10</u>
<u>59,665</u>	<u>-</u>	<u>65,617</u>	<u>38,920</u>	<u>0.11</u>
<u>65,618</u>	<u>-</u>	<u>71,670</u>	<u>38,482</u>	<u>0.12</u>
<u>71,671</u>	<u>-</u>	<u>77,823</u>	<u>38,045</u>	<u>0.13</u>
<u>77,824</u>	<u>-</u>	<u>84,080</u>	<u>37,608</u>	<u>0.14</u>
<u>84,081</u>	<u>-</u>	<u>90,444</u>	<u>37,171</u>	<u>0.15</u>
<u>90,445</u>	<u>-</u>	<u>96,918</u>	<u>36,733</u>	<u>0.16</u>
<u>96,919</u>	<u>-</u>	<u>103,505</u>	<u>36,296</u>	<u>0.17</u>
<u>103,506</u>	<u>-</u>	<u>110,207</u>	<u>35,859</u>	<u>0.18</u>
<u>110,208</u>	<u>-</u>	<u>117,029</u>	<u>35,421</u>	<u>0.19</u>
<u>117,030</u>	<u>-</u>	<u>123,974</u>	<u>34,984</u>	<u>0.20</u>
<u>123,975</u>	<u>-</u>	<u>131,045</u>	<u>34,547</u>	<u>0.21</u>
<u>131,046</u>	<u>-</u>	<u>138,246</u>	<u>34,109</u>	<u>0.22</u>
<u>138,247</u>	<u>-</u>	<u>145,582</u>	<u>33,672</u>	<u>0.23</u>
<u>145,583</u>	<u>-</u>	<u>153,055</u>	<u>33,235</u>	<u>0.24</u>
<u>153,056</u>	<u>-</u>	<u>160,670</u>	<u>32,798</u>	<u>0.25</u>
<u>160,671</u>	<u>-</u>	<u>168,432</u>	<u>32,360</u>	<u>0.26</u>
<u>168,433</u>	<u>-</u>	<u>176,344</u>	<u>31,923</u>	<u>0.27</u>
<u>176,345</u>	<u>-</u>	<u>184,413</u>	<u>31,486</u>	<u>0.28</u>
<u>184,414</u>	<u>-</u>	<u>192,642</u>	<u>31,048</u>	<u>0.29</u>
<u>192,643</u>	<u>-</u>	<u>201,037</u>	<u>30,611</u>	<u>0.30</u>
<u>201,038</u>	<u>-</u>	<u>209,603</u>	<u>30,174</u>	<u>0.31</u>
<u>209,604</u>	<u>-</u>	<u>218,346</u>	<u>29,736</u>	<u>0.32</u>
<u>218,347</u>	<u>-</u>	<u>227,271</u>	<u>29,299</u>	<u>0.33</u>
<u>227,272</u>	<u>-</u>	<u>236,385</u>	<u>28,862</u>	<u>0.34</u>
<u>236,386</u>	<u>-</u>	<u>245,694</u>	<u>28,425</u>	<u>0.35</u>
<u>245,695</u>	<u>-</u>	<u>255,204</u>	<u>27,987</u>	<u>0.36</u>
<u>255,205</u>	<u>-</u>	<u>264,923</u>	<u>27,550</u>	<u>0.37</u>
<u>264,924</u>	<u>-</u>	<u>274,858</u>	<u>27,113</u>	<u>0.38</u>
<u>274,859</u>	<u>-</u>	<u>285,017</u>	<u>26,675</u>	<u>0.39</u>
<u>285,018</u>	<u>-</u>	<u>295,407</u>	<u>26,238</u>	<u>0.40</u>
<u>295,408</u>	<u>-</u>	<u>306,037</u>	<u>25,801</u>	<u>0.41</u>
<u>306,038</u>	<u>-</u>	<u>316,915</u>	<u>25,363</u>	<u>0.42</u>
<u>316,916</u>	<u>-</u>	<u>328,051</u>	<u>24,926</u>	<u>0.43</u>
<u>328,052</u>	<u>-</u>	<u>339,455</u>	<u>24,489</u>	<u>0.44</u>
<u>339,456</u>	<u>-</u>	<u>351,136</u>	<u>24,052</u>	<u>0.45</u>
<u>351,137</u>	<u>-</u>	<u>363,105</u>	<u>23,614</u>	<u>0.46</u>
<u>363,106</u>	<u>-</u>	<u>375,374</u>	<u>23,177</u>	<u>0.47</u>
<u>375,375</u>	<u>-</u>	<u>387,955</u>	<u>22,740</u>	<u>0.48</u>
<u>387,956</u>	<u>-</u>	<u>400,859</u>	<u>22,302</u>	<u>0.49</u>
<u>400,860</u>	<u>-</u>	<u>414,100</u>	<u>21,865</u>	<u>0.50</u>
<u>414,101</u>	<u>-</u>	<u>427,692</u>	<u>21,428</u>	<u>0.51</u>

<u>427,693</u>	<u>-</u>	<u>441,650</u>	<u>20,990</u>	<u>0.52</u>
<u>441,651</u>	<u>-</u>	<u>455,988</u>	<u>20,553</u>	<u>0.53</u>
<u>455,989</u>	<u>-</u>	<u>470,723</u>	<u>20,116</u>	<u>0.54</u>
<u>470,724</u>	<u>-</u>	<u>485,873</u>	<u>19,679</u>	<u>0.55</u>
<u>485,874</u>	<u>-</u>	<u>501,456</u>	<u>19,241</u>	<u>0.56</u>
<u>501,457</u>	<u>-</u>	<u>517,490</u>	<u>18,804</u>	<u>0.57</u>
<u>517,491</u>	<u>-</u>	<u>533,998</u>	<u>18,367</u>	<u>0.58</u>
<u>533,999</u>	<u>-</u>	<u>550,999</u>	<u>17,929</u>	<u>0.59</u>
<u>551,000</u>	<u>-</u>	<u>568,519</u>	<u>17,492</u>	<u>0.60</u>
<u>568,520</u>	<u>-</u>	<u>586,580</u>	<u>17,055</u>	<u>0.61</u>
<u>586,581</u>	<u>-</u>	<u>605,211</u>	<u>16,617</u>	<u>0.62</u>
<u>605,212</u>	<u>-</u>	<u>624,437</u>	<u>16,180</u>	<u>0.63</u>
<u>624,438</u>	<u>-</u>	<u>644,290</u>	<u>15,743</u>	<u>0.64</u>
<u>644,291</u>	<u>-</u>	<u>664,802</u>	<u>15,306</u>	<u>0.65</u>
<u>664,803</u>	<u>-</u>	<u>686,005</u>	<u>14,868</u>	<u>0.66</u>
<u>686,006</u>	<u>-</u>	<u>707,937</u>	<u>14,431</u>	<u>0.67</u>
<u>707,938</u>	<u>-</u>	<u>730,637</u>	<u>13,994</u>	<u>0.68</u>
<u>730,638</u>	<u>-</u>	<u>754,146</u>	<u>13,556</u>	<u>0.69</u>
<u>754,147</u>	<u>-</u>	<u>778,510</u>	<u>13,119</u>	<u>0.70</u>
<u>778,511</u>	<u>-</u>	<u>803,776</u>	<u>12,682</u>	<u>0.71</u>
<u>803,777</u>	<u>-</u>	<u>829,998</u>	<u>12,244</u>	<u>0.72</u>
<u>829,999</u>	<u>-</u>	<u>857,231</u>	<u>11,807</u>	<u>0.73</u>
<u>857,232</u>	<u>-</u>	<u>885,535</u>	<u>11,370</u>	<u>0.74</u>
<u>885,536</u>	<u>-</u>	<u>914,977</u>	<u>10,933</u>	<u>0.75</u>
<u>914,978</u>	<u>-</u>	<u>945,628</u>	<u>10,495</u>	<u>0.76</u>
<u>945,629</u>	<u>-</u>	<u>977,564</u>	<u>10,058</u>	<u>0.77</u>
<u>977,565</u>	<u>-</u>	<u>1,010,870</u>	<u>9,621</u>	<u>0.78</u>
<u>1,010,871</u>	<u>-</u>	<u>1,045,636</u>	<u>9,183</u>	<u>0.79</u>
<u>1,045,637</u>	<u>-</u>	<u>1,081,963</u>	<u>8,746</u>	<u>0.80</u>
<u>1,081,964</u>	<u>-</u>	<u>1,119,960</u>	<u>8,309</u>	<u>0.81</u>
<u>1,119,961</u>	<u>-</u>	<u>1,159,744</u>	<u>7,871</u>	<u>0.82</u>
<u>1,159,745</u>	<u>-</u>	<u>1,201,449</u>	<u>7,434</u>	<u>0.83</u>
<u>1,201,450</u>	<u>-</u>	<u>1,245,216</u>	<u>6,997</u>	<u>0.84</u>
<u>1,245,217</u>	<u>-</u>	<u>1,291,206</u>	<u>6,559</u>	<u>0.85</u>
<u>1,291,207</u>	<u>-</u>	<u>1,339,593</u>	<u>6,122</u>	<u>0.86</u>
<u>1,339,594</u>	<u>-</u>	<u>1,390,572</u>	<u>5,685</u>	<u>0.87</u>
<u>1,390,573</u>	<u>-</u>	<u>1,444,358</u>	<u>5,248</u>	<u>0.88</u>
<u>1,444,359</u>	<u>-</u>	<u>1,501,194</u>	<u>4,810</u>	<u>0.89</u>
<u>1,501,195</u>	<u>-</u>	<u>1,561,347</u>	<u>4,373</u>	<u>0.90</u>
<u>1,561,348</u>	<u>-</u>	<u>1,625,119</u>	<u>3,936</u>	<u>0.91</u>
<u>1,625,120</u>	<u>-</u>	<u>1,692,849</u>	<u>3,498</u>	<u>0.92</u>
<u>1,692,850</u>	<u>-</u>	<u>1,764,921</u>	<u>3,061</u>	<u>0.93</u>
<u>1,764,922</u>	<u>-</u>	<u>1,841,769</u>	<u>2,624</u>	<u>0.94</u>
<u>1,841,770</u>	<u>-</u>	<u>1,923,886</u>	<u>2,186</u>	<u>0.95</u>
<u>1,923,887</u>	<u>-</u>	<u>2,011,838</u>	<u>1,749</u>	<u>0.96</u>
<u>2,011,839</u>	<u>-</u>	<u>2,106,272</u>	<u>1,312</u>	<u>0.97</u>
<u>2,106,273</u>	<u>-</u>	<u>2,207,936</u>	<u>875</u>	<u>0.98</u>
<u>2,207,937</u>	<u>-</u>	<u>2,317,699</u>	<u>437</u>	<u>0.99</u>
<u>2,317,700 & Over</u>			<u>0</u>	<u>1.00</u>

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-885 Table III.

PROPOSED

**Expected Loss Rates and D-Ratios
Expected Loss Rates in Dollars Per Worker Hour
for Indicated Fiscal Year**

((Class	1990	1991	1992	D-Ratio
0101	1.1262	1.1148	1.0609	0.400
0102	1.0577	1.0484	0.9992	0.440
0103	1.2838	1.2771	1.2205	0.477
0104	1.6247	1.6044	1.5228	0.321
0105	1.0921	1.0867	1.0388	0.479
0106	3.9080	3.9003	3.7284	0.391
0107	1.0379	1.0278	0.9789	0.435
0108	0.9759	0.9649	0.9181	0.435
0109	3.6732	3.6280	3.4472	0.403
0201	1.9883	1.9638	1.8653	0.377
0202	2.3971	2.3810	2.2724	0.444
0206	2.0032	1.9722	1.8700	0.379
0301	0.5084	0.5078	0.4872	0.541
0302	1.6674	1.6468	1.5645	0.379
0306	0.8743	0.8671	0.8267	0.435
0307	0.6730	0.6697	0.6404	0.475
0403	1.1559	1.1515	1.1018	0.490
0502	0.9532	0.9438	0.8988	0.443
0504	1.1960	1.1837	1.1267	0.416
0506	3.4745	3.4369	3.2698	0.415
0507	2.5634	2.5415	2.4227	0.442
0508	2.6035	2.5685	2.4383	0.370
0509	1.6530	1.6370	1.5579	0.381
0510	1.2340	1.2259	1.1705	0.460
0511	1.0032	0.9977	0.9544	0.530
0512	1.5130	1.4986	1.4273	0.421
0513	0.6417	0.6375	0.6085	0.442
0514	1.2340	1.2259	1.1705	0.466
0515	2.0408	2.0150	1.9145	0.398
0516	1.2340	1.2259	1.1705	0.466
0517	1.6043	1.5961	1.5248	0.451
0518	1.4748	1.4577	1.3859	0.397
0519	1.3622	1.3575	1.2978	0.430
0601	0.5440	0.5415	0.5180	0.489
0602	0.3481	0.3465	0.3316	0.533
0603	0.6744	0.6690	0.6374	0.403
0604	0.9385	0.9363	0.8966	0.478
0606	0.2255	0.2270	0.2191	0.609
0607	0.2397	0.2408	0.2319	0.570
0608	0.2346	0.2350	0.2258	0.542
0701	1.9674	1.9328	1.8287	0.335
0803	0.3037	0.3033	0.2908	0.519
0804	0.7731	0.7671	0.7315	0.432
0901	1.4314	1.4185	1.3511	0.404
1002	0.8036	0.8001	0.7655	0.499
1003	0.5150	0.5122	0.4895	0.472
1004	0.5150	0.5122	0.4895	0.472
1005	3.6532	3.6084	3.4302	0.426
1007	0.2386	0.2390	0.2294	0.498
1101	0.4774	0.4769	0.4574	0.522
1102	1.0321	1.0228	0.9747	0.436
1103	0.3976	0.3984	0.3829	0.535
1104	0.4854	0.4865	0.4679	0.564
1106	0.2059	0.2081	0.2014	0.601
1108	0.3711	0.3723	0.3580	0.508
1109	0.6315	0.6329	0.6079	0.509
1301	0.2738	0.2737	0.2627	0.545
1303	0.1689	0.1685	0.1614	0.529
1304	0.0202	0.0204	0.0196	0.550
1305	0.2838	0.2850	0.2745	0.584
1401	0.5712	0.5712	0.5480	0.517
1404	0.4512	0.4501	0.4312	0.517

1405	0.4648	0.4650	0.4464	0.507
1501	0.3286	0.3277	0.3139	0.525
1507	0.2668	0.2671	0.2567	0.559
1701	1.4270	1.4092	1.3381	0.353
1702	1.4270	1.4092	1.3381	0.353
1703	0.3613	0.3593	0.3436	0.508
1704	0.7375	0.7327	0.6988	0.407
1801	0.8229	0.8154	0.7770	0.440
1802	0.7619	0.7580	0.7249	0.510
2002	0.5210	0.5226	0.5026	0.539
2003	0.3655	0.3666	0.3527	0.560
2004	0.6062	0.6060	0.5814	0.522
2007	0.3785	0.3803	0.3658	0.505
2008	0.2258	0.2254	0.2159	0.488
2009	0.2461	0.2467	0.2371	0.524
2101	0.5650	0.5643	0.5406	0.479
2102	0.3655	0.3666	0.3527	0.560
2104	0.2586	0.2602	0.2510	0.599
2105	0.4549	0.4532	0.4338	0.517
2106	0.3365	0.3369	0.3235	0.516
2201	0.2078	0.2079	0.1995	0.499
2202	0.4871	0.4890	0.4711	0.601
2203	0.2607	0.2614	0.2515	0.548
2401	0.3735	0.3746	0.3603	0.543
2903	0.5380	0.5398	0.5197	0.580
2904	0.5652	0.5653	0.5425	0.516
2905	0.4371	0.4388	0.4227	0.593
2906	0.3308	0.3298	0.3159	0.501
2907	0.4372	0.4374	0.4203	0.569
2908	0.8667	0.8664	0.8315	0.536
2909	0.4907	0.4918	0.4730	0.566
3101	0.6126	0.6085	0.5811	0.480
3102	0.2788	0.2795	0.2690	0.579
3103	0.5458	0.5432	0.5191	0.452
3104	0.4240	0.4232	0.4056	0.515
3105	0.8265	0.8234	0.7876	0.476
3303	0.2031	0.2036	0.1957	0.515
3304	0.5431	0.5447	0.5240	0.564
3309	0.3402	0.3424	0.3298	0.517
3401	0.3404	0.3403	0.3265	0.504
3402	0.3680	0.3682	0.3536	0.538
3403	0.1692	0.1692	0.1622	0.471
3404	0.3801	0.3815	0.3671	0.546
3405	0.2683	0.2684	0.2578	0.537
3406	0.1845	0.1858	0.1792	0.562
3407	0.2776	0.2773	0.2660	0.544
3408	0.0747	0.0747	0.0717	0.532
3409	0.0851	0.0855	0.0823	0.543
3410	0.1732	0.1749	0.1690	0.588
3501	0.7946	0.7906	0.7551	0.427
3503	0.2429	0.2456	0.2374	0.570
3506	0.6861	0.6813	0.6506	0.481
3509	0.3775	0.3790	0.3654	0.639
3510	0.3987	0.4002	0.3853	0.569
3511	0.5853	0.5856	0.5621	0.522
3512	0.3323	0.3347	0.3229	0.572
3602	0.0947	0.0955	0.0922	0.579
3603	0.3157	0.3176	0.3061	0.557
3604	1.1872	1.1835	1.1337	0.535
3605	0.3914	0.3912	0.3755	0.541
3701	0.2310	0.2313	0.2222	0.537
3702	0.4716	0.4715	0.4527	0.554
3707	0.3937	0.3945	0.3790	0.520
3708	0.2788	0.2795	0.2690	0.579
3801	0.2062	0.2063	0.1981	0.542
3802	0.1737	0.1742	0.1677	0.579
3808	0.2492	0.2492	0.2390	0.479
3901	0.1521	0.1533	0.1480	0.618

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3902	0.4047	0.4064	0.3913	0.566	6109	0.0418	0.0420	0.0405	0.569
3903	0.9925	0.9974	0.9598	0.507	6110	0.3963	0.3968	0.3812	0.549
3905	0.1431	0.1448	0.1402	0.616	6201	0.1656	0.1662	0.1599	0.552
3906	0.4396	0.4403	0.4230	0.529	6202	0.4611	0.4606	0.4413	0.478
3909	0.2169	0.2182	0.2103	0.558	6203	0.0715	0.0721	0.0697	0.617
4002	0.5857	0.5842	0.5599	0.545	6204	0.1523	0.1537	0.1485	0.589
4101	0.1870	0.1875	0.1804	0.554	6205	0.1523	0.1537	0.1485	0.589
4103	0.2095	0.2112	0.2042	0.640	6206	0.1523	0.1537	0.1485	0.589
4107	0.1132	0.1137	0.1095	0.544	6207	0.9191	0.9293	0.8991	0.592
4108	0.1870	0.1875	0.1804	0.554	6208	0.2368	0.2391	0.2312	0.610
4109	0.1870	0.1875	0.1804	0.554	6209	0.1963	0.1980	0.1914	0.614
4201	0.2141	0.2136	0.2048	0.544	6301	0.0922	0.0921	0.0883	0.480
4301	0.6893	0.6900	0.6627	0.530	6302	0.1371	0.1375	0.1320	0.473
4302	0.5826	0.5795	0.5543	0.538	6303	0.0559	0.0561	0.0540	0.517
4304	0.5216	0.5231	0.5032	0.554	6304	0.1383	0.1400	0.1357	0.617
4305	0.8972	0.8912	0.8514	0.506	6305	0.0572	0.0576	0.0556	0.559
4401	0.4630	0.4631	0.4443	0.512	6306	0.2110	0.2120	0.2044	0.587
4402	0.5483	0.5498	0.5288	0.551	6308	0.0403	0.0403	0.0388	0.566
4404	0.4140	0.4139	0.3976	0.573	6309	0.1203	0.1211	0.1168	0.572
4501	0.1173	0.1175	0.1129	0.507	6402	0.2300	0.2307	0.2220	0.580
4502	0.0368	0.0369	0.0355	0.516	6403	0.1720	0.1735	0.1677	0.596
4504	0.0720	0.0730	0.0707	0.612	6404	0.1307	0.1321	0.1278	0.609
4601	0.5596	0.5613	0.5396	0.519	6405	0.4542	0.4552	0.4375	0.541
4802	0.2475	0.2479	0.2381	0.539	6406	0.0671	0.0677	0.0654	0.596
4803	0.2191	0.2209	0.2133	0.581	6407	0.1705	0.1715	0.1653	0.574
4804	0.4305	0.4323	0.4163	0.564	6408	0.2955	0.2965	0.2853	0.552
4805	0.2700	0.2714	0.2614	0.561	6409	0.3963	0.3960	0.3799	0.525
4806	0.0708	0.0710	0.0683	0.516	6410	0.1355	0.1362	0.1311	0.542
4808	0.4109	0.4112	0.3946	0.502	6501	0.0758	0.0761	0.0734	0.629
4809	0.2360	0.2376	0.2295	0.636	6502	0.0212	0.0213	0.0206	0.561
4810	0.1413	0.1422	0.1372	0.595	6503	0.0599	0.0595	0.0568	0.428
4811	0.2256	0.2268	0.2186	0.562	6504	0.3504	0.3539	0.3421	0.582
4812	0.3582	0.3577	0.3430	0.536	6505	0.0893	0.0900	0.0869	0.554
4813	0.2299	0.2301	0.2209	0.517	6506	0.0601	0.0606	0.0585	0.547
4901	0.0379	0.0380	0.0366	0.577	6508	0.3038	0.3047	0.2931	0.541
4902	0.0416	0.0416	0.0400	0.584	6509	0.1794	0.1810	0.1750	0.620
4903	0.0379	0.0380	0.0366	0.577	6601	0.1749	0.1761	0.1699	0.585
4904	0.0177	0.0178	0.0172	0.584	6602	0.3765	0.3779	0.3636	0.546
4905	0.2464	0.2487	0.2404	0.614	6603	0.2407	0.2418	0.2329	0.578
4906	0.0573	0.0575	0.0554	0.589	6604	0.0525	0.0526	0.0505	0.505
4907	0.0569	0.0569	0.0547	0.527	6605	0.3519	0.3557	0.3445	0.672
4908	0.0968	0.0989	0.0963	0.592	6607	0.1200	0.1212	0.1173	0.630
4909	0.0968	0.0989	0.0963	0.592	6608	0.2411	0.2395	0.2287	0.484
4910	0.3529	0.3541	0.3406	0.523	6704	0.1231	0.1237	0.1191	0.557
5001	4.0636	4.0115	3.8083	0.359	6705	0.7563	0.7625	0.7369	0.637
5002	0.4404	0.4400	0.4223	0.563	6706	0.3414	0.3437	0.3314	0.551
5003	1.3491	1.3305	1.2625	0.368	6707	1.5401	1.5532	1.5012	0.626
5004	2.5675	2.5528	2.4379	0.447	6708	3.9835	4.0269	3.8881	0.487
5101	0.6224	0.6238	0.6003	0.604	6709	0.1634	0.1655	0.1604	0.638
5103	0.6738	0.6749	0.6486	0.555	6801	0.2198	0.2198	0.2111	0.552
5106	0.4825	0.4847	0.4665	0.514	6802	0.2844	0.2872	0.2778	0.625
5108	0.6013	0.5994	0.5741	0.530	6803	1.0505	1.0250	0.9652	0.270
5109	0.4898	0.4881	0.4673	0.511	6804	0.1680	0.1688	0.1627	0.605
5201	0.2946	0.2943	0.2821	0.507	6809	3.4683	3.5494	3.4648	0.654
5204	0.8036	0.8006	0.7664	0.504	6901	0.0222	0.0233	0.0231	0.637
5206	0.3570	0.3560	0.3407	0.470	6902	0.5913	0.5849	0.5563	0.403
5207	0.1200	0.1212	0.1173	0.630	6903	3.9587	3.9248	3.7355	0.318
5208	0.7664	0.7654	0.7338	0.515	6904	0.1960	0.1962	0.1886	0.583
5209	0.5755	0.5769	0.5547	0.549	6905	0.2171	0.2179	0.2097	0.546
5301	0.0212	0.0213	0.0205	0.575	6906	0.1014	0.1065	0.1056	0.657
5305	0.0363	0.0365	0.0352	0.558	6907	0.9539	0.9511	0.9103	0.480
5306	0.0342	0.0343	0.0331	0.541	6908	0.3258	0.3267	0.3144	0.585
5307	0.3051	0.3049	0.2926	0.546	6909	0.0667	0.0672	0.0649	0.605
6103	0.0504	0.0511	0.0495	0.616	7101	0.0268	0.0269	0.0258	0.499
6104	0.2130	0.2137	0.2056	0.550	7102	3.1897	3.2564	3.1690	0.587
6105	0.1605	0.1612	0.1552	0.566	7103	0.2380	0.2374	0.2273	0.477
6107	0.1231	0.1241	0.1198	0.567	7104	0.0211	0.0213	0.0205	0.524
6108	0.4409	0.4431	0.4270	0.580	7105	0.0281	0.0281	0.0271	0.533

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|------|--------|--------|--------|---------|
| 7106 | 0.1604 | 0.1603 | 0.1538 | 0.498 |
| 7107 | 0.2093 | 0.2090 | 0.2004 | 0.517 |
| 7108 | 0.2014 | 0.2024 | 0.1951 | 0.570 |
| 7109 | 0.2445 | 0.2457 | 0.2367 | 0.550 |
| 7110 | 0.2993 | 0.2982 | 0.2854 | 0.485 |
| 7111 | 0.4471 | 0.4463 | 0.4279 | 0.541 |
| 7112 | 0.5573 | 0.5556 | 0.5318 | 0.479 |
| 7113 | 0.6225 | 0.6184 | 0.5906 | 0.474 |
| 7114 | 0.5824 | 0.5876 | 0.5679 | 0.599 |
| 7115 | 0.4990 | 0.4976 | 0.4765 | 0.494 |
| 7116 | 0.5339 | 0.5317 | 0.5084 | 0.466 |
| 7117 | 1.4168 | 1.4277 | 1.3760 | 0.513 |
| 7118 | 2.4934 | 2.4901 | 2.3875 | 0.502 |
| 7119 | 1.6095 | 1.6051 | 1.5373 | 0.501 |
| 7120 | 4.8986 | 4.8973 | 4.6931 | 0.441 |
| 7121 | 5.0920 | 5.0813 | 4.8642 | 0.452 |
| 7201 | 0.6419 | 0.6392 | 0.6120 | 0.532 |
| 7202 | 0.0390 | 0.0391 | 0.0376 | 0.540 |
| 7203 | 0.1138 | 0.1154 | 0.1117 | 0.556 |
| 7204 | 0.0000 | 0.0000 | 0.0000 | 0.637 |
| 7301 | 0.5309 | 0.5301 | 0.5079 | 0.491 |
| 7302 | 0.5659 | 0.5684 | 0.5469 | 0.535 |
| 7307 | 0.6819 | 0.6836 | 0.6575 | 0.559 |
| 7308 | 0.1869 | 0.1888 | 0.1824 | 0.558 |
| 7309 | 0.1634 | 0.1655 | 0.1604 | 0.638)) |~~

0804	0.8505	0.8272	0.7320	0.397
0901	1.4495	1.4103	1.2490	0.422
1002	0.7977	0.7789	0.6960	0.528
1003	0.5790	0.5646	0.5025	0.486
1004	0.4775	0.4658	0.4149	0.478
1005	4.4004	4.2695	3.7681	0.409
1007	0.2594	0.2537	0.2270	0.500
1101	0.4778	0.4676	0.4195	0.559
1102	1.1142	1.0842	0.9622	0.447
1103	0.4583	0.4486	0.4026	0.537
1104	0.5205	0.5102	0.4586	0.538
1106	0.2269	0.2237	0.2029	0.597
1108	0.3956	0.3881	0.3487	0.513
1109	0.6794	0.6658	0.5984	0.501
1301	0.2936	0.2873	0.2575	0.528
1303	0.1645	0.1607	0.1437	0.534
1304	0.0204	0.0200	0.0181	0.556
1305	0.3146	0.3084	0.2772	0.547
1401	0.5805	0.5678	0.5090	0.503
1404	0.5029	0.4912	0.4394	0.517
1405	0.4801	0.4699	0.4207	0.499
1501	0.3163	0.3092	0.2767	0.538
1507	0.2659	0.2607	0.2343	0.578
1701	1.5108	1.4659	1.2901	0.353
1702	1.4987	1.4550	1.2822	0.354
1703	0.3426	0.3341	0.2977	0.514
1704	0.7294	0.7106	0.6311	0.406
1801	0.8025	0.7805	0.6908	0.447
1802	0.9177	0.8942	0.7958	0.479
2002	0.5087	0.4987	0.4485	0.559
2003	0.3715	0.3644	0.3276	0.555
2004	0.5914	0.5792	0.5201	0.563
2007	0.4424	0.4334	0.3894	0.503
2008	0.2408	0.2355	0.2106	0.498
2009	0.2931	0.2874	0.2587	0.557
2101	0.5748	0.5618	0.5024	0.467
2102	0.3989	0.3913	0.3520	0.570
2104	0.2663	0.2617	0.2362	0.590
2105	0.4877	0.4756	0.4242	0.545
2106	0.3386	0.3316	0.2974	0.531
2201	0.2179	0.2131	0.1910	0.512
2202	0.5094	0.4999	0.4508	0.607
2203	0.2724	0.2674	0.2408	0.571
2401	0.4003	0.3925	0.3530	0.532
2903	0.5991	0.5873	0.5281	0.555
2904	0.6458	0.6319	0.5665	0.528
2905	0.4666	0.4579	0.4127	0.585
2906	0.3164	0.3091	0.2759	0.506
2907	0.4402	0.4313	0.3879	0.591
2908	0.8617	0.8428	0.7548	0.534
2909	0.5088	0.4988	0.4487	0.568
3101	0.7210	0.7023	0.6242	0.444
3102	0.3020	0.2962	0.2666	0.586
3103	0.6505	0.6342	0.5647	0.466
3104	0.4495	0.4389	0.3919	0.522
3105	0.7925	0.7738	0.6905	0.479
3303	0.2095	0.2055	0.1846	0.526
3304	0.5176	0.5078	0.4572	0.572
3309	0.3953	0.3882	0.3505	0.522
3401	0.3522	0.3445	0.3084	0.517
3402	0.4279	0.4183	0.3742	0.523
3403	0.1994	0.1950	0.1741	0.458
3404	0.3897	0.3823	0.3441	0.558
3405	0.2782	0.2722	0.2437	0.543
3406	0.2207	0.2167	0.1952	0.542
3407	0.3015	0.2951	0.2648	0.560
3408	0.0823	0.0806	0.0722	0.534
3409	0.0852	0.0837	0.0754	0.561

Class	1991	1992	1993	D-Ratio
0101	1.1716	1.1383	1.0065	0.401
0102	1.1587	1.1262	0.9968	0.420
0103	1.3483	1.3127	1.1659	0.456
0104	1.7145	1.6640	1.4631	0.322
0105	1.2145	1.1838	1.0542	0.475
0107	1.0986	1.0673	0.9432	0.417
0108	0.9125	0.8864	0.7845	0.454
0109	3.9389	3.8219	3.3694	0.372
0201	2.2564	2.1885	1.9280	0.372
0202	2.6469	2.5768	2.2870	0.454
0206	1.7910	1.7364	1.5281	0.392
0301	0.5469	0.5349	0.4791	0.536
0302	1.7283	1.6760	1.4772	0.396
0306	0.9102	0.8859	0.7856	0.430
0307	0.6698	0.6541	0.5838	0.515
0403	1.2632	1.2309	1.0947	0.471
0502	1.1941	1.1594	1.0236	0.411
0504	1.2682	1.2322	1.0896	0.410
0506	3.9920	3.8751	3.4176	0.382
0507	2.7521	2.6765	2.3721	0.429
0508	2.7937	2.7061	2.3731	0.357
0509	1.5714	1.5279	1.3517	0.389
0510	1.2550	1.2223	1.0863	0.459
0511	1.0066	0.9816	0.8748	0.537
0512	1.4228	1.3845	1.2289	0.469
0513	0.6560	0.6389	0.5678	0.459
0514	1.2550	1.2223	1.0863	0.466
0515	2.3907	2.3193	2.0447	0.389
0516	1.2550	1.2223	1.0863	0.466
0517	1.5684	1.5293	1.3630	0.474
0518	1.4874	1.4439	1.2739	0.393
0519	1.3844	1.3512	1.2053	0.450
0601	0.6322	0.6160	0.5473	0.462
0602	0.3667	0.3577	0.3190	0.546
0603	0.7089	0.6898	0.6120	0.427
0604	1.0457	1.0216	0.9121	0.453
0606	0.2405	0.2364	0.2136	0.608
0607	0.2690	0.2640	0.2377	0.569
0608	0.2676	0.2622	0.2356	0.504
0701	2.2346	2.1587	1.8829	0.317
0803	0.3087	0.3020	0.2702	0.529

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3410	0.1847	0.1818	0.1647	0.591	5005	1.1716	1.1383	1.0065	0.407
3501	0.8308	0.8101	0.7216	0.440	5101	0.6891	0.6758	0.6091	0.607
3503	0.2755	0.2717	0.2471	0.570	5103	0.7122	0.6976	0.6264	0.548
3506	0.7037	0.6851	0.6086	0.496	5106	0.5319	0.5222	0.4702	0.525
3509	0.3803	0.3733	0.3370	0.640	5108	0.5925	0.5786	0.5168	0.524
3510	0.3861	0.3788	0.3412	0.579	5109	0.5715	0.5578	0.4974	0.503
3511	0.5418	0.5305	0.4762	0.541	5201	0.2998	0.2933	0.2626	0.532
3512	0.3507	0.3451	0.3122	0.582	5204	0.8676	0.8474	0.7567	0.499
3602	0.0989	0.0973	0.0880	0.575	5206	0.4427	0.4316	0.3837	0.437
3603	0.3457	0.3401	0.3075	0.567	5207	0.1307	0.1290	0.1172	0.648
3604	1.2996	1.2699	1.1362	0.541	5208	0.8474	0.8282	0.7397	0.485
3605	0.4145	0.4055	0.3635	0.544	5209	0.6063	0.5943	0.5347	0.557
3701	0.2537	0.2484	0.2227	0.508	5301	0.0254	0.0250	0.0225	0.587
3702	0.4848	0.4747	0.4258	0.555	5305	0.0379	0.0372	0.0336	0.594
3707	0.4535	0.4447	0.4005	0.488	5306	0.0393	0.0386	0.0348	0.551
3708	0.3020	0.2962	0.2666	0.586	5307	0.2893	0.2830	0.2535	0.553
3801	0.2304	0.2255	0.2020	0.524	6103	0.0538	0.0531	0.0484	0.639
3802	0.1772	0.1739	0.1568	0.573	6104	0.2271	0.2230	0.2012	0.575
3808	0.2682	0.2624	0.2350	0.502	6105	0.1695	0.1663	0.1497	0.555
3901	0.1623	0.1597	0.1443	0.604	6107	0.1240	0.1220	0.1103	0.572
3902	0.3903	0.3835	0.3462	0.598	6108	0.4589	0.4507	0.4067	0.582
3903	1.0550	1.0360	0.9331	0.510	6109	0.0509	0.0500	0.0450	0.573
3905	0.1472	0.1452	0.1320	0.623	6110	0.4171	0.4085	0.3670	0.563
3906	0.4694	0.4597	0.4129	0.527	6201	0.2029	0.1988	0.1785	0.543
3909	0.2006	0.1971	0.1779	0.571	6202	0.5090	0.4976	0.4448	0.477
4002	0.6497	0.6338	0.5663	0.560	6203	0.0756	0.0745	0.0675	0.639
4101	0.1906	0.1870	0.1683	0.568	6204	0.1676	0.1650	0.1493	0.582
4103	0.2220	0.2186	0.1981	0.660	6205	0.1676	0.1650	0.1493	0.582
4107	0.1217	0.1196	0.1079	0.555	6206	0.1676	0.1650	0.1493	0.582
4108	0.1750	0.1716	0.1544	0.550	6207	1.0483	1.0340	0.9391	0.589
4109	0.1906	0.1870	0.1683	0.568	6208	0.2470	0.2435	0.2206	0.603
4201	0.2573	0.2510	0.2239	0.535	6209	0.2123	0.2090	0.1891	0.608
4301	0.7303	0.7152	0.6417	0.540	6301	0.1092	0.1068	0.0955	0.462
4302	0.5963	0.5811	0.5183	0.546	6302	0.1477	0.1448	0.1301	0.471
4304	0.5405	0.5297	0.4761	0.561	6303	0.0580	0.0569	0.0512	0.540
4305	0.8920	0.8691	0.7735	0.513	6304	0.1488	0.1470	0.1336	0.613
4401	0.4679	0.4578	0.4101	0.480	6305	0.0641	0.0630	0.0570	0.576
4402	0.5747	0.5638	0.5073	0.567	6306	0.2371	0.2327	0.2096	0.568
4404	0.3728	0.3654	0.3283	0.567	6308	0.0426	0.0418	0.0376	0.573
4501	0.1245	0.1221	0.1097	0.515	6309	0.1183	0.1164	0.1053	0.592
4502	0.0377	0.0370	0.0333	0.540	6402	0.2516	0.2468	0.2222	0.580
4504	0.0788	0.0778	0.0707	0.629	6403	0.1847	0.1818	0.1647	0.591
4601	0.5748	0.5635	0.5067	0.528	6404	0.1358	0.1339	0.1216	0.611
4802	0.2316	0.2268	0.2034	0.557	6405	0.4812	0.4713	0.4231	0.530
4803	0.2117	0.2084	0.1888	0.580	6406	0.0739	0.0728	0.0659	0.596
4804	0.4798	0.4715	0.4259	0.587	6407	0.1814	0.1782	0.1606	0.566
4805	0.2810	0.2757	0.2480	0.524	6408	0.3123	0.3064	0.2759	0.585
4806	0.0670	0.0657	0.0591	0.512	6409	0.4379	0.4281	0.3826	0.523
4808	0.4351	0.4257	0.3816	0.492	6410	0.1415	0.1389	0.1252	0.550
4809	0.2187	0.2149	0.1943	0.626	6501	0.0822	0.0807	0.0729	0.611
4810	0.1404	0.1381	0.1247	0.598	6502	0.0242	0.0238	0.0215	0.574
4811	0.2351	0.2310	0.2083	0.576	6503	0.0614	0.0599	0.0532	0.450
4812	0.3306	0.3234	0.2898	0.544	6504	0.3728	0.3674	0.3334	0.582
4813	0.2346	0.2299	0.2065	0.501	6505	0.0899	0.0886	0.0801	0.544
4901	0.0415	0.0407	0.0365	0.553	6506	0.0648	0.0639	0.0579	0.549
4902	0.0511	0.0501	0.0450	0.572	6508	0.3273	0.3210	0.2890	0.551
4903	0.0415	0.0407	0.0365	0.553	6509	0.1899	0.1870	0.1694	0.600
4904	0.0219	0.0215	0.0195	0.577	6601	0.1775	0.1747	0.1581	0.583
4905	0.2364	0.2330	0.2114	0.629	6602	0.4225	0.4142	0.3726	0.537
4906	0.0654	0.0642	0.0578	0.582	6603	0.2526	0.2480	0.2236	0.570
4907	0.0578	0.0566	0.0508	0.533	6604	0.0564	0.0553	0.0498	0.496
4908	0.0973	0.0968	0.0888	0.604	6605	0.3227	0.3180	0.2886	0.666
4909	0.0973	0.0968	0.0888	0.604	6607	0.1472	0.1452	0.1320	0.629
4910	0.3699	0.3630	0.3267	0.524	6608	0.2632	0.2564	0.2280	0.467
5001	4.2988	4.1695	3.6734	0.367	6620	0.4750	0.4687	0.4265	0.710
5002	0.4527	0.4428	0.3969	0.564	6704	0.1243	0.1221	0.1099	0.562
5003	1.4123	1.3699	1.2073	0.383	6705	0.7102	0.6990	0.6331	0.632
5004	1.7389	1.6958	1.5094	0.461	6706	0.3613	0.3558	0.3218	0.565

PROPOSED

<u>6707</u>	<u>1.5670</u>	<u>1.5425</u>	<u>1.3974</u>	<u>0.624</u>	<u>2,745</u>	<u>2,945</u>	<u>0.85</u>
<u>6708</u>	<u>4.2480</u>	<u>4.1912</u>	<u>3.8006</u>	<u>0.496</u>	<u>2,946</u>	<u>3,163</u>	<u>0.84</u>
<u>6709</u>	<u>0.1744</u>	<u>0.1723</u>	<u>0.1568</u>	<u>0.634</u>	<u>3,164</u>	<u>3,400</u>	<u>0.83</u>
<u>6801</u>	<u>0.2258</u>	<u>0.2212</u>	<u>0.1986</u>	<u>0.569</u>	<u>3,401</u>	<u>3,659</u>	<u>0.82</u>
<u>6802</u>	<u>0.3183</u>	<u>0.3140</u>	<u>0.2850</u>	<u>0.628</u>	<u>3,660</u>	<u>3,941</u>	<u>0.81</u>
<u>6803</u>	<u>1.0236</u>	<u>0.9861</u>	<u>0.8519</u>	<u>0.273</u>	<u>3,942</u>	<u>4,248</u>	<u>0.80</u>
<u>6804</u>	<u>0.1728</u>	<u>0.1696</u>	<u>0.1526</u>	<u>0.599</u>	<u>4,249</u>	<u>4,584</u>	<u>0.79</u>
<u>6809</u>	<u>3.7870</u>	<u>3.7668</u>	<u>3.4561</u>	<u>0.655</u>	<u>4,585</u>	<u>4,951</u>	<u>0.78</u>
<u>6901</u>	<u>0.0241</u>	<u>0.0244</u>	<u>0.0230</u>	<u>0.667</u>	<u>4,952</u>	<u>5,353</u>	<u>0.77</u>
<u>6902</u>	<u>0.6699</u>	<u>0.6498</u>	<u>0.5727</u>	<u>0.382</u>	<u>5,354</u>	<u>5,794</u>	<u>0.76</u>
<u>6903</u>	<u>3.6264</u>	<u>3.5363</u>	<u>3.1282</u>	<u>0.337</u>	<u>5,795</u>	<u>6,277</u>	<u>0.75</u>
<u>6904</u>	<u>0.1953</u>	<u>0.1913</u>	<u>0.1719</u>	<u>0.584</u>	<u>6,278</u>	<u>6,808</u>	<u>0.74</u>
<u>6905</u>	<u>0.2281</u>	<u>0.2240</u>	<u>0.2016</u>	<u>0.564</u>	<u>6,809</u>	<u>7,392</u>	<u>0.73</u>
<u>6906</u>	<u>0.1105</u>	<u>0.1121</u>	<u>0.1057</u>	<u>0.674</u>	<u>7,393</u>	<u>8,036</u>	<u>0.72</u>
<u>6907</u>	<u>1.0315</u>	<u>1.0069</u>	<u>0.8994</u>	<u>0.495</u>	<u>8,037</u>	<u>8,746</u>	<u>0.71</u>
<u>6908</u>	<u>0.3593</u>	<u>0.3519</u>	<u>0.3159</u>	<u>0.569</u>	<u>8,747</u>	<u>9,530</u>	<u>0.70</u>
<u>6909</u>	<u>0.0790</u>	<u>0.0776</u>	<u>0.0701</u>	<u>0.611</u>	<u>9,531</u>	<u>10,397</u>	<u>0.69</u>
<u>7101</u>	<u>0.0291</u>	<u>0.0286</u>	<u>0.0257</u>	<u>0.513</u>	<u>10,398</u>	<u>11,358</u>	<u>0.68</u>
<u>7102</u>	<u>3.4134</u>	<u>3.3901</u>	<u>3.1079</u>	<u>0.591</u>	<u>11,359</u>	<u>12,424</u>	<u>0.67</u>
<u>7103</u>	<u>0.2573</u>	<u>0.2515</u>	<u>0.2250</u>	<u>0.512</u>	<u>12,425</u>	<u>13,608</u>	<u>0.66</u>
<u>7104</u>	<u>0.0234</u>	<u>0.0230</u>	<u>0.0208</u>	<u>0.557</u>	<u>13,609</u>	<u>14,926</u>	<u>0.65</u>
<u>7105</u>	<u>0.0264</u>	<u>0.0259</u>	<u>0.0233</u>	<u>0.545</u>	<u>14,927</u>	<u>16,396</u>	<u>0.64</u>
<u>7106</u>	<u>0.1560</u>	<u>0.1527</u>	<u>0.1368</u>	<u>0.503</u>	<u>16,397</u>	<u>18,037</u>	<u>0.63</u>
<u>7107</u>	<u>0.2302</u>	<u>0.2252</u>	<u>0.2018</u>	<u>0.528</u>	<u>18,038</u>	<u>19,873</u>	<u>0.62</u>
<u>7108</u>	<u>0.1986</u>	<u>0.1953</u>	<u>0.1765</u>	<u>0.587</u>	<u>19,874</u>	<u>21,930</u>	<u>0.61</u>
<u>7109</u>	<u>0.2497</u>	<u>0.2454</u>	<u>0.2215</u>	<u>0.560</u>	<u>21,931 & Over</u>		<u>0.60))</u>
<u>7110</u>	<u>0.3103</u>	<u>0.3029</u>	<u>0.2702</u>	<u>0.489</u>		<u>2,194 & Under</u>	<u>0.90</u>
<u>7111</u>	<u>0.4397</u>	<u>0.4303</u>	<u>0.3859</u>	<u>0.519</u>	<u>2,195</u>	<u>2,347</u>	<u>0.89</u>
<u>7112</u>	<u>0.5780</u>	<u>0.5648</u>	<u>0.5046</u>	<u>0.494</u>	<u>2,348</u>	<u>2,513</u>	<u>0.88</u>
<u>7113</u>	<u>0.6402</u>	<u>0.6245</u>	<u>0.5561</u>	<u>0.486</u>	<u>2,514</u>	<u>2,693</u>	<u>0.87</u>
<u>7114</u>	<u>0.6399</u>	<u>0.6311</u>	<u>0.5728</u>	<u>0.625</u>	<u>2,694</u>	<u>2,887</u>	<u>0.86</u>
<u>7115</u>	<u>0.5111</u>	<u>0.4997</u>	<u>0.4468</u>	<u>0.509</u>	<u>2,888</u>	<u>3,099</u>	<u>0.85</u>
<u>7116</u>	<u>0.5579</u>	<u>0.5446</u>	<u>0.4862</u>	<u>0.478</u>	<u>3,100</u>	<u>3,329</u>	<u>0.84</u>
<u>7117</u>	<u>1.4186</u>	<u>1.3931</u>	<u>1.2588</u>	<u>0.538</u>	<u>3,330</u>	<u>3,579</u>	<u>0.83</u>
<u>7118</u>	<u>2.6490</u>	<u>2.5919</u>	<u>2.3190</u>	<u>0.530</u>	<u>3,580</u>	<u>3,851</u>	<u>0.82</u>
<u>7119</u>	<u>1.6583</u>	<u>1.6195</u>	<u>1.4458</u>	<u>0.502</u>	<u>3,852</u>	<u>4,148</u>	<u>0.81</u>
<u>7120</u>	<u>5.1299</u>	<u>5.0196</u>	<u>4.4883</u>	<u>0.443</u>	<u>4,149</u>	<u>4,471</u>	<u>0.80</u>
<u>7121</u>	<u>5.3160</u>	<u>5.1944</u>	<u>4.6382</u>	<u>0.454</u>	<u>4,472</u>	<u>4,825</u>	<u>0.79</u>
<u>7201</u>	<u>0.7814</u>	<u>0.7617</u>	<u>0.6794</u>	<u>0.527</u>	<u>4,826</u>	<u>5,211</u>	<u>0.78</u>
<u>7202</u>	<u>0.0456</u>	<u>0.0447</u>	<u>0.0402</u>	<u>0.522</u>	<u>5,212</u>	<u>5,634</u>	<u>0.77</u>
<u>7203</u>	<u>0.1157</u>	<u>0.1144</u>	<u>0.1040</u>	<u>0.562</u>	<u>5,635</u>	<u>6,098</u>	<u>0.76</u>
<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.667</u>	<u>6,099</u>	<u>6,606</u>	<u>0.75</u>
<u>7301</u>	<u>0.5434</u>	<u>0.5310</u>	<u>0.4748</u>	<u>0.382</u>	<u>6,607</u>	<u>7,165</u>	<u>0.74</u>
<u>7302</u>	<u>0.6012</u>	<u>0.5902</u>	<u>0.5320</u>	<u>0.544</u>	<u>7,166</u>	<u>7,780</u>	<u>0.73</u>
<u>7307</u>	<u>0.6164</u>	<u>0.6046</u>	<u>0.5441</u>	<u>0.539</u>	<u>7,781</u>	<u>8,457</u>	<u>0.72</u>
<u>7308</u>	<u>0.2032</u>	<u>0.2003</u>	<u>0.1814</u>	<u>0.577</u>	<u>8,458</u>	<u>9,204</u>	<u>0.71</u>
<u>7309</u>	<u>0.1744</u>	<u>0.1723</u>	<u>0.1568</u>	<u>0.631</u>	<u>9,205</u>	<u>10,030</u>	<u>0.70</u>
					<u>10,031</u>	<u>10,942</u>	<u>0.69</u>
					<u>10,943</u>	<u>11,953</u>	<u>0.68</u>
					<u>11,954</u>	<u>13,075</u>	<u>0.67</u>
					<u>13,076</u>	<u>14,322</u>	<u>0.66</u>
					<u>14,323</u>	<u>15,709</u>	<u>0.65</u>
					<u>15,710</u>	<u>17,256</u>	<u>0.64</u>
					<u>17,257</u>	<u>18,983</u>	<u>0.63</u>

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-890 Table IV.

Maximum experience modifications
for firms with no compensable accidents:

Expected Loss Range	Maximum Experience Modification
((2,084 & Under	0.90
2,085 - 2,230	0.89
2,231 - 2,388	0.88
2,389 - 2,558	0.87
2,559 - 2,744	0.86

<u>2,194 & Under</u>	<u>0.90</u>
<u>2,195 - 2,347</u>	<u>0.89</u>
<u>2,348 - 2,513</u>	<u>0.88</u>
<u>2,514 - 2,693</u>	<u>0.87</u>
<u>2,694 - 2,887</u>	<u>0.86</u>
<u>2,888 - 3,099</u>	<u>0.85</u>
<u>3,100 - 3,329</u>	<u>0.84</u>
<u>3,330 - 3,579</u>	<u>0.83</u>
<u>3,580 - 3,851</u>	<u>0.82</u>
<u>3,852 - 4,148</u>	<u>0.81</u>
<u>4,149 - 4,471</u>	<u>0.80</u>
<u>4,472 - 4,825</u>	<u>0.79</u>
<u>4,826 - 5,211</u>	<u>0.78</u>
<u>5,212 - 5,634</u>	<u>0.77</u>
<u>5,635 - 6,098</u>	<u>0.76</u>
<u>6,099 - 6,606</u>	<u>0.75</u>
<u>6,607 - 7,165</u>	<u>0.74</u>
<u>7,166 - 7,780</u>	<u>0.73</u>
<u>7,781 - 8,457</u>	<u>0.72</u>
<u>8,458 - 9,204</u>	<u>0.71</u>
<u>9,205 - 10,030</u>	<u>0.70</u>
<u>10,031 - 10,942</u>	<u>0.69</u>
<u>10,943 - 11,953</u>	<u>0.68</u>
<u>11,954 - 13,075</u>	<u>0.67</u>
<u>13,076 - 14,322</u>	<u>0.66</u>
<u>14,323 - 15,709</u>	<u>0.65</u>
<u>15,710 - 17,256</u>	<u>0.64</u>
<u>17,257 - 18,983</u>	<u>0.63</u>

18,984	=	20,915	0.62
20,916	=	23,081	0.61
23,082 & Over			0.60

AMENDATORY SECTION (Amending WSR 94-12-051, filed 5/27/94, effective 7/1/94)

WAC 296-17-895 Industrial insurance accident fund base rates and medical aid base rates by class of industry. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

((Base Rates Effective
— January 1, 1994

Class	Accident	Medical Aid
	Fund	Fund
0101	1.3982	0.7894
0102	1.2970	0.7702
0103	1.4836	1.0467
0104	2.0611	1.0538
0105	1.2586	0.8944
0106	4.0487	3.6391
0107	1.2935	0.7310
0108	1.2520	0.6469
0109	4.7286	2.3896
0201	2.5381	1.3046
0202	2.8343	1.8592
0206	2.7195	1.1299
0301	0.5589	0.4541
0302	2.1415	1.0803
0306	1.0650	0.6421
0307	0.7808	0.5437
0403	1.3102	0.9729
0502	1.1912	0.6685
0504	1.4982	0.8277
0506	4.3824	2.3677
0507	3.1345	1.8771
0508	3.4097	1.6003
0509	2.0208	1.1829
0510	1.4609	0.9626
0511	1.1947	0.7891
0512	1.8712	1.0760
0513	0.7526	0.5053
0514	1.4609	0.9626
0515	2.6498	1.2995
0516	1.4609	0.9626
0517	1.8332	1.3207
0518	1.8819	0.9755
0519	1.4911	1.1874
0601	0.6279	0.4454
0602	0.4096	0.2795
0603	0.8048	0.5104
0604	1.0263	0.8291
0606	0.2162	0.2398
0607	0.2359	0.2460

0608	0.2431	0.2260
0701	2.7346	1.0169
0803	0.3342	0.2684
0804	0.9284	0.5816
0901	1.7463	1.0350
1002	0.9260	0.6628
1003	0.5997	0.4131
1004	0.5997	0.4131
1005	4.7327	2.3634
1007	0.2420	0.2329
1101	0.5192	0.4306
1102	1.2691	0.7464
1103	0.4065	0.3885
1104	0.4994	0.4737
1106	0.1773	0.2408
1108	0.3684	0.3710
1109	0.6350	0.6252
1301	0.2959	0.2502
1303	0.1909	0.1444
1304	0.0193	0.0214
1305	0.2835	0.2877
1401	0.6026	0.5351
1404	0.5032	0.3921
1405	0.4871	0.4366
1501	0.3705	0.2815
1507	0.2820	0.2514
1701	1.8241	0.9221
1702	1.8241	0.9221
1703	0.4268	0.2864
1704	0.8537	0.5869
1801	1.0190	0.5852
1802	0.8894	0.6168
2002	0.5185	0.5252
2003	0.3711	0.3615
2004	0.6474	0.5591
2007	0.3572	0.4009
2008	0.2458	0.2010
2009	0.2448	0.2477
2101	0.6013	0.5183
2102	0.3711	0.3615
2104	0.2486	0.2738
2105	0.5205	0.3805
2106	0.3500	0.3199
2201	0.2152	0.1983
2202	0.4905	0.4913
2203	0.2639	0.2578
2401	0.3775	0.3699
2903	0.5468	0.5350
2904	0.5946	0.5305
2905	0.4393	0.4410
2906	0.3713	0.2828
2907	0.4675	0.4074
2908	0.9338	0.7930
2909	0.5063	0.4774
3101	0.7319	0.4725
3102	0.2875	0.2724

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3103	0.6204	0.4526
3104	0.4673	0.3740
3105	0.9304	0.7006
3303	0.2055	0.1995
3304	0.5522	0.5380
3309	0.3081	0.3754
3401	0.3635	0.3125
3402	0.3906	0.3437
3403	0.1776	0.1573
3404	0.3792	0.3827
3405	0.2846	0.2502
3406	0.1715	0.2002
3407	0.3043	0.2485
3408	0.0792	0.0697
3409	0.0822	0.0884
3410	0.1518	0.1994
3501	0.8988	0.6594
3503	0.2022	0.2912
3506	0.8275	0.5198
3509	0.3848	0.3796
3510	0.3975	0.4035
3511	0.6130	0.5538
3512	0.3084	0.3619
3602	0.0855	0.1060
3603	0.2981	0.3371
3604	1.3498	1.0083
3605	0.4223	0.3581
3701	0.2401	0.2212
3702	0.5096	0.4317
3707	0.3959	0.3914
3708	0.2875	0.2724
3801	0.2189	0.1925
3802	0.1760	0.1731
3808	0.2597	0.2347
3901	0.1438	0.1645
3902	0.4003	0.4127
3903	0.9394	1.0456
3905	0.1218	0.1696
3906	0.4504	0.4279
3909	0.2054	0.2310
4002	0.6593	0.5067
4101	0.1884	0.1863
4103	0.1970	0.2284
4107	0.1097	0.1171
4108	0.1884	0.1863
4109	0.1884	0.1863
4201	0.2404	0.1854
4301	0.7203	0.6542
4302	0.6888	0.4666
4304	0.5275	0.5179
4305	1.0830	0.6850
4401	0.4860	0.4356
4402	0.5579	0.5396
4404	0.4509	0.3768
4501	0.1190	0.1144
4502	0.0368	0.0366

4504	0.0588	0.0879
4601	0.5543	0.5645
4802	0.2574	0.2369
4803	0.1984	0.2453
4804	0.4246	0.4408
4805	0.2603	0.2828
4806	0.0697	0.0716
4808	0.4269	0.3909
4809	0.2256	0.2534
4810	0.1345	0.1508
4811	0.2172	0.2364
4812	0.3941	0.3191
4813	0.2388	0.2194
4901	0.0389	0.0371
4902	0.0444	0.0389
4903	0.0389	0.0371
4904	0.0163	0.0195
4905	0.2219	0.2784
4906	0.0572	0.0581
4907	0.0598	0.0537
4908	0.0592	0.1396
4909	0.0592	0.1396
4910	0.3483	0.3581
5001	5.2245	2.6082
5002	0.4840	0.3953
5003	1.7720	0.8264
5004	2.9733	2.0671
+5005	1.3982	.7894
5101	0.6491	0.6043
5103	0.7026	0.6455
5106	0.4621	0.5026
5108	0.6829	0.5104
5109	0.5572	0.4119
5201	0.3200	0.2642
5204	0.9147	0.6744
5206	0.3954	0.3090
5207	0.1056	0.1386
5208	0.8348	0.6872
5209	0.5870	0.5653
5301	0.0206	0.0219
5305	0.0352	0.0376
5306	0.0333	0.0352
5307	0.3337	0.2746
6103	0.0420	0.0607
6104	0.2137	0.2130
6105	0.1578	0.1650
6107	0.1113	0.1369
6108	0.4310	0.4580
6109	0.0398	0.0443
6110	0.4146	0.3779
6201	0.1664	0.1655
6202	0.4936	0.4190
6203	0.0658	0.0792
6204	0.1368	0.1715
6205	0.1368	0.1715
6206	0.1368	0.1715

PROPOSED

6207	0.7777	1.0893
6208	0.2119	0.2685
6209	0.1782	0.2200
6301	0.0986	0.0842
6302	0.1354	0.1370
6303	0.0552	0.0566
6304	0.1152	0.1667
6305	0.0519	0.0634
6306	0.2063	0.2189
6308	0.0416	0.0391
6309	0.1123	0.1302
6402	0.2342	0.2283
6403	0.1540	0.1946
6404	0.1130	0.1525
6405	0.4644	0.4439
6406	0.0607	0.0752
6407	0.1633	0.1800
6408	0.2972	0.2945
6409	0.4320	0.3552
6410	0.1304	0.1416
6501	0.0756	0.0779
6502	0.0194	0.0233
6503	0.0698	0.0473
6504	0.3006	0.4105
6505	0.0799	0.1001
6506	0.0521	0.0692
6508	0.3026	0.3063
6509	0.1623	0.2022
6601	0.1629	0.1905
6602	0.3706	0.3846
6603	0.2389	0.2452
6604	0.0530	0.0516
6605	0.3150	0.4043
6607	0.1056	0.1386
6608	0.2881	0.1861
6614	272.0000**	249.7000**
6615	203.2000**	186.5000**
6616	27.0000**	24.7000**
6617	20.2000**	18.5000**
6618	77.5000**	71.2000**
6704	0.1201	0.1271
6705	0.7053	0.8321
6706	0.3154	0.3717
6707	11.32*	13.70*
6708	3.1900	4.8240
6709	0.1359	0.1980
6801	0.2376	0.2009
6802	0.2554	0.3222
6803	1.6138	0.3486
6804	0.1683	0.1704
6809	2.1394	5.0284
6901	0.0000	0.0474
6902	0.7423	0.4056
6903	4.7024	2.9071
6904	0.2091	0.1837
6905	0.2178	0.2166

6906	0.0000	0.2166
6907	1.0575	0.8286
6908	0.3367	0.3177
6909	0.0636	0.0712
7101	0.0271	0.0263
7102	16.00*	36.42*
7103	0.2627	0.2074
7104	0.0185	0.0239
7105	0.0284	0.0277
7106	0.1695	0.1489
7107	0.2282	0.1877
7108	0.1961	0.2089
7109	0.2358	0.2551
7110	0.3382	0.2529
7111	0.4954	0.3954
7112	0.6213	0.4795
7113	0.7438	0.4784
7114	0.5257	0.6543
7115	0.5571	0.4298
7116	0.6024	0.4505
7117	1.2373	1.6166
7118	2.7234	2.2154
7119	1.7968	1.3897
7120	5.0776	4.5910
7121	5.4988	4.5460
7201	0.7427	0.5316
7202	0.0381	0.0400
7203	0.0891	0.1417
7204	0.0000	0.0000
7301	0.5759	0.4760
7302	0.5482	0.5867
7307	0.6980	0.6684
7308	0.1611	0.2162
7309	0.1359	0.1980))

Base Rates Effective
January 1, 1995

<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
<u>0101</u>	<u>1.4247</u>	<u>0.7373</u>
<u>0102</u>	<u>1.4036</u>	<u>0.7403</u>
<u>0103</u>	<u>1.5749</u>	<u>0.9287</u>
<u>0104</u>	<u>2.1193</u>	<u>0.9992</u>
<u>0105</u>	<u>1.3778</u>	<u>0.8837</u>
<u>0107</u>	<u>1.3542</u>	<u>0.6754</u>
<u>0108</u>	<u>1.1318</u>	<u>0.5640</u>
<u>0109</u>	<u>4.8977</u>	<u>2.3380</u>
<u>0201</u>	<u>2.8359</u>	<u>1.3093</u>
<u>0202</u>	<u>3.1142</u>	<u>1.7970</u>
<u>0206</u>	<u>2.3064</u>	<u>0.9900</u>
<u>0301</u>	<u>0.5840</u>	<u>0.4420</u>
<u>0302</u>	<u>2.2016</u>	<u>0.9871</u>
<u>0306</u>	<u>1.0725</u>	<u>0.6118</u>
<u>0307</u>	<u>0.7472</u>	<u>0.5053</u>
<u>0403</u>	<u>1.4548</u>	<u>0.8948</u>

PROPOSED

<u>0502</u>	<u>1.4856</u>	<u>0.7179</u>	<u>2004</u>	<u>0.6109</u>	<u>0.5011</u>
<u>0504</u>	<u>1.5477</u>	<u>0.7952</u>	<u>2007</u>	<u>0.4334</u>	<u>0.3924</u>
<u>0506</u>	<u>4.9474</u>	<u>2.3894</u>	<u>2008</u>	<u>0.2547</u>	<u>0.1940</u>
<u>0507</u>	<u>3.2863</u>	<u>1.8121</u>	<u>2009</u>	<u>0.2885</u>	<u>0.2619</u>
<u>0508</u>	<u>3.6764</u>	<u>1.4328</u>	<u>2101</u>	<u>0.5997</u>	<u>0.4686</u>
<u>0509</u>	<u>1.8642</u>	<u>1.0266</u>	<u>2102</u>	<u>0.3973</u>	<u>0.3524</u>
<u>0510</u>	<u>1.4603</u>	<u>0.8730</u>	<u>2104</u>	<u>0.2512</u>	<u>0.2505</u>
<u>0511</u>	<u>1.1705</u>	<u>0.7171</u>	<u>2105</u>	<u>0.5644</u>	<u>0.3520</u>
<u>0512</u>	<u>1.7015</u>	<u>0.9476</u>	<u>2106</u>	<u>0.3466</u>	<u>0.2868</u>
<u>0513</u>	<u>0.7639</u>	<u>0.4560</u>	<u>2201</u>	<u>0.2263</u>	<u>0.1810</u>
<u>0514</u>	<u>1.4603</u>	<u>0.8730</u>	<u>2202</u>	<u>0.5022</u>	<u>0.4612</u>
<u>0515</u>	<u>3.0165</u>	<u>1.3890</u>	<u>2203</u>	<u>0.2657</u>	<u>0.2462</u>
<u>0516</u>	<u>1.4603</u>	<u>0.8730</u>	<u>2401</u>	<u>0.3912</u>	<u>0.3576</u>
<u>0517</u>	<u>1.7552</u>	<u>1.1660</u>	<u>2903</u>	<u>0.5996</u>	<u>0.5261</u>
<u>0518</u>	<u>1.8547</u>	<u>0.8859</u>	<u>2904</u>	<u>0.6717</u>	<u>0.5376</u>
<u>0519</u>	<u>1.4948</u>	<u>1.0730</u>	<u>2905</u>	<u>0.4554</u>	<u>0.4236</u>
<u>0601</u>	<u>0.7351</u>	<u>0.4394</u>	<u>2906</u>	<u>0.3463</u>	<u>0.2433</u>
<u>0602</u>	<u>0.4245</u>	<u>0.2643</u>	<u>2907</u>	<u>0.4528</u>	<u>0.3786</u>
<u>0603</u>	<u>0.8327</u>	<u>0.4803</u>	<u>2908</u>	<u>0.9163</u>	<u>0.6985</u>
<u>0604</u>	<u>1.1062</u>	<u>0.8315</u>	<u>2909</u>	<u>0.5090</u>	<u>0.4478</u>
<u>0606</u>	<u>0.2259</u>	<u>0.2280</u>	<u>3101</u>	<u>0.8246</u>	<u>0.5118</u>
<u>0607</u>	<u>0.2639</u>	<u>0.2420</u>	<u>3102</u>	<u>0.3018</u>	<u>0.2675</u>
<u>0608</u>	<u>0.2607</u>	<u>0.2385</u>	<u>3103</u>	<u>0.7326</u>	<u>0.4765</u>
<u>0701</u>	<u>3.0988</u>	<u>0.9681</u>	<u>3104</u>	<u>0.4991</u>	<u>0.3420</u>
<u>0803</u>	<u>0.3300</u>	<u>0.2472</u>	<u>3105</u>	<u>0.8640</u>	<u>0.6104</u>
<u>0804</u>	<u>1.0070</u>	<u>0.5585</u>	<u>3303</u>	<u>0.2050</u>	<u>0.1860</u>
<u>0901</u>	<u>1.7204</u>	<u>0.9548</u>	<u>3304</u>	<u>0.5104</u>	<u>0.4638</u>
<u>1002</u>	<u>0.8876</u>	<u>0.6087</u>	<u>3309</u>	<u>0.3567</u>	<u>0.3835</u>
<u>1003</u>	<u>0.6622</u>	<u>0.4160</u>	<u>3401</u>	<u>0.3730</u>	<u>0.2856</u>
<u>1004</u>	<u>0.5366</u>	<u>0.3517</u>	<u>3402</u>	<u>0.4618</u>	<u>0.3392</u>
<u>1005</u>	<u>5.5279</u>	<u>2.6017</u>	<u>3403</u>	<u>0.2098</u>	<u>0.1594</u>
<u>1007</u>	<u>0.2735</u>	<u>0.2102</u>	<u>3404</u>	<u>0.3829</u>	<u>0.3492</u>
<u>1101</u>	<u>0.5055</u>	<u>0.3939</u>	<u>3405</u>	<u>0.2973</u>	<u>0.2240</u>
<u>1102</u>	<u>1.3193</u>	<u>0.7504</u>	<u>3406</u>	<u>0.2095</u>	<u>0.2037</u>
<u>1103</u>	<u>0.4719</u>	<u>0.3878</u>	<u>3407</u>	<u>0.3154</u>	<u>0.2514</u>
<u>1104</u>	<u>0.5174</u>	<u>0.4580</u>	<u>3408</u>	<u>0.0858</u>	<u>0.0684</u>
<u>1106</u>	<u>0.1917</u>	<u>0.2353</u>	<u>3409</u>	<u>0.0805</u>	<u>0.0795</u>
<u>1108</u>	<u>0.3817</u>	<u>0.3549</u>	<u>3410</u>	<u>0.1630</u>	<u>0.1850</u>
<u>1109</u>	<u>0.6580</u>	<u>0.6093</u>	<u>3501</u>	<u>0.9162</u>	<u>0.6234</u>
<u>1301</u>	<u>0.3067</u>	<u>0.2433</u>	<u>3503</u>	<u>0.2179</u>	<u>0.3004</u>
<u>1303</u>	<u>0.1809</u>	<u>0.1273</u>	<u>3506</u>	<u>0.8400</u>	<u>0.4726</u>
<u>1304</u>	<u>0.0191</u>	<u>0.0192</u>	<u>3509</u>	<u>0.3784</u>	<u>0.3445</u>
<u>1305</u>	<u>0.3136</u>	<u>0.2764</u>	<u>3510</u>	<u>0.3804</u>	<u>0.3468</u>
<u>1401</u>	<u>0.5977</u>	<u>0.4867</u>	<u>3511</u>	<u>0.5547</u>	<u>0.4611</u>
<u>1404</u>	<u>0.5441</u>	<u>0.3971</u>	<u>3512</u>	<u>0.3124</u>	<u>0.3473</u>
<u>1405</u>	<u>0.4960</u>	<u>0.3980</u>	<u>3602</u>	<u>0.0878</u>	<u>0.0979</u>
<u>1501</u>	<u>0.3419</u>	<u>0.2511</u>	<u>3603</u>	<u>0.3090</u>	<u>0.3405</u>
<u>1507</u>	<u>0.2700</u>	<u>0.2301</u>	<u>3604</u>	<u>1.4196</u>	<u>1.0199</u>
<u>1701</u>	<u>1.8890</u>	<u>0.8741</u>	<u>3605</u>	<u>0.4376</u>	<u>0.3403</u>
<u>1702</u>	<u>1.8402</u>	<u>0.9019</u>	<u>3701</u>	<u>0.2589</u>	<u>0.2143</u>
<u>1703</u>	<u>0.3927</u>	<u>0.2480</u>	<u>3702</u>	<u>0.5058</u>	<u>0.4041</u>
<u>1704</u>	<u>0.8206</u>	<u>0.5239</u>	<u>3707</u>	<u>0.4213</u>	<u>0.4248</u>
<u>1801</u>	<u>0.9765</u>	<u>0.5094</u>	<u>3708</u>	<u>0.3018</u>	<u>0.2675</u>
<u>1802</u>	<u>1.0560</u>	<u>0.6538</u>	<u>3801</u>	<u>0.2406</u>	<u>0.1899</u>
<u>2002</u>	<u>0.5074</u>	<u>0.4484</u>	<u>3802</u>	<u>0.1703</u>	<u>0.1630</u>
<u>2003</u>	<u>0.3687</u>	<u>0.3282</u>	<u>3808</u>	<u>0.2775</u>	<u>0.2228</u>

PROPOSED

<u>3901</u>	<u>0.1497</u>	<u>0.1564</u>	<u>5204</u>	<u>0.9478</u>	<u>0.6700</u>
<u>3902</u>	<u>0.3707</u>	<u>0.3656</u>	<u>5206</u>	<u>0.4986</u>	<u>0.3201</u>
<u>3903</u>	<u>0.9734</u>	<u>0.9930</u>	<u>5207</u>	<u>0.1095</u>	<u>0.1380</u>
<u>3905</u>	<u>0.1221</u>	<u>0.1558</u>	<u>5208</u>	<u>0.9067</u>	<u>0.6688</u>
<u>3906</u>	<u>0.4725</u>	<u>0.4064</u>	<u>5209</u>	<u>0.6024</u>	<u>0.5372</u>
<u>3909</u>	<u>0.1862</u>	<u>0.1907</u>	<u>5301</u>	<u>0.0243</u>	<u>0.0236</u>
<u>4002</u>	<u>0.7430</u>	<u>0.4815</u>	<u>5305</u>	<u>0.0355</u>	<u>0.0358</u>
<u>4101</u>	<u>0.1880</u>	<u>0.1702</u>	<u>5306</u>	<u>0.0373</u>	<u>0.0363</u>
<u>4103</u>	<u>0.2042</u>	<u>0.2174</u>	<u>5307</u>	<u>0.3117</u>	<u>0.2321</u>
<u>4107</u>	<u>0.1125</u>	<u>0.1156</u>	<u>6103</u>	<u>0.0432</u>	<u>0.0586</u>
<u>4108</u>	<u>0.1709</u>	<u>0.1571</u>	<u>6104</u>	<u>0.2141</u>	<u>0.2131</u>
<u>4109</u>	<u>0.1880</u>	<u>0.1702</u>	<u>6105</u>	<u>0.1651</u>	<u>0.1532</u>
<u>4201</u>	<u>0.2950</u>	<u>0.1876</u>	<u>6107</u>	<u>0.1105</u>	<u>0.1219</u>
<u>4301</u>	<u>0.7507</u>	<u>0.6176</u>	<u>6108</u>	<u>0.4371</u>	<u>0.4279</u>
<u>4302</u>	<u>0.6962</u>	<u>0.4263</u>	<u>6109</u>	<u>0.0496</u>	<u>0.0462</u>
<u>4304</u>	<u>0.5467</u>	<u>0.4694</u>	<u>6110</u>	<u>0.4285</u>	<u>0.3568</u>
<u>4305</u>	<u>1.0465</u>	<u>0.6225</u>	<u>6201</u>	<u>0.2063</u>	<u>0.1740</u>
<u>4401</u>	<u>0.4751</u>	<u>0.3958</u>	<u>6202</u>	<u>0.5354</u>	<u>0.4104</u>
<u>4402</u>	<u>0.5684</u>	<u>0.5111</u>	<u>6203</u>	<u>0.0679</u>	<u>0.0753</u>
<u>4404</u>	<u>0.3805</u>	<u>0.3202</u>	<u>6204</u>	<u>0.1487</u>	<u>0.1666</u>
<u>4501</u>	<u>0.1215</u>	<u>0.1107</u>	<u>6205</u>	<u>0.1487</u>	<u>0.1666</u>
<u>4502</u>	<u>0.0357</u>	<u>0.0348</u>	<u>6206</u>	<u>0.1487</u>	<u>0.1666</u>
<u>4504</u>	<u>0.0651</u>	<u>0.0836</u>	<u>6207</u>	<u>0.8573</u>	<u>1.1159</u>
<u>4601</u>	<u>0.5618</u>	<u>0.5140</u>	<u>6208</u>	<u>0.2130</u>	<u>0.2517</u>
<u>4802</u>	<u>0.2423</u>	<u>0.1926</u>	<u>6209</u>	<u>0.1912</u>	<u>0.2094</u>
<u>4803</u>	<u>0.1852</u>	<u>0.2134</u>	<u>6301</u>	<u>0.1138</u>	<u>0.0890</u>
<u>4804</u>	<u>0.4477</u>	<u>0.4568</u>	<u>6302</u>	<u>0.1396</u>	<u>0.1340</u>
<u>4805</u>	<u>0.2697</u>	<u>0.2552</u>	<u>6303</u>	<u>0.0565</u>	<u>0.0520</u>
<u>4806</u>	<u>0.0640</u>	<u>0.0608</u>	<u>6304</u>	<u>0.1194</u>	<u>0.1612</u>
<u>4808</u>	<u>0.4447</u>	<u>0.3670</u>	<u>6305</u>	<u>0.0580</u>	<u>0.0625</u>
<u>4809</u>	<u>0.2069</u>	<u>0.2074</u>	<u>6306</u>	<u>0.2297</u>	<u>0.2159</u>
<u>4810</u>	<u>0.1310</u>	<u>0.1339</u>	<u>6308</u>	<u>0.0423</u>	<u>0.0378</u>
<u>4811</u>	<u>0.2220</u>	<u>0.2198</u>	<u>6309</u>	<u>0.1062</u>	<u>0.1166</u>
<u>4812</u>	<u>0.3509</u>	<u>0.2693</u>	<u>6402</u>	<u>0.2509</u>	<u>0.2234</u>
<u>4813</u>	<u>0.2294</u>	<u>0.2083</u>	<u>6403</u>	<u>0.1630</u>	<u>0.1850</u>
<u>4901</u>	<u>0.0425</u>	<u>0.0352</u>	<u>6404</u>	<u>0.1142</u>	<u>0.1418</u>
<u>4902</u>	<u>0.0523</u>	<u>0.0439</u>	<u>6405</u>	<u>0.4876</u>	<u>0.4130</u>
<u>4903</u>	<u>0.0425</u>	<u>0.0352</u>	<u>6406</u>	<u>0.0648</u>	<u>0.0743</u>
<u>4904</u>	<u>0.0199</u>	<u>0.0212</u>	<u>6407</u>	<u>0.1722</u>	<u>0.1682</u>
<u>4905</u>	<u>0.2055</u>	<u>0.2419</u>	<u>6408</u>	<u>0.3081</u>	<u>0.2800</u>
<u>4906</u>	<u>0.0653</u>	<u>0.0579</u>	<u>6409</u>	<u>0.4746</u>	<u>0.3434</u>
<u>4907</u>	<u>0.0591</u>	<u>0.0492</u>	<u>6410</u>	<u>0.1341</u>	<u>0.1312</u>
<u>4908</u>	<u>0.0566</u>	<u>0.1256</u>	<u>6501</u>	<u>0.0784</u>	<u>0.0771</u>
<u>4909</u>	<u>0.0566</u>	<u>0.1256</u>	<u>6502</u>	<u>0.0217</u>	<u>0.0239</u>
<u>4910</u>	<u>0.3546</u>	<u>0.3376</u>	<u>6503</u>	<u>0.0704</u>	<u>0.0432</u>
<u>5001</u>	<u>5.4002</u>	<u>2.4976</u>	<u>6504</u>	<u>0.3116</u>	<u>0.3900</u>
<u>5002</u>	<u>0.4857</u>	<u>0.3662</u>	<u>6505</u>	<u>0.0765</u>	<u>0.0915</u>
<u>5003</u>	<u>1.7809</u>	<u>0.8190</u>	<u>6506</u>	<u>0.0540</u>	<u>0.0673</u>
<u>5004</u>	<u>1.9548</u>	<u>1.2729</u>	<u>6508</u>	<u>0.3196</u>	<u>0.2953</u>
<u>5005</u>	<u>1.4247</u>	<u>0.7373</u>	<u>6509</u>	<u>0.1682</u>	<u>0.1901</u>
<u>5101</u>	<u>0.6909</u>	<u>0.6139</u>	<u>6601</u>	<u>0.1567</u>	<u>0.1774</u>
<u>5103</u>	<u>0.7281</u>	<u>0.6080</u>	<u>6602</u>	<u>0.4142</u>	<u>0.3776</u>
<u>5106</u>	<u>0.4999</u>	<u>0.4931</u>	<u>6603</u>	<u>0.2415</u>	<u>0.2331</u>
<u>5108</u>	<u>0.6571</u>	<u>0.4522</u>	<u>6604</u>	<u>0.0534</u>	<u>0.0515</u>
<u>5109</u>	<u>0.6402</u>	<u>0.4258</u>	<u>6605</u>	<u>0.2877</u>	<u>0.3259</u>
<u>5201</u>	<u>0.3193</u>	<u>0.2418</u>	<u>6607</u>	<u>0.1221</u>	<u>0.1558</u>

PROPOSED

<u>6608</u>	<u>0.3038</u>	<u>0.1856</u>
<u>6614</u>	<u>283.6400**</u>	<u>238.0000**</u>
<u>6615</u>	<u>211.8800**</u>	<u>176.7600**</u>
<u>6616</u>	<u>28.1200**</u>	<u>23.5200**</u>
<u>6617</u>	<u>21.0400**</u>	<u>17.6000**</u>
<u>6618</u>	<u>80.8000**</u>	<u>67.8400**</u>
<u>6620</u>	<u>0.4168</u>	<u>0.4917</u>
<u>6704</u>	<u>0.1198</u>	<u>0.1136</u>
<u>6705</u>	<u>0.6471</u>	<u>0.6985</u>
<u>6706</u>	<u>0.3150</u>	<u>0.3623</u>
<u>6707</u>	<u>11.30*</u>	<u>12.44*</u>
<u>6708</u>	<u>3.2570</u>	<u>4.6300</u>
<u>6709</u>	<u>0.1409</u>	<u>0.1887</u>
<u>6801</u>	<u>0.2333</u>	<u>0.1910</u>
<u>6802</u>	<u>0.2705</u>	<u>0.3299</u>
<u>6803</u>	<u>1.5385</u>	<u>0.3053</u>
<u>6804</u>	<u>0.1744</u>	<u>0.1513</u>
<u>6809</u>	<u>2.3520</u>	<u>4.7838</u>
<u>6901</u>	<u>0.0000</u>	<u>0.0451</u>
<u>6902</u>	<u>0.8429</u>	<u>0.3895</u>
<u>6903</u>	<u>4.0311</u>	<u>2.5499</u>
<u>6904</u>	<u>0.2030</u>	<u>0.1654</u>
<u>6905</u>	<u>0.2207</u>	<u>0.2068</u>
<u>6906</u>	<u>0.0000</u>	<u>0.2068</u>
<u>6907</u>	<u>1.1267</u>	<u>0.7995</u>
<u>6908</u>	<u>0.3739</u>	<u>0.3020</u>
<u>6909</u>	<u>0.0745</u>	<u>0.0746</u>
<u>7101</u>	<u>0.0282</u>	<u>0.0263</u>
<u>7102</u>	<u>16.58*</u>	<u>34.60*</u>
<u>7103</u>	<u>0.2755</u>	<u>0.2056</u>
<u>7104</u>	<u>0.0203</u>	<u>0.0236</u>
<u>7105</u>	<u>0.0254</u>	<u>0.0239</u>
<u>7106</u>	<u>0.1604</u>	<u>0.1305</u>
<u>7107</u>	<u>0.2408</u>	<u>0.1905</u>
<u>7108</u>	<u>0.1819</u>	<u>0.1916</u>
<u>7109</u>	<u>0.2304</u>	<u>0.2379</u>
<u>7110</u>	<u>0.3427</u>	<u>0.2354</u>
<u>7111</u>	<u>0.4518</u>	<u>0.3710</u>
<u>7112</u>	<u>0.6218</u>	<u>0.4554</u>
<u>7113</u>	<u>0.7251</u>	<u>0.4661</u>
<u>7114</u>	<u>0.5450</u>	<u>0.6637</u>
<u>7115</u>	<u>0.5451</u>	<u>0.4083</u>
<u>7116</u>	<u>0.6058</u>	<u>0.4331</u>
<u>7117</u>	<u>1.2826</u>	<u>1.3809</u>
<u>7118</u>	<u>2.8220</u>	<u>2.1272</u>
<u>7119</u>	<u>1.8203</u>	<u>1.2733</u>
<u>7120</u>	<u>5.1898</u>	<u>4.2887</u>
<u>7121</u>	<u>5.6092</u>	<u>4.2428</u>
<u>7201</u>	<u>0.9038</u>	<u>0.5638</u>
<u>7202</u>	<u>0.0443</u>	<u>0.0410</u>
<u>7203</u>	<u>0.0877</u>	<u>0.1286</u>
<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>
<u>7301</u>	<u>0.5781</u>	<u>0.4354</u>
<u>7302</u>	<u>0.5665</u>	<u>0.5611</u>
<u>7307</u>	<u>0.5996</u>	<u>0.5560</u>

<u>7308</u>	<u>0.1744</u>	<u>0.2070</u>
<u>7309</u>	<u>0.1409</u>	<u>0.1887</u>

(† The base rate for this classification shall be effective July 1, 1994.)

* Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

** These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-919 Table I.

~~((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B~~
STANDARD PREMIUM SIZE RANGES
 Effective January 1, 1994

Size Group Number	Standard Premium Range	
84	\$ 4,294	\$ 4,953
83	4,954	5,687
82	5,688	6,499
81	6,500	7,401
80	7,402	8,397
79	8,398	9,495
78	9,496	10,701
77	10,702	12,029
76	12,030	13,486
75	13,487	15,081
74	15,082	16,825
73	16,826	18,729
72	18,730	20,806
71	20,807	23,068
70	23,069	25,528
69	25,529	28,203
68	28,204	28,979
67	28,980	30,608
66	30,609	32,354
65	32,355	34,230
64	34,231	36,248
63	36,249	38,416
62	38,417	40,756
61	40,757	43,278
60	43,279	46,003
59	46,004	48,950
58	48,951	52,141
57	52,142	55,602
56	55,603	59,361
55	59,362	63,450
54	63,451	67,904
53	67,905	72,763
52	72,764	78,074
51	78,075	83,888
50	83,889	90,265
49	90,266	97,272

48	97,273	104,987	80	7,049	-	7,997
47	104,988	113,498	79	7,998	-	9,042
46	113,499	122,906	78	9,043	-	10,191
45	122,907	133,331	77	10,192	-	11,456
44	133,332	140,865	76	11,457	-	12,844
43	140,866	150,130	75	12,845	-	14,363
42	150,131	160,248	74	14,364	-	16,024
41	160,249	171,321	73	16,025	-	17,837
40	171,322	183,463	72	17,838	-	19,814
39	183,464	196,811	71	19,815	-	21,969
38	196,812	211,521	70	21,970	-	24,312
37	211,522	227,775	69	24,313	-	26,859
36	227,776	245,783	68	26,860	-	27,598
35	245,784	265,789	67	27,599	-	29,150
34	265,790	288,090	66	29,151	-	30,813
33	288,091	313,023	65	30,814	-	32,600
32	313,024	340,997	64	32,601	-	34,521
31	340,998	372,499	63	34,522	-	36,586
30	372,500	408,112	62	36,587	-	38,814
29	408,113	448,540	61	38,815	-	41,216
28	448,541	494,639	60	41,217	-	43,811
27	494,640	547,456	59	43,812	-	46,618
26	547,457	608,285	58	46,619	-	49,657
25	608,286	678,724	57	49,658	-	52,953
24	678,725	760,788	56	52,954	-	56,533
23	760,789	857,018	55	56,534	-	60,428
22	857,019	970,663	54	60,429	-	64,669
21	970,664	1,105,918	53	64,670	-	69,297
20	1,105,919	1,268,268	52	69,298	-	74,355
19	1,268,269	1,464,979	51	74,356	-	79,892
18	1,464,980	1,705,818	50	79,893	-	85,965
17	1,705,819	2,004,122	49	85,966	-	92,638
16	2,004,123	2,230,523	48	92,639	-	99,986
15	2,230,524	2,488,836	47	99,987	-	108,091
14	2,488,837	2,777,523	46	108,092	-	117,051
13	2,777,524	3,239,485	45	117,052	-	126,980
12	3,239,486	3,809,183	44	126,981	-	134,155
11	3,809,184	4,997,497	43	134,156	-	142,978
10	4,997,498	6,820,405	42	142,979	-	152,615
9	6,820,406	8,882,450	41	152,616	-	163,160
8	8,882,451	11,999,813	40	163,161	-	174,724
7	11,999,814	16,908,436	39	174,725	-	187,435
6	16,908,437	25,334,040	38	187,436	-	201,445
5	25,334,041	& Over))	37	201,446	-	216,924

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, 1995

<u>Size Group Number</u>	<u>Standard Premium Range</u>
84	\$ 4,089 - \$ 4,717
83	4,718 - 5,416
82	5,417 - 6,190
81	6,191 - 7,048

<u>80</u>	<u>7,049</u>	<u>-</u>	<u>7,997</u>
<u>79</u>	<u>7,998</u>	<u>-</u>	<u>9,042</u>
<u>78</u>	<u>9,043</u>	<u>-</u>	<u>10,191</u>
<u>77</u>	<u>10,192</u>	<u>-</u>	<u>11,456</u>
<u>76</u>	<u>11,457</u>	<u>-</u>	<u>12,844</u>
<u>75</u>	<u>12,845</u>	<u>-</u>	<u>14,363</u>
<u>74</u>	<u>14,364</u>	<u>-</u>	<u>16,024</u>
<u>73</u>	<u>16,025</u>	<u>-</u>	<u>17,837</u>
<u>72</u>	<u>17,838</u>	<u>-</u>	<u>19,814</u>
<u>71</u>	<u>19,815</u>	<u>-</u>	<u>21,969</u>
<u>70</u>	<u>21,970</u>	<u>-</u>	<u>24,312</u>
<u>69</u>	<u>24,313</u>	<u>-</u>	<u>26,859</u>
<u>68</u>	<u>26,860</u>	<u>-</u>	<u>27,598</u>
<u>67</u>	<u>27,599</u>	<u>-</u>	<u>29,150</u>
<u>66</u>	<u>29,151</u>	<u>-</u>	<u>30,813</u>
<u>65</u>	<u>30,814</u>	<u>-</u>	<u>32,600</u>
<u>64</u>	<u>32,601</u>	<u>-</u>	<u>34,521</u>
<u>63</u>	<u>34,522</u>	<u>-</u>	<u>36,586</u>
<u>62</u>	<u>36,587</u>	<u>-</u>	<u>38,814</u>
<u>61</u>	<u>38,815</u>	<u>-</u>	<u>41,216</u>
<u>60</u>	<u>41,217</u>	<u>-</u>	<u>43,811</u>
<u>59</u>	<u>43,812</u>	<u>-</u>	<u>46,618</u>
<u>58</u>	<u>46,619</u>	<u>-</u>	<u>49,657</u>
<u>57</u>	<u>49,658</u>	<u>-</u>	<u>52,953</u>
<u>56</u>	<u>52,954</u>	<u>-</u>	<u>56,533</u>
<u>55</u>	<u>56,534</u>	<u>-</u>	<u>60,428</u>
<u>54</u>	<u>60,429</u>	<u>-</u>	<u>64,669</u>
<u>53</u>	<u>64,670</u>	<u>-</u>	<u>69,297</u>
<u>52</u>	<u>69,298</u>	<u>-</u>	<u>74,355</u>
<u>51</u>	<u>74,356</u>	<u>-</u>	<u>79,892</u>
<u>50</u>	<u>79,893</u>	<u>-</u>	<u>85,965</u>
<u>49</u>	<u>85,966</u>	<u>-</u>	<u>92,638</u>
<u>48</u>	<u>92,639</u>	<u>-</u>	<u>99,986</u>
<u>47</u>	<u>99,987</u>	<u>-</u>	<u>108,091</u>
<u>46</u>	<u>108,092</u>	<u>-</u>	<u>117,051</u>
<u>45</u>	<u>117,052</u>	<u>-</u>	<u>126,980</u>
<u>44</u>	<u>126,981</u>	<u>-</u>	<u>134,155</u>
<u>43</u>	<u>134,156</u>	<u>-</u>	<u>142,978</u>
<u>42</u>	<u>142,979</u>	<u>-</u>	<u>152,615</u>
<u>41</u>	<u>152,616</u>	<u>-</u>	<u>163,160</u>
<u>40</u>	<u>163,161</u>	<u>-</u>	<u>174,724</u>
<u>39</u>	<u>174,725</u>	<u>-</u>	<u>187,435</u>
<u>38</u>	<u>187,436</u>	<u>-</u>	<u>201,445</u>
<u>37</u>	<u>201,446</u>	<u>-</u>	<u>216,924</u>
<u>36</u>	<u>216,925</u>	<u>-</u>	<u>234,074</u>
<u>35</u>	<u>234,075</u>	<u>-</u>	<u>253,127</u>
<u>34</u>	<u>253,128</u>	<u>-</u>	<u>274,366</u>
<u>33</u>	<u>274,367</u>	<u>-</u>	<u>298,111</u>
<u>32</u>	<u>298,112</u>	<u>-</u>	<u>324,753</u>
<u>31</u>	<u>324,754</u>	<u>-</u>	<u>354,754</u>
<u>30</u>	<u>354,755</u>	<u>-</u>	<u>388,671</u>
<u>29</u>	<u>388,672</u>	<u>-</u>	<u>427,173</u>
<u>28</u>	<u>427,174</u>	<u>-</u>	<u>471,075</u>
<u>27</u>	<u>471,076</u>	<u>-</u>	<u>521,377</u>
<u>26</u>	<u>521,378</u>	<u>-</u>	<u>579,308</u>
<u>25</u>	<u>579,309</u>	<u>-</u>	<u>646,392</u>

PROPOSED

24	646,393	-	724,546
23	724,547	-	816,192
22	816,193	-	924,423
21	924,424	-	1,053,235
20	1,053,236	-	1,207,852
19	1,207,853	-	1,395,191
18	1,395,192	-	1,624,558
17	1,624,559	-	1,908,651
16	1,908,652	-	2,124,267
15	2,124,268	-	2,370,275
14	2,370,276	-	2,645,210
13	2,645,211	-	3,085,165
12	3,085,166	-	3,627,724
11	3,627,725	-	4,759,430
10	4,759,431	-	6,495,500
9	6,495,501	-	8,459,314
8	8,459,315	-	11,428,175
7	11,428,176	-	16,102,964
6	16,102,965	-	24,127,195
5	24,127,196	-	& Over

WSR 94-18-127
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 7, 1994, 10:47 a.m.]

Original Notice.

Title of Rule: WAC 296-17-45004 Forest, range or timber land service—Industry rule.

Purpose: Establishes special reporting requirements for the reforestation industry in an effort to aid in reducing industry rate(s).

Statutory Authority for Adoption: RCW 51.04.020.

Statute Being Implemented: RCW 51.16.035.

Summary: The proposed rule change is being made in order to reduce administrative burden of reporting for industry and to eliminate rebate program.

Reasons Supporting Proposal: Industry representatives serving on the Reforestation Advisory Committee have requested these changes.

Name of Agency Personnel Responsible for Drafting: Mary Pat Fredrick/Beth Johnson, Tumwater, 956-4739/956-4741; Implementation and Enforcement: Theresa Whitmarsh/Mary Pat Fredrick, Tumwater, 956-4209/956-4739.

Name of Proponent: [Department of Labor and Industries], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule would allow for reforestation contractors to return to a quarterly reporting cycle rather than the month by month contract reporting cycle that was implemented with the original WAC rule. It would also eliminate the premium rebate that is offered reforestation contractors reporting on a contract basis for awards in excess of \$10,000. The anticipated effect will be a reduced administrative burden for both reforestation contractors and the department.

Proposal Changes the Following Existing Rules: See above.

Has a Small Business Economic Impact Statement Been Prepared Under Chapter 19.85 RCW? Yes. A copy of the statement may be obtained by writing to: Mary Pat Frederick, Program Manager for Policy Management Services, Department of Labor and Industries, P.O. Box 44140, Olympia, WA 98504-4140, phone (206) 956-4739, or FAX (206) 956-4721.

Hearing Location: On October 25, at 8:30 a.m., Seattle, Best Western Executel, Olympic Room, 20717 Pacific Highway South. Contact person: Liz Bolian, (206) 878-1814. Directions: Take Exit 151 (for 200th Street). Turn left at the stop sign (Military Road). At the first stop light, turn left again (200th). At the second stop light on 200th, turn left onto International Boulevard (aka 99th or Pacific Highway). Best Western is at the bottom of the hill on the right-hand side; on October 26, at 8:30 a.m., Spokane, Red

AMENDATORY SECTION (Amending WSR 93-24-114, filed 12/1/93, effective 1/1/94)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ((~~23.6 mills (\$0.236)~~) 24.8 mills (\$0.248)) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. Provided that in classifications 6707 and 7102, the employer shall retain ((~~nineteen~~) twenty) cents per day from each worker. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

NEW SECTION

WAC 296-17-925 Student volunteers. Any employer electing to insure student volunteers under the authority of chapter 51.12 RCW as now or hereafter amended shall give notice in writing on a form prescribed by the department. Any employer having elected to insure student volunteers shall maintain office records of all hours of work performed by student volunteers. Such office records shall include notice in writing as a registration of each student who has been recognized by the school and accepted by the employer to perform or observe the work of the employer. A report of such hours will be included with the employer's regular quarterly report of payroll as prescribed by the department, and will include payment for the premium based on such hours and at such rates per hour as assigned by the department.

PROPOSED

Lion Inn, Ponderosa Room, North 1100 Sullivan Road. Contact person: Kelly Lindlies, (509) 922-6513. Directions: Take Exit 291 and turn right. At the first stop light turn left and go into the Red Lion parking lot; on October 27, at 8:30 a.m., Yakima, Red Lion, Naches Room, 1507 North First Street. Contact person: Kim Hary, (509) 248-7850. Directions: Take a right out of the airport on Washington. Go to 16th Street (first light) and turn left on 16th; go to Highway 12 (about 5 miles). Take the ramp to the right; get on Highway 12; then get on 1st Street exit; when you get to the bottom go right. It is three blocks down on the left; and on October 28, at 8:30 a.m., Olympia, Department of Labor and Industries, Auditorium, 7273 Linderson Way S.W.

Assistance for Persons with Disabilities: Contact Beth Johnson by October 10, 1994, TDD (206) 956-4741.

Submit Written Comments to: FAX (206) 956-4721, by October 28, 1994.

Date of Intended Adoption: November 28, 1994.

September 7, 1994

Mark O. Brown

Director

AMENDATORY SECTION (Amending WSR 92-18-065, filed 8/31/92, effective 10/1/92)

WAC 296-17-45004 Forest, range, or timber land services—Industry rule. Washington law (RCW 51.48.030) requires every employer to make, keep, and preserve records which are adequate to facilitate the determination of premiums (taxes) due to the state for workers' compensation insurance coverage for their covered workers. In the administration of Title 51 RCW, and as it pertains to the forest, range, or timber land services industry, the department of labor and industries has deemed the records and information required in the various subsections of this section to be essential in the determination of premiums (taxes) due to the state fund. The records so specified and required, shall be provided at the time of audit to any representative of the department who has requested them.

Failure to produce these required records within thirty days of the request, or within an agreed upon time period, shall constitute noncompliance of this rule and RCW 51.48.030 and 51.48.040. Employers whose premium computations are made by the department in accordance with subsection (4) of this section are barred from questioning, in an appeal before the board of industrial insurance appeals or the courts, the correctness of any assessment by the department on any period for which such records have not been kept, preserved, or produced for inspection as provided by law.

(1) General definitions. For purpose of interpretation of this section, the following terms shall have the meanings given below:

(a) "Actual hours worked" means each workers' composite work period beginning with the starting time of day that the employees' work day commenced, and includes the entire work period, excluding any nonpaid lunch period,

and ending with the quitting time each day work was performed by the employee.

(b) "Work day" shall mean any consecutive twenty-four-hour period.

(2) Employment records. Every employer shall with respect to each worker, make, keep, and preserve original records containing all of the following information for three full calendar years following the calendar year in which the employment occurred:

(a) The name of each worker;

(b) The Social Security number of each worker;

(c) The beginning date of employment for each worker and, if applicable, the separation date of employment for each such worker;

(d) The basis upon which wages are paid to each worker;

(e) The number of units earned or produced for each worker paid on a piece-work basis;

(f) The risk classification(s) applicable to each worker;

(g) The number of actual hours worked by each worker, unless another basis of computing hours worked is prescribed in WAC 296-17-350. For purposes of chapter 296-17 WAC, this record must clearly show, by work day, the time of day the employee commenced work, and the time of day work ended;

(h) A summary time record for each worker showing the calendar day or days of the week work was performed and the actual number of hours worked each work day;

(i) In the event a single worker's time is divided between two or more risk classifications, the summary contained in (h) of this subsection shall be further broken down to show the actual hours worked in each risk classification for the worker;

(j) The workers' total gross pay period earnings;

(k) The specific sums withheld from the earnings of each worker, and the purpose of each sum withheld;

(l) The net pay earned by each such worker.

(3) Business, financial records, and record retention. Every employer is required to keep and preserve all original time records completed by their employees for a three-year period. The three-year period is specified in WAC 296-17-352 as the composite period from the date any such premium became due.

Employers who pay their workers by check are required to keep and preserve a record of all check registers and cancelled checks; and employers who pay their workers by cash are required to keep and preserve records of these cash transactions which provide a detailed record of wages paid to each worker.

(4) Recordkeeping - Estimated premium computation. Any employer required by this section to make, keep, and preserve records containing the information as specified in subsections (2) and (3) of this section, who fails to make, keep, and preserve such records, shall have premiums calculated as follows:

(a) Estimated worker hours shall be computed by dividing the gross wages of each worker for whom records were not maintained and preserved, by the state's minimum wage, in effect at the time the wages were paid or would have been paid. However, the maximum number of hours to be assessed under this provision will not exceed five hundred twenty hours for each worker, per quarter for the first audited period. Estimated worker hours computed on all subsequent audits of the same employer that disclose a continued failure to make, keep, or preserve the required payroll and employment records shall be subject to a maximum of seven hundred eighty hours for each worker, per quarter.

(b) In the event an employer also has failed to make, keep, and preserve the records containing payroll information and wages paid to each worker, estimated average wages for each worker for whom a payroll and wage record was not maintained will be determined as follows: The employer's total gross income for the audit period (earned, received, or anticipated) shall be reduced by thirty-five percent to arrive at "total estimated wages." Total estimated wages will then be divided by the number of employees for whom a record of actual hours worked was not made, kept, or preserved to arrive at an "estimated average wage" per worker. Estimated hours for each worker will then be computed by dividing the estimated average wage by the state's minimum wage in effect at the time the wages were paid or would have been paid as described in (a) of this subsection.

(5) Reporting requirements and premium payments.

(a) Every employer who is awarded a forest, range, or timber land services contract must report the contract to the department promptly when it is awarded, and prior to any work being commenced, except as provided in (c) of this subsection. Employers reporting under the provisions of (c) of this subsection shall submit the informational report with their quarterly report of premium. The report shall include the following information:

(i) The employers' (~~uniform~~) unified business identification account number (UBI).

(ii) Identification of the landowner, firm, or primary contractor who awarded the contract, including the name, address, and phone number of a contact person.

(iii) The total contract award.

(iv) Description of the forest, range, or timber land services work to be performed under terms of the contract.

(v) Physical location/site where the work will be performed including legal description.

(vi) Number of acres covered by the contract.

(vii) Dates during which the work will be performed.

(viii) Estimated payroll and hours to be worked by employees in performance of the contract.

(b) Upon completion of every contract issued by a landowner or firm that exceeds a total of ten thousand dollars, the contractor primarily responsible for the overall project shall submit in addition to the required informational report described in (a) of this subsection, report the payroll

and hours worked under the contract, and payment for required industrial insurance premiums. In the event that the contracted work (~~lasts more than three calendar months~~) is not completed within a calendar quarter, interim quarterly reports and premium payments are required for each contract for all work done during the calendar quarter. The first such report and payment is due (~~three months after~~) at the end of the first calendar quarter in which the contract work is begun (~~and may not necessarily be consistent or coincide with the quarterly reporting cycle used by forestation, range, or timber land service employers~~). Additional interim reports and payments will be submitted each quarter thereafter until the contract is completed. This will be consistent with the quarterly reporting cycle used by other employers. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter.

(c) A contractor may group contracts issued by a landowner, firm, or other contractor that total less than ten thousand dollars together and submit a combined quarterly report of hours, payroll, and the required premium payment in the same manner and periods as nonforestation, range, or timber land services employers.

(6) Out-of-state employers. Forest, range, or timber land services contractors domiciled outside of Washington state must report on a contract basis regardless of contract size for all forest, range, or timber land services work done in Washington state. Out-of-state employers will not be permitted to have an active Washington state industrial insurance account for reporting forest, range, or timber land services work in the absence of an active Washington forest, range, or timber land services contract.

(7) Work done by subcontract. Any firm primarily responsible for work to be performed under the terms of a forest, range, or timber land services contract, that subcontracts out any work under a forest, range, or timber land services contract must send written notification to the department prior to any work being done by the subcontractor. This notification must include the name, address, Social Security number, farm labor contractor number, (UBI) of each subcontractor, and the amount and description of contract work to be done by subcontract.

(8) Forest, range, or timber land services contract release - Verification of hours, payroll, and premium. The department may verify reporting of contractors by way of an on-site visit to an employers' work site. This on-site visit may include close monitoring of employees and employee work hours. Upon receipt of a premium report for a finished contract, the department may conduct an audit of the firm's payroll, employment, and financial records to validate reporting. The department will notify the contractor, and the entity that awarded the contract, of the status of the contractors' account immediately after verification. The landowner, firm, or contractors' premium liability will not be released until the final report for the contract from the

primary contractor and any subcontractors has been received and verified by the department.

~~(9) ((Forest, range, or timber land services premium refund. Upon verification that an employer subject to these rules complied with all the provisions contained in these rules, the department shall refund forty percent of the accident fund premium paid under the contract. For those contracts that total more than ten thousand dollars the refund shall be made upon verification and receipt of the final premium report for the contract. Contracts for less than ten thousand dollars which are grouped under the provision of subsection (4)(b) of this section will receive a forty percent refund out of their paid in accident fund premiums after the quarterly report has been received and verified. However, the refund of premium for all forest, range, or timber land services work is limited to work reported in risk classification 5004 (WAC 296 17 66002), provided further, that the contractor is otherwise eligible. As a part of the refund eligibility, forest, range, or timber land services contractors are required to attend a department sponsored industrial insurance education seminar.~~

~~Any employer who is subject to this section will be ineligible for any refund(s) for a three year period if it is determined that the employer is out of compliance on any of its contracts, including any group contracts completed after the effective date of this rule.~~

~~Premium refund ineligibility will extend to any new industrial insurance account in which the owner or owners, or their immediate family, have an ownership interest in an industrial insurance account, or the employer has failed to attend the education seminar sponsored by the department.~~

~~(10)) Premium liability - Work done by contract. Washington law (RCW 51.12.070) places the responsibility for industrial insurance premium payments primarily and directly upon the person, firm, or corporation who lets a contract for all covered employment involved in the fulfillment of the contract terms. Any such person, firm, or corporation letting a contract is authorized to collect from the contractor the full amount payable in premiums. The contractor is in turn authorized to collect premiums from any subcontractor they may employ his or her proportionate amount of the premium payment.~~

To eliminate premium liability for work done by contract permitted by Title 51 RCW, any person, firm, or corporation who lets a contract for forest, range, or timber land services work must submit a copy of the contract they have let to the department and verify that all premiums due under the contract have been paid.

Each contract submitted to the department must include within its body, or on a separate addendum, all of the following items:

- (a) The name of the contractor who has been engaged to perform the work;
- (b) The contractor's UBI number;
- (c) The contractor's farm labor contractor number;
- (d) The total contract award;

(e) The date the work is to be commenced; a description of the work to be performed including any pertinent acreage information;

(f) Location where the work is to be performed;

(g) A contact name and phone number of the person, firm, or corporation who let the contract;

(h) The total estimated wages to be paid by the contractor and any subcontractors;

(i) The amount to be subcontracted out if such subcontracting is permitted under the terms of the contract;

(j) The total estimated number of worker hours anticipated by the contractor and his/her subcontractors in the fulfillment of the contract terms;

~~((11))~~ (10) Reports to be mailed to the department. All contracts, reports, and information required by this section are to be sent to:

The Department of Labor and Industries

~~((Field Audit--))~~ Reforestation Team 8

P.O. Box ~~((44150))~~ 44168

Tumwater, Washington ~~((98504 4150))~~ 98504-4168

~~((12))~~ (11) Rule applicability. If any portion of this section is declared invalid, only that portion is repealed. The balance of the section shall remain in effect.

ERRATUM

Reviser's note: Due to a clerical error, one number in the table contained in WAC 173-224-040 was shown incorrectly in WSR 94-10-027. The correction is shown below in **boldface type**.

<u>INDUSTRIAL FACILITY CATEGORIES</u>	<u>ANNUAL PERMIT FEE</u>
<u>Aluminum Alloys</u>	<u>\$9,960.00</u>
<u>Aluminum and Magnesium Reduction Mills</u>	
a. <u>NPDES Permit</u>	<u>58,736.00</u>
b. <u>State Permit</u>	<u>29,368.00</u>
<u>Aluminum Forming</u>	<u>29,879.00</u>
<u>Aggregate Production</u>	
a. <u>Mining Activities</u>	
1. <u>Mining, screening, washing and/or crushing</u>	<u>1,714.00</u>
2. <u>Inactive Sites</u>	
A. <u>Single site</u>	<u>379.00</u>
B. <u>Single Owner/multiple site</u>	<u>(fee per site)</u>
i. <u>1 site will pay</u>	<u>379.00</u>
ii. <u>Additional sites 2 - < 6 will pay</u>	<u>214.00</u>
iii. <u>Additional sites 6 - < 11 will pay</u>	<u>143.00</u>
iv. <u>Additional sites 11 and greater will pay</u>	<u>71.00</u>

WSR 94-18-003
PERMANENT RULES
DEPARTMENT OF REVENUE
 [Filed August 24, 1994, 4:14 p.m.]

Date of Adoption: August 24, 1994.

Purpose: To provide tax reporting information to persons making sales to motor carriers.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-174.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 94-07-023 on March 8, 1994.

Changes Other than Editing from Proposed to Adopted Version: Subsection (3)(a)(ii), added clarification to indicate that the carrier can first move the vehicle into Washington unladen without loss of sales or use tax exemption if the purpose is to obtain a payload which is immediately hauled to an out-of-state destination.

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

August 24, 1994
 Claire Hesselholt
 Acting Assistant Director

AMENDATORY SECTION (Amending Order ET 83-16, filed 3/15/83)

WAC 458-20-174 Sales to motor carriers operating in interstate or foreign commerce of motor vehicles, trailers, parts, etc.

((Business and Occupation Tax

~~In computing tax liability under the retailing classification, persons engaged in the business of selling motor vehicles, trailers, parts and accessories, and persons engaged in the business of installing, cleaning, repairing or otherwise altering or improving such vehicles or parts are not permitted any deduction by reason of the fact that such sales or services are made to or for persons for use in conducting interstate or foreign commerce. Insofar as concerns the tax~~

~~liability of vendors of such property or services it is immaterial that the purchaser may be entitled to a statutory exemption from payment of the retail sales tax.~~

~~Retail Sales Tax~~)

(1) Introduction. This section explains the retail sales tax exemptions provided by RCW 82.08.0262 and 82.08.0263 for sales to motor carriers operating in interstate or foreign commerce. Addressed are the requirements which must be met and the documents which must be preserved to substantiate a claim of retail sales tax exemption. Motor carriers should refer to WAC 458-20-17401 for a discussion of the use tax and use tax exemptions available to motor carriers for the purchase or use of vehicles and parts under RCW 82.12.0254.

(2) Business and occupation tax. Business and occupation (B&O) tax is due on all sales to motor carriers when delivery is made in Washington, notwithstanding that the retail sales tax may not apply because of the specific statutory exemptions provided by RCW 82.08.0262 and 82.08.0263.

(a) Retailing of interstate transportation equipment. This B&O tax classification, with respect to sales to motor carriers, applies to retail sales which are exempt from retail sales tax because of the provisions of RCW 82.08.0262 or 82.08.0263. (See RCW 82.04.250.) The retailing of interstate transportation B&O tax applies to the following, but only when the retail sales tax exemption requirements for RCW 82.08.0262 or 82.08.0263 are met:

(i) Sales of motor vehicles, trailers, and component parts thereof;

(ii) The lease of motor vehicles and trailers without operator; and

(iii) Charges for labor and services rendered in respect to constructing, cleaning, repairing, altering or improving vehicles and trailers or component parts thereof. The term "component parts" means any tangible personal property which is attached to and becomes an integral part of the motor vehicle or trailer. It includes such items as motors, motor and body parts, batteries, and tires. "Component parts" includes the axle and wheels, referred to as "converter gear" or "dollies," which is used to connect a trailer behind a tractor and trailer. "Component parts" can include tangible personal property which is attached to the vehicle and used as an integral part of the motor carrier's operation of the vehicle, even if the item is not required mechanically for the operation of the vehicle. It would include cellular telephones, communication equipment, fire extinguishers, and other such items, whether themselves permanently attached to the vehicle or held by brackets which are permanently attached. If held by brackets, the brackets must be permanently attached to the vehicle in a definite and secure manner with these items attached to the bracket when not in use and intended to remain with that vehicle. It does not include antifreeze, oil, grease, and other lubricants which are considered as consumed at the time they are placed into the vehicle, even though required for operation of the vehicle. It does include items such as spark plugs, oil filters, air filters, hoses and belts.

(b) Retailing. The retailing tax applies to the following:

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(i) Sales and services as described in (a)(i) through (iii) of this subsection, which do not meet the exemption requirements provided in RCW 82.08.0262 or 82.08.0263;

(ii) Sales of equipment, tools, parts and accessories which do not become a component part of a motor vehicle or trailer used in transporting persons or property therein;

(iii) Sales of consumable supplies, such as oil, anti-freeze, grease, other lubricants, cleaning solvents and ice; and

(iv) Towing charges.

(c) Interstate sales deduction for lease income.

Persons who lease motor vehicles and trailers to motor carriers at retail (without operator) may claim an interstate sales deduction for the amount of the lease income attributable to the actual out-of-state use of the vehicles and trailers. Documentation substantiating such a claim must be retained by the lessor. This deduction may be taken even if the vehicle is not used substantially in interstate hauls for hire. The B&O tax applies to that portion of use of the vehicle while the vehicle is being used in Washington, even if the usage is in connection with interstate hauls and the vehicle is used substantially in hauling for hire in interstate commerce. See also WAC 458-20-193.

(3) **Retail sales tax.** RCW 82.08.0262 and 82.08.0263 provide exemption from the retail sales tax for certain sales to motor carriers when delivery is made in Washington.

(a) **Sales of motor vehicles and trailers.** ~~((Under RCW 82.08.0263 of the law, sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without driver, are not subject to the retail sales tax when delivery is made to the purchaser in this state: *Provided*, both of the following requirements are met:~~

~~(a)) RCW 82.08.0263 provides an exemption from the retail sales tax for sales of motor vehicles and trailers to be used for transporting therein persons or property for hire in interstate or foreign commerce. This exemption is available whether such use is by a for hire motor carrier, or by persons operating the vehicles and trailers under contract with a for hire motor carrier. The following requirements must be met to perfect any claim for exemption:~~

~~(i) The ~~((purchaser or user is the holder of))~~ for hire carrier must hold a carrier permit issued by the Interstate Commerce Commission; and~~

~~((b) Said) (ii) The vehicle will move upon the highways of this state from the point of delivery in this state to a point outside the state under the authority of a trip permit, also known as a one-transit permit, issued ~~((by the director of motor vehicles pursuant to))~~ under the provisions of RCW 46.16.160.~~

~~((In order to qualify for this exemption from the retail sales tax such buyers must furnish to their vendors the number of the permit issued to the carrier by the Interstate Commerce Commission and must have affixed to the vehicle before it leaves the premises of the dealer the necessary trip permit. In addition, and as evidence of the exempt nature of such sales, the seller is required to obtain from the buyer an exemption certificate, to which he must append his own certification, all reading substantially to the following effect:)) In some cases the vehicle may require servicing or~~

~~alterations to prepare it for use as carrier property. This may include such things as installing signs, adding accessories, changing tires, custom painting, etc. Movement of the vehicle to a Washington site where the servicing or alterations will take place will not result in a loss of the exemption when all conditions for exemption are met. Nor shall the exemption be lost simply because the motor carrier first moves the vehicle to a Washington site for the purposes of obtaining a payload which is immediately hauled to an out-of-state destination by the same vehicle.~~

~~(iii) The seller, at the time of the sale, must retain as a part of its records a copy of the trip permit, or other satisfactory evidence that a trip permit was obtained, and an exemption certificate, both of which must be completed in their entirety. The exemption certificate must be in substantially the following form:~~

Exemption Certificate

The undersigned hereby certifies that ~~((is))~~ it is, or has contracted to operate for, the holder of carrier permit No., issued by the Interstate Commerce Commission; that the vehicle this date purchased from you being a (specify truck or trailer and make) , Motor No., Serial No., will move on the highways of this state from (point of origin in state) to (out-of-state destination) or to (location) for servicing or alteration in preparation for use as carrier property, under the authority of a trip permit dated, issued ~~((by the director of motor vehicles through the agency of the Washington State Patrol Office located at))~~ under the provisions of RCW 46.16.160; and that the sale of this vehicle is entitled to exemption from the Retail Sales Tax under the provisions of RCW 82.08.0263.

Dated
.....
(name of carrier-purchaser)
By
(title)
.....
(address)

Certificate of Dealer

I hereby certify that upon the delivery of the above described vehicle to said purchaser there was affixed thereto trip permit No., and that the same authorized the transit of this vehicle between the points of origin and destination as hereinabove set forth.

.....
(name of dealer)
.....
(title)

~~((In all other cases where the purchaser takes delivery of the vehicle in this state the retail sales tax is applicable to the sale and must be collected from the purchaser.~~

~~(2)) (iv) The lease of motor vehicles and trailers to motor carriers, without operator, must satisfy all conditions and requirements provided by RCW 82.08.0263 to qualify for the retail sales tax exemption. Failure to meet these requirements will require the lessor to collect the retail sales tax on the lease. However, where the exemption from retail~~

sales tax has not been met, a retail sales tax exemption may continue to apply to that portion of the lease while the vehicle is being used outside Washington, provided the lessor can substantiate the usage outside Washington. (See WAC 458-20-193.)

(b) Sales of component parts of motor vehicles and trailers and charges for repairs, etc. ((RCW 82.08.0262 exempts from the application of the retail sales tax sales of tangible personal property which becomes a component part (as that term is hereinafter defined) of motor vehicles and trailers whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same, also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving. In applying this statutory exemption it is important that both sellers and buyers notice the distinction between this and the exemption provided for in RCW 82.08.0263 of the law (see 1 above). This exemption is not open to all motor carriers operating under a permit issued by the Interstate Commerce Commission, but only to those whose permits authorize actual transportation across the state boundaries.

The term "component part" is construed to mean all tangible personal property which is attached to and becomes an integral part of the motor vehicle or trailer. It includes such items as motors, motor and body parts, batteries and tires. The term also includes spare parts which are designed and intended for ultimate attachment to the carrier vehicle. It does not include equipment or tools which may be used in connection with the operation of the truck or trailer as a carrier of persons or goods but which will not become permanently attached to and an integral part of the same, nor does it include consumable supplies, such as lubricants and ice.

Buyers claiming sales tax exemption under this statutory section are required to furnish to their vendors the number of the permit issued to the carrier by the Interstate Commerce Commission authorizing transportation across the boundaries of the state and, as evidence of the exempt nature of such sales, sellers must take from the buyer an exemption certificate reading in substance, as follows:)) RCW 82.08.0262 provides an exemption from the retail sales tax for sales of component parts and repairs of motor vehicles and trailers. This exemption is available only if the user of the motor vehicle or trailer is the holder of a carrier permit issued by the Interstate Commerce Commission which authorizes transportation by motor vehicle across the boundaries of Washington. Since the Interstate Commerce Commission requires carriers to obtain permits only when the carrier is hauling for hire, the exemption applies only to parts and repairs purchased for vehicles which are used in hauling for hire. The exemption includes labor and services rendered in constructing, repairing, cleaning, altering, or improving such motor vehicles and trailers.

(i) This exemption is available whether the motor vehicles or trailers are owned by, or operated under contract with, persons holding the carrier permit. This exemption applies even if the motor vehicle or trailer to which the parts

are attached will not be used substantially in interstate hauls, provided the vehicles are used in hauling for hire.

(ii) The seller must retain as a part of its records a completed exemption certificate. This certificate may be:

(A) Issued for each purchase;

(B) Incorporated in or stamped upon the purchase order;

or

(C) In blanket form certifying all future purchases as being exempt from sales tax. Blanket forms must be renewed every four years.

(iii) This certificate should be in substantially the following form:

Exemption Certificate

The undersigned hereby certifies that it is, or has contracted to operate for, the holder of a carrier permit, No., issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state((, and that)). The undersigned further certifies that the motor truck or trailer to be constructed, repaired, cleaned, altered, or improved by you, or to which the subject matter of this purchase is to become a component part, will be used in direct connection with the business of ((conducting interstate or foreign commerce by)) transporting therein persons or property for hire ((across the boundaries of this state)); and that such sale and/or charges are exempt from the Retail Sales Tax under the provisions of RCW 82.08.0262.

Dated

.....
(name of carrier-purchaser)

.....
(address)

By
(title)

((The retail sales tax does apply to the sale of all other accessories, supplies and equipment to motor carriers operating under permits authorizing transportation across the boundaries of the state.

Furthermore, the retail sales tax applies to the sale of all tangible personal property, irrespective of whether or not the same may be construed to be a "component part" of a truck or trailer, and the sale of or charge made for labor and services rendered in respect to the constructing, operating, cleaning, altering or improving of motor vehicles and trailers where the Interstate Commerce Commission permit held by the operator of such vehicles does not authorize transportation across the boundaries of this state.

The exemption certificates referred to in this rule must be retained by the seller in his files as a part of his permanent records subject to audit by the department of revenue. As to any sales transactions claimed to be exempt from the retail sales tax under the provisions of RCW 82.08.0262 and 82.08.0263, where no exemption certificate has been secured and retained as required herein, or where the exemption certificate does not substantially comply with the essentials set out in the foregoing forms, the seller will bear the burden of proving its tax exempt status.

Use Tax

~~The use tax applies upon the actual use within this state of all articles of tangible personal property purchased at retail and upon the acquisition of which the retail sales tax has not been paid to this state, unless such use is exempt from use tax under the provisions of chapter 82.12 RCW. Pursuant to RCW 82.12.0254 the use tax does not apply to the following uses:~~

~~(a) The use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal and ordinary course of the user's business for transporting persons or property for hire across the boundaries of this state if the first use within this state is actual use in conducting interstate or foreign commerce.~~

~~(b) The use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder.~~

~~(c) The use of any motor vehicle or trailer while being operated under the authority of a trip permit issued by the director of motor vehicles pursuant to RCW 46.16.160 and moving upon the highways from the point of delivery within this state to a point outside this state.))~~ **(c) Taxable sales.**

The following sales do not qualify for exemption under the provisions of RCW 82.08.0262 or 82.08.0263, and are subject to the retail sales tax when delivery is made in Washington.

(i) Sales of equipment, tools, parts and accessories which do not become a component part of a motor vehicle or trailer used in transporting persons or property for hire. This includes items such as tire chains and tarps which are not custom made for a specific vehicle.

(ii) Sales of consumable supplies, such as oil, antifreeze, grease, other lubricants, cleaning solvents and ice.

(iii) Towing charges.

WSR 94-18-004**PERMANENT RULES****DEPARTMENT OF REVENUE**

[Filed August 24, 1994, 4:17 p.m.]

Date of Adoption: August 24, 1994.

Purpose: To provide use tax reporting information to motor carriers hauling in interstate commerce.

Citation of Existing Rules Affected by this Order: New section WAC 458-20-17401.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 94-07-024 on March 8, 1994.

Changes Other than Editing from Proposed to Adopted Version: Subsection (3)(a), added language to indicate that a trip permit is not required for the first trip in Washington for vehicles purchased outside Washington. The trip permit applies only to vehicles purchased in Washington; subsection (3)(d), added a provision that where a vehicle is used for

less than the full calendar/fiscal year, the substantial use test may be determined by looking at the partial year for which the vehicle was owned; subsection (3)(e)(ii), added language to indicate that "empty miles" will be considered part of an interstate haul if associated with an interstate laden haul; subsection (3)(h)(vi), added an example for a haul involving goods being carried simultaneously to an intrastate and an interstate destination; subsection (4)(a), added a provision to adjust the number of trailers subject to use tax in a given year where use tax of trailers is based on the number of tractors subject to use tax and the ratio of trailers to tractors is not an even number; subsection (5)(a), added a provision for values to be determined based on publications such as Kelly Blue Book or the NADA publication; subsection (6)(a), the language was changed which deals with leased vehicles. The language was removed which indicated that once a leased vehicle failed to meet substantial interstate use, all future use would be subject to use tax. Language was substituted to indicate that leased vehicles will be reviewed for substantial use on an annual (or fiscal year) basis and use tax will apply to Washington use for any year in which substantial interstate usage was not met. Each year is reviewed independent of other years. Clarified that leased vehicles must meet first use on an interstate haul and meet trip permit requirements at the initial start of a new lease, but not at the start of each continuing lease period for an existing lease where there is no change in vehicle; and subsection (7)(a), added a clarification to indicate that spark plugs, oil filters, air filters, hoses, and belts are components and indicated that liquids are not components, such as antifreeze, oil, and grease.

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

August 24, 1994

Claire Hesselholt

Acting Assistant Director

NEW SECTION

WAC 458-20-17401 Use tax of motor carriers operating in interstate or foreign commerce for motor vehicles, trailers, parts, etc. (1) Introduction. This section explains the use tax and the use tax exemptions provided by RCW 82.12.0254 which apply to motor carriers operating in interstate or foreign commerce. Motor carriers should refer to WAC 458-20-174 for a discussion of the retail sales tax and retail sales tax exemptions which apply to motor carriers for the purchase of vehicles and parts under RCW 82.08.0262 and 82.08.0263.

(2) **Use tax.** The use tax supplements the retail sales tax by imposing a tax of like amount upon the use within this state as a consumer of any tangible personal property purchased at retail, where the user has not paid retail sales tax with respect to the purchase of the property used. (See also WAC 458-20-178.) If the seller fails to collect the appropriate retail sales tax, the purchaser is required to pay the deferred retail sales or use tax directly to the department unless the purchase and/or use is exempt from the use tax.

(3) **Motor vehicles and trailers.** Purchasers of motor vehicles and trailers should note the differences in the conditions and requirements for the retail sales and use tax exemptions provided by RCW 82.08.0263 and 82.12.0254, respectively. The purchaser of a motor vehicle or trailer

may qualify for the retail sales tax exemption at the time of purchase, yet incur a use tax liability for the subsequent use of the same vehicle or trailer.

(a) For vehicles purchased in Washington, RCW 82.12.0254 provides a use tax exemption for the use of any motor vehicle or trailer while being operated under the authority of a trip permit and moving from the point of delivery in this state to a point outside this state. However, any subsequent use in Washington of the vehicle by a Washington based carrier could be subject to use tax unless the first use was in actual transportation for hire across the state boundaries. Carriers who purchase a vehicle outside of Washington are not required to obtain a trip permit on the first trip into Washington as a condition for use tax exemption, but the first use must be in an interstate haul for hire.

(b) RCW 82.12.0254 provides a use tax exemption for the use of any motor vehicle or trailer owned by, or operated under contract with, a for hire motor carrier engaged in the business of transporting persons or property in interstate or foreign commerce. All of the following conditions must be met for the exemption to apply:

(i) The user is, or operates under contract with, a holder of an ICC permit;

(ii) The vehicle is used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of the state; and

(iii) The first use in Washington is actual use in conducting interstate or foreign commerce. Notwithstanding this requirement, the use tax exemption will not be lost simply because a motor carrier holding an ICC permit moves the vehicle to a Washington site for servicing or modification in preparation for use as a carrier vehicle. Nor shall the exemption be lost simply because the motor carrier first moves the vehicle to a Washington site for the purposes of obtaining a payload which is immediately hauled to an out-of-state destination by the same vehicle.

(iv) "In substantial part" means that the motor vehicle or trailer for which exemption is claimed actually crosses Washington boundaries and is used a minimum of twenty-five percent in interstate hauling for hire.

(c) The following examples show how the exemption from use tax on motor vehicles and trailers would apply to specific situations. These examples should be used only as a general guide. The tax status of other situations must be determined after a review of all of the facts and circumstances.

(i) ABC Trucking, a carrier with ICC authority, purchased a used truck from XYZ Truck Sales. The required exemption certificate was completed and a trip permit was obtained. ABC Trucking moved the vehicle from the seller's lot in Washington to its maintenance shop located at its terminal in Seattle where ICC identification numbers were painted on the doors and new tires were installed by the purchaser's employees. Ten days later the truck was placed in service with the first haul being a laden haul destined for an out-of-state location with movement under the authority of a second trip permit.

This purchase and first use is exempt of retail sales and use tax. Since the first movement of the truck to the purchaser's maintenance shop was solely for the purpose of preparing the truck for use, the exemption was not lost. All

other requirements for exemption were met. A reasonable interruption in the direct out-of-state movement of the vehicle will be allowed to permit such activities as the painting of belt lines and bumpers, the installation of signs, the inspection of the vehicle, the installation of tires, and installation of accessory items. The purchase of the vehicle was exempt from retail sales tax by meeting the trip permit requirements. However, any subsequent use of the vehicle in Washington would have been subject to use tax if the vehicle's first use in Washington had not been in hauling for hire in interstate or foreign commerce. Since that requirement was met, the use of this vehicle will continue to be exempt of use tax as long as it continues to be used substantially in interstate hauls for hire.

(ii) HB Company is a for hire carrier which maintains tractor/trailer fleets at terminals located in Montana and Washington. HB Company holds a carrier permit issued by the Interstate Commerce Commission. HB reassigned a truck to its Washington terminal which previously had been used at HB's Montana terminal. This truck had been used exclusively in Montana and previously had never been brought into Washington. The truck is brought into Washington unladen, but immediately picks up a load for delivery outside Washington.

The movement of the truck into Washington is treated as being part of the subsequent haul outside Washington and the requirement that the first use be in a laden interstate haul has been met. Use tax would have been due on the truck if the first use was in transporting goods from a Washington location to a Washington location.

(d) The motor carrier must continue to substantially use the motor vehicle or trailer in interstate hauls for hire during each calendar year to retain the exemption from use tax. This requires that at the start of each calendar year the carrier review the usage of each vehicle and trailer for a "view period" consisting of the previous calendar year. If a particular vehicle was purchased or sold during the year so that the vehicle was not available for use during the entire calendar year, the taxpayer at its option may elect to review the usage during the portion of the year during which the vehicle was owned or may use a twelve-month period beginning with the date of purchase of a vehicle or ending with the date of sale of a vehicle. For example, if a vehicle is traded-in on May 30, 1994, the taxpayer must meet the substantial use test for this vehicle for either the period January through May 1994 or for the period June 1, 1993, through May 30, 1994. Use tax is due for those vehicles which have not been used substantially in interstate commerce and on which retail sales or use tax has not been paid.

(e) Carriers who maintain their records on a fiscal year basis may, at their option, elect to review the usage of their vehicles using their fiscal year rather than the calendar year. If a fiscal year is used, it must be used for the entire fleet of vehicles. These carriers may not change to a calendar year basis without first obtaining prior approval from the department.

(f) Usage will be reviewed on a calendar or fiscal year basis and not on a "moving" twelve-month period. For example, a tractor purchased on August 1, 1992, will need to have met the substantial use test for the period August 1, 1992, through December 31, 1992, or for the period August 1, 1992, through July 31, 1993, (the period selected being at

the taxpayer's option) and for the calendar year 1993 and each calendar year thereafter in order to retain the use tax exemption.

(g) The motor carrier may select one of the methods from those listed below to determine if its motor vehicles and trailers satisfy the substantial use threshold for exemption under RCW 82.12.0254. The particular method must be applied to all trucks, tractors, and trailers within the fleet. Regardless of the method selected, a vehicle will not be considered as used in interstate hauls unless the vehicle actually crosses the boundaries of the state and is used in part outside Washington. The motor carrier may change the method with the prior written consent of the department of revenue. The methods are:

(i) Line crossing. The line crossing method compares the number of interstate for hire hauls made by a particular motor vehicle or trailer to the total number of for hire hauls. The motor vehicle or trailer must actually cross the boundaries of this state or be used for hauls which begin and end outside this state, for the haul to be considered an interstate haul.

(ii) Mileage. The mileage method compares the interstate mileage associated with the for hire hauls made by a particular motor vehicle or trailer, to the total mileage associated with its for hire hauls. All mileage associated with a specific haul which requires the motor vehicle or trailer to actually cross the boundaries of this state, or haul exclusively outside this state, is considered to be interstate mileage. Where a vehicle is returning empty after having delivered an interstate load or is empty on its way to pickup an interstate load, the empty mileage will be considered to be part of the mileage from an interstate haul.

(iii) Revenue. The revenue method compares the interstate for hire revenue generated by the particular motor vehicle or trailer to the total for hire revenue generated. The revenue generated by the motor vehicle or trailer actually crossing the boundaries of this state, or hauling exclusively outside this state, is considered to be interstate revenue for the purposes of determining use tax liability. If the motor carrier uses more than one motor vehicle or trailer to transport the cargo, the revenue generated from hauling this cargo must be allocated between the motor vehicles and/or trailers used. For the purposes of determining use tax liability, a vehicle will not be considered as having interstate revenue even if the haul originates or ends outside Washington unless the vehicle actually crosses the boundaries of the state.

(iv) Other. Any other method may be used when approved in advance and in writing by the department of revenue.

(h) The following examples show how the methods of determining substantial interstate use would be applied to various situations. 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.

(i) ARC Trucking picks up a load of cargo in Spokane, Washington and delivers it to the dock in Seattle, Washington, for subsequent shipment to Japan. While ARC may claim an interstate and foreign sales deduction on its excise tax return for the income attributable to this haul if all of the requirements of RCW 82.16.050(8) are met, the haul itself

is considered to be intrastate for the purposes of determining whether the tractor/trailer rig meets the substantial use threshold discussed in RCW 82.12.0254. Both the pickup and delivery points are within the state of Washington.

(ii) DMG Express picks up a load of cargo in Yakima, Washington for ultimate delivery in Billings, Montana. The cargo is initially hauled from the Yakima location to DMG's hub terminal in Spokane, Washington by truck A. It is unloaded from truck A at the hub terminal, reloaded on truck B, and delivered to Billings. For the purposes of determining qualification for the use tax exemption provided by RCW 82.12.0254, two hauls have taken place. The haul performed by truck A is considered to be an intrastate haul since truck A did not cross the borders of Washington, while the haul performed by truck B is considered interstate for purposes of determining continued exemption from use tax on the trucks, even though the entire hauling income may be deductible from the motor transportation tax.

(iii) AA Express operates one tractor/trailer rig, which has previously met the retail sales and use tax exemption requirements. AA verifies compliance with the twenty-five percent substantial use threshold on a calendar year basis, using the line crossing method. AA makes one hundred for hire hauls within the calendar year of 1992. Of these hauls, seventy-one are entirely in Washington, ten are performed entirely outside Washington, and nineteen require AA to cross the borders of Washington. AA Express has not incurred a use tax liability on the tractor/trailer rig as twenty-nine percent of the for hire hauls were interstate in nature.

(iv) BDC Hauling operates one tractor/trailer rig which has previously met the retail sales and use tax exemption requirements. BDC verifies compliance with the twenty-five percent substantial use threshold on a calendar year basis, using the mileage method. BDC makes one hundred for hire hauls within the calendar year of 1992, for a total of one hundred thousand miles. Included in this mileage figure are the unladen or "empty" miles BDC incurs from delivery points to its terminal. Fifteen of these hauls were interstate in nature and involved laden travel of twenty thousand miles, including the Washington miles of the interstate hauls where the rig made border crossings. BDC's rig also incurred an additional eight thousand miles as a result of having to drive unladen from the delivery point of an interstate haul to its Washington terminal. BDC Hauling has not incurred a use tax liability for its use of the tractor/trailer rig. Under the mileage method, twenty-eight percent of the tractor/trailer's usage was in interstate hauling.

(v) GV Trucking operates one tractor/trailer rig which has previously met the retail sales and use tax exemption requirements. GV verifies compliance with the twenty-five percent substantial use threshold on a calendar year basis, using the revenue method. GV makes one hundred for hire hauls within the calendar year of 1992, for which GV earns eighty thousand dollars. Fifteen of these hauls were interstate in nature, for which GV earned twenty thousand dollars. GV Trucking has not incurred a use tax liability for its use of the tractor/trailer rig. Under the revenue method, twenty-five percent of GV's usage of the tractor/trailer rig was in interstate hauling.

(vi) XYZ Trucking operates a single tractor/trailer rig which has previously met the retail sales and use tax exemption requirements. XYZ picks up two loads of cargo

in Seattle, one load for delivery to Kent, Washington and another for delivery to Portland, Oregon. Upon delivery of the cargo to Kent, XYZ picks up another load for delivery to Portland, Oregon. XYZ has performed three separate hauls, even if the loads are combined on the same rig. The Seattle to Portland and Kent to Portland hauls are considered interstate hauls, the Seattle to Kent haul intrastate. If using the mileage method the mileage associated with the Seattle to Portland and Kent to Portland hauls would be combined to determine total interstate miles, even though the rig made only one trip to Portland. If using the revenue method, the revenue generated by the Seattle to Portland and Kent to Portland hauls would be considered interstate. The mileage and/or revenue associated with the Seattle to Kent haul would be considered intrastate.

(4) **Special application to trailers.** Motor carriers must keep appropriate records and determine qualification for the use tax exemption provided by RCW 82.12.0254 for each individual truck and tractor. Motor carriers are encouraged to keep similar records for each individual trailer. Where records are maintained to document the use of individual trailers, use tax liability for trailers must be determined on the basis of those records. However, it is recognized that some motor carriers have no system of tracking or documenting the travel of their trailers and it would be an undue burden to require such recordkeeping, particularly where a tractor may be used to pull multiple trailers and the trailers are not assigned to a specific tractor. These motor carriers may elect to determine the use tax liability attributable to their use of trailers on the basis of their actual use of the tractors.

(a) Under this method, it is assumed that there is a direct correlation between the use of tractors and the use of trailers. Whenever use tax is incurred on a tractor because of the failure to maintain the twenty-five percent interstate usage, use tax will also be due on one or more trailers. The number of trailers subject to the use tax under this method shall correspond to the fleetwide trailer to tractor ratio. Any trailer to tractor ratio resulting in a fraction shall be rounded up when determining the number of trailers subject to the use tax. For example, if the fleetwide ratio of trailers to tractors is two and one quarter to one, and one tractor fails to maintain the substantial use threshold in a given year, the motor carrier shall incur a use tax liability on three trailers. However, if two tractors fail to maintain the substantial use threshold in a given year, the motor carrier shall incur a use tax liability on five trailers.

(b) The trailer or trailers subject to use tax under this method shall be those acquired nearest to the purchase date of the tractor triggering the use tax liability for those trailers meeting the following conditions:

- (i) The trailer or trailers are compatible for towing with the tractor upon which use tax is incurred; and
- (ii) The trailer or trailers have not previously incurred a retail sales or use tax liability; and
- (iii) The trailer or trailers have been actively used in hauling for hire in the year tax liability is incurred.

(c) Under this method of reporting, use tax liability is generally incurred on one or more trailers whenever a tractor is subject to the use tax. If a tractor is purchased with the intent that less than twenty-five percent of the hauls will be across state borders, it will be presumed the tractor will also

be pulling a trailer or trailers on which use tax is also due. However, the motor carrier will not incur use tax on a trailer simply because the initial use of the tractor was not a laden for hire haul across the borders of this state, provided the tractor would meet the substantial interstate use for future hauls under RCW 82.12.0254.

(d) In any event and irrespective of the method of reporting, carriers must document that the first use of each trailer was in interstate hauling for the use tax exemption to apply to the first use. If the trailer was purchased in Washington, the carrier must retain evidence of having obtained a trip permit to document that retail sales tax was not due at the time of purchase. (See also WAC 458-20-174.)

(e) The following examples show how this method would be applied to typical situations. 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.

(i) ABC Trucking has eight tractors and fifteen trailers in its fleet. The tractors and trailers met the exemption from retail sales tax and use tax at the time they were purchased and it was determined during previous annual reviews that the tractors continued to be substantially used on interstate hauls. However, at the time of the annual review which was made in January 1993, it was determined that a Kenworth tractor which had been purchased in June 1985 was not used at least twenty-five percent in interstate hauls during 1992. Use tax is due on this tractor. Under this method, use tax is also due on two trailers. The two trailers on which use tax must be reported are the two purchased most nearly to June 1985, the date of the Kenworth purchase.

(ii) DC Hauling has no system of tracking or documenting the travel of its trailers and has elected to determine its trailer use tax liability on the basis of its actual use of tractors. DC Hauling has a fleetwide ratio of two trailers to one tractor. DC purchases a tractor, the initial use of which is a laden for hire haul entirely within the borders of this state. DC Hauling must pay retail sales tax upon the purchase of the tractor or, if retail sales tax is not paid, use tax upon the first use within this state. Unless DC Hauling elects to document that the tractor otherwise continues to satisfy the substantial interstate use provision of RCW 82.12.0254 for future hauls, use tax is also due on two trailers.

(5) **Valuation.** The value of the motor vehicle or trailer subject to the use tax is its fair market value at the time of first use within the review period for which the exemption cannot be maintained. However, because the taxpayer will not know until the close of the period whether the usage met the exemption requirements, the use tax is due and should be reported on the last excise tax return for that review period. For example, a motor carrier who has previously met the exemption requirements for a particular truck determines this truck no longer was substantially used in interstate hauls during calendar year 1992. Use tax should be reported on the last tax return filed for 1992 with the taxable value based on the value of the truck at January 1, 1992.

(a) The department of revenue will accept independent publications containing values of comparable vehicles if those values are generally accepted in the industry as accurately reflecting the value of used vehicles. The

department will also consider notarized valuation opinions signed by qualified appraisers and/or dealers as evidence of the fair market value. In the absence of a readily available fair market value, the department will accept a value based on depreciation schedules used by the department of licensing to determine the value of vehicles for licensing purposes.

(b) The following examples show how use tax liability would be determined in typical situations. 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.

(i) ABC Trucking purchased five trailers for use in both interstate and intrastate for hire hauls on January 1, 1990. All the necessary conditions for exemption under RCW 82.08.0263 were met; delivery was made in Washington, and the trailers were purchased without payment of the retail sales tax. The taxpayer uses the "line crossing" method for determining interstate use.

ABC Trucking keeps a journal showing the origin and destination for each haul which identifies each truck/tractor and trailer used on a per unit basis. This journal is reviewed at the end of each calendar year to verify compliance with the statutory provision that motor vehicles and trailers be substantially used for transporting therein persons or property for hire across the boundaries of the state. During the first year of use, all five of the trailers met the "substantial use" threshold. However, in reviewing this journal for the period of January 1991 through December 1991, ABC Trucking determines that two of the trailers purchased on January 1, 1990, failed to meet the twenty-five percent "substantial use" threshold during 1991. ABC Trucking must remit use tax directly to the department on its December 1991 excise tax return, based on the fair market values of the two trailers as of January 1, 1991. Since the taxpayer maintained specific usage records for each trailer, the "substantial use" in interstate hauling must be met by each trailer for which exemption is claimed. If detailed records for usage of trailers had not been kept, use tax liability of the trailers would have been based on the tractors. In any event, use tax liability may not be determined based on the overall experience of a fleet of vehicles. If a vehicle is used both in hauling for hire and in hauling the carrier's own products, the "substantial use" is determined solely on the usage in hauling for hire.

(ii) DB Carriers is a motor carrier which is engaged in both intrastate and interstate for hire hauls. DB purchases and first uses a truck in Washington on January 1, 1992. All the necessary conditions for exemption under RCW 82.08.0263 were met; delivery was made in Washington, and the truck was purchased without payment of the retail sales tax. DB Carriers uses the "line crossing" method for determining interstate use.

DB Carriers keeps a journal showing the origin and destination for each haul which identifies each truck used on a per unit basis. This journal is reviewed at the end of the 1992 calendar year, and DB determines that the truck failed to meet the twenty-five percent "substantial use" threshold. DB Carriers must remit use tax directly to the department on its December 1992 excise tax return, based on the fair market value of the truck as of January 1, 1992. DB Carriers may not compute the use tax liability based upon the December 31, 1992, fair market value as the vehicle

never satisfied the substantial interstate use provision of RCW 82.12.0254.

(6) **Leased vehicles.** Motor vehicles and trailers, leased without operator are exempt from the use tax when all the conditions and requirements expressed in subsection (3)(b) of this section are satisfied. This includes meeting the requirement that first use be in hauling across the boundaries of the state. As a condition for retail sales tax exemption, a trip permit must be obtained if the vehicle is first used in Washington. For continued use tax exemption, the vehicle must also meet the twenty-five percent "substantial use" threshold. For leased vehicles, the taxpayer may elect to use either the fiscal year of the business or a calendar year to determine if the leased vehicle was used substantially in interstate hauls for hire. Where the vehicle lease does not begin or end at the start of the calendar year (or fiscal year if the business uses a fiscal year view period), the same requirements apply to leased vehicles as to purchased vehicles (see subsection (3)(d) of this section). The carrier will be required to obtain a trip permit and have a laden interstate haul on only the first haul at the start of the lease and not each month, each year, or the start of each lease period, provided there is no change in the vehicle being leased.

(a) If the leased vehicle does not meet the substantial use requirement during the "view period," the use tax applies only to the portion of the lease payment which is for use in Washington during the "view period." See the examples in subsection (6)(b) of this section. Mileage is an acceptable basis for determining instate and out-of-state use. For the purposes of determining instate and out-of-state use of leased vehicles or trailers where use tax is determined to be due, all miles traveled in Washington by the leased vehicle are instate miles, notwithstanding that they may be associated with an interstate haul. The motor carrier must maintain accurate records of actual instate and out-of-state use to substantiate any claim that a portion of any lease payment was exempt of use tax because of out-of-state use. Use tax will be determined for each "view period." For example, if a truck was leased for the years 1992 and 1993 and failed to meet the substantial use requirement in 1992, but met the requirement in 1993, use tax would only be due for the usage in Washington which occurred in 1992.

(b) The following examples show how this method would be applied to typical situations. 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.

(i) BG Hauling is a for hire carrier which on January 1, 1991, enters into a lease agreement for a truck without operator. All the necessary conditions for the retail sales and use tax exemptions for the first year of the lease were met. BG Hauling verifies compliance with the twenty-five percent substantial use threshold on a calendar year basis.

BG determines that this truck failed to meet the twenty-five percent substantial use threshold for calendar year 1992. Use tax will be due beginning with the period for which the exemption was not met, in this case beginning with January 1992. However, BG Hauling may report use tax only on that portion of each lease payment attributable to actual instate use, provided it maintains accurate records substantiating the truck's instate and out-of-state activity. Only

mileage incurred while actually outside Washington will be considered out-of-state mileage. If BG Hauling continues to lease this truck in 1993, usage will again be reviewed for that period and use tax may or may not be due for the 1993 lease payments, depending on whether the vehicle was used substantially in interstate hauls during that year.

(ii) MG Inc. is an equipment distributor which, in addition to hauling its own product to customers, is engaged in hauling for hire activities. MG is a holder of an ICC permit. MG enters into a lease agreement for a truck without operator on January 1, 1992. All conditions for retail sales and use tax exemption are satisfied for the first year of the lease.

Based upon the truck's for hire hauling activities during the 1993 calendar year, MG determines that the use of the truck failed to satisfy the twenty-five percent substantial use threshold. MG must remit use tax upon the amount of lease payments made during 1993 at the time it files its last tax return in 1993. Provided accurate records are maintained to substantiate in-state and of out-of-state use, MG may remit use tax only upon that portion of each lease payment attributable to actual in-state use. While only the hauling for hire activities are reviewed when determining whether the truck satisfies the substantial interstate use threshold, once it is established the exemption cannot be maintained, the use tax liability is based upon all in-state activity, including the motor carrier's hauling of its own product.

(7) **Component parts.** RCW 82.12.0254 also provides a use tax exemption for the use of tangible personal property which becomes a component part of any motor vehicle or trailer used for transporting therein persons or property for hire. This exemption is available whether the motor vehicle or trailer is owned by, or operated under contract with, a person holding a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state. Since the Interstate Commerce Commission requires carriers to obtain permits only when the carrier is hauling for hire, the exemption applies only to tangible personal property purchased for vehicles which are used in hauling for hire. The exemption for component parts will apply even if the parts are for use on a motor vehicle or trailer which is used less than twenty-five percent in interstate hauls for hire, provided the vehicle is used in hauling for hire.

(a) For the purposes of this section, the term "component parts" means any tangible personal property which is attached to and becomes an integral part of the motor vehicle or trailer. It includes such items as motors, motor and body parts, batteries, and tires. "Component parts" includes the axle and wheels, referred to as "converter gear" or "dollies," which is used to connect a trailer behind a tractor and trailer. "Component parts" can include tangible personal property which is attached to the vehicle and used as an integral part of the motor carrier's operation of the vehicle, even if the item is not required mechanically for the operation of the vehicle. It would include cellular telephones, communication equipment, fire extinguishers, and other such items, whether themselves permanently attached to the vehicle or held by brackets which are permanently attached. If held by brackets, the brackets must be permanently attached to the vehicle in a definite and secure manner with these items attached to the bracket when not in use and intended to

remain with that vehicle. It does not include antifreeze, oil, grease, and other lubricants which are considered as consumed at the time they are placed into the vehicle, even though required for operation of the vehicle. It does include items such as spark plugs, oil filters, air filters, hoses and belts.

(b) The following items do not qualify for exemption from the use tax under the provisions of RCW 82.12.0254:

(i) Equipment, tools, parts and accessories which do not become a component part of a motor vehicle or trailer used in transporting persons or property for hire; and

(ii) Consumable supplies, such as oil, grease, other lubricants, cleaning solvents and ice.

WSR 94-18-013
PERMANENT RULES
GAMBLING COMMISSION

[Order 257—Filed August 25, 1994, 9:47 a.m.]

Date of Adoption: August 12, 1994.

Purpose: Amendment would allow bingo licensees to place symbols and/or numbers not relevant to a game on the flashboard for viewing without calling the symbols and/or numbers to the participants.

Citation of Existing Rules Affected by this Order:
Amending WAC 230-20-246.

Statutory Authority for Adoption: RCW 9.46.070.

Pursuant to notice filed as WSR 94-13-113 on June 16, 1994.

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

August 25, 1994

Shanna R. Lingel

Rules Coordinator

AMENDATORY SECTION (Amending Order 240, filed 6/17/93, effective 7/18/93)

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

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

(2) Bingo cards shall be sold and paid for prior to selection of the first symbol or number for a specified game or specified number of games: *Provided*, That cards may be sold after the start of a game, or number of games, if the late sale does not allow any player an advantage over any other player. Hard cards purchased or exchanged after the first symbol or number is selected may only be used during subsequent games. Any sales method that allows a player to select a specific disposable or throwaway card shall be deemed to allow the player an advantage;

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

(4) Visually impaired players may use their personal braille cards when a licensee does not provide such cards. The licensee shall have the right to inspect, and to reject, any personal braille card. A visually impaired or disabled

person may use a braille card or reserved hard card in place of a purchased throwaway;

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

(6) All symbols and/or numbers shall be selected on the premises and in the presence of players paying to participate in the game. Immediately following the drawing of each ball in a bingo game, the caller shall display the symbol and/or number on the ball to the participants;

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

(8) After the symbol and/or number is called, the corresponding symbol and/or number on the licensee's flashboard, if any, shall be lit for participant viewing. In a game where a symbol and/or number on the ball is not applicable to the game being played, it is not necessary to call that number and/or symbol to the participants before placing it for viewing on the flashboard;

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

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

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

(10) No bingo game shall be conducted to include a prize determined other than by the matching of symbols and/or numbers on a bingo card with symbols and/or numbers called by the licensee, in competition among all players in a bingo game except as authorized by WAC 230-20-242;

(11) The minimum amount of a prize or prizes available for each bingo game shall be established and disclosed to bingo game players prior to their purchase of a chance to participate in a bingo game. The minimum prize may be increased by the primary bingo manager prior to the start of a game or through the following schemes during the game:

(a) Schemes using standard bingo equipment and cards such as:

(i) Number of symbols or numbers called prior to a winner;

(ii) The specific number or symbol called;

(iii) The specific letter called;

(iv) Position of winning combinations on the card;

(v) Position of the card on the sheet of cards; and

(vi) Odd or even numbers or symbol.

(b) Schemes preprinted on disposable cards that rely on a number or symbol called during a game; or

(c) Second element of chance schemes authorized by WAC 230-20-242(4).

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

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

(14) After a winning bingo is validated, the prize shall be awarded using the following procedures:

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

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

(c) The prize shall be awarded and a record made by completing a prize receipt as required by WAC 230-08-080 and 230-20-102. A complete address and tax payer identification number should be recorded for each prize valued at \$1,200 or more;

(d) All prizes for a particular game must be available prior to starting the game and shall be awarded by the end of the related session;

(e) All merchandise offered as prizes to bingo players shall have been paid in full, without lien or interest of others, prior to the merchandise being offered as a prize: *Provided*, That the licensee may enter into a contract to immediately purchase the merchandise when it is awarded as a prize, with the contract revocable if prize winners are allowed to exercise an option to receive a cash prize or the prize is no longer offered.

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

WSR 94-18-014

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Order 77—Filed August 25, 1994, 10:09 a.m.]

Date of Adoption: August 19, 1994.

Purpose: The adoption of a revised schedule of tolls for the Washington state ferry system, amending WAC 468-300-010, 468-300-020, and 468-300-040.

Statutory Authority for Adoption: RCW 47.56.030 and 47.60.326.

Pursuant to notice filed as WSR 94-14-026 on June 27, 1994.

Changes Other than Editing from Proposed to Adopted Version: Adjust the Lopez Shaw Orcas and Friday Harbor to Sidney (round trip) from \$73.75 to \$73.85 to correct a mathematical error.

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

August 18, 1994

Aubrey Davis, Chair
Transportation Commission

AMENDATORY SECTION (Amending Order 75, filed 3/18/94, effective 4/18/94)

WAC 468-300-010 Ferry passenger tolls.

Effective 03:00 a.m. (~~May 8~~) October 9, 1994

ROUTES	Full Fare	Half Fare	Frequent User Ticket Book 20 Rides ¹	Monthly Pass ⁵	Bicycle Surcharge ² @ ⁶
Via Passenger-Only Ferry					
*Seattle-Vision					
*Seattle-Southworth	3.50	1.75	21.00	<u>44.10</u>	N/C
*Seattle-Bremerton					
Via Auto Ferry					
*Fauntleroy-Southworth					
*Seattle-Bremerton					
*Seattle-Winslow	3.50	1.75	21.00	<u>44.10</u>	0.50
*Edmonds-Kingston					
Port Townsend-Keystone	1.75	0.90	21.00	<u>N/A</u>	0.25
*Fauntleroy-Vashon					
*Southworth-Vashon	2.30	1.15	13.70	<u>29.00</u>	0.50
*Pt. Defiance-Tahlequah					
*Mukilteo-Clinton					
*Anacortes to Lopez Shaw, Orcas or Friday Harbor	4.95	2.50	29.60	<u>N/A</u>	2.75
Between Lopez, Shaw, Orcas and Friday Harbor ⁴	N/C	N/C	N/C	<u>N/A</u>	N/C
<i>International Travel</i>					
Anacortes to Sidney and Sidney to all destinations	((6.50)) <u>6.90</u>	((3.25)) <u>3.45</u>	N/A	<u>N/A</u>	((4.25)) <u>4.50</u>
From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	((4.50)) <u>1.75</u>	((0.75)) <u>1.00</u>	N/A	<u>N/A</u>	((1.50)) <u>1.75</u>
Lopez, Shaw, Orcas and Friday Harbor to Sidney (round trip) ³	((8.00)) <u>8.65</u>	((4.00)) <u>4.45</u>	N/A	<u>N/A</u>	((5.75)) <u>6.25</u>

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

¹FREQUENT USER TICKETS - Shall be valid only for 90-days from date of purchase after which time the tickets shall not be accepted for passage.

²BICYCLE SURCHARGE - Is an addition to the appropriate passenger fare.

³ROUND TRIP - Round trip tickets for international travel available for trips beginning or ending on one of the Islands served.

⁴INTER-ISLAND FARES - Passenger fares included in Anacortes tolls.

⁵MONTHLY PASS - A monthly passenger pass is available for all routes except: Anacortes/San Juan Island/Sidney and Port Townsend/Keystone, as a pilot program. The pass is available through some local employers. It is a flash pass valid for the month printed on the pass and will be presented to Washington state ferries staff whenever a passenger fare is collected. This pass is based on 21 days of passenger travel with a 40% discount.

⁶BICYCLE PASS - A bicycle pass is available on all routes except: Anacortes/San Juan Island/Sidney and Port Townsend/Keystone, as a 1 year pilot program for a \$10.00 annual fee subject to meeting WSF specified conditions. The pass is valid for one year. A cyclist with a valid pass shall have the bicycle surcharge waived.

HALF FARE - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare.

SENIOR CITIZENS - Passengers age 65 and over, with proper identification establishing proof of age, may travel at half-fare passenger tolls on any route where passenger fares are collected.

PERSONS OF DISABILITY - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize ferry system services, upon presentation of a WSF Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes a disability may travel at half-fare passenger tolls on any route. In addition, those persons with disabilities who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSF Disability Travel Permit and such endorsement shall allow the attendant to travel free.

BUS PASSENGERS - Passengers traveling on public transit buses pay the applicable fare. Passengers traveling in private or commercial buses will be charged the half-fare rate.

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MEDICARE CARD HOLDERS - Any person holding a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act may travel at half-fare passenger tolls on any route upon presentation of a WSF Disability Travel Permit or a Regional Reduced Fare Permit at time of travel.

FERRY/TRANSIT PASS - A combination ferry-transit monthly pass may be available for a particular route when determined by Washington state ferries and a local public transit agency to be a viable fare instrument. The WSF portion of the fare is based on 21 days of passenger travel at a 50% discount.

PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specific discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

SCHOOL GROUPS - Passengers traveling in authorized school groups for institution-sponsored activities will be charged a flat rate of \$1 per walk-on group or per vehicle of students and/or advisors and staff. Walk-on groups and private vehicles require a letter of authorization. Vehicles and drivers will be charged the fare applicable to vehicle size. The special school rate is \$2 on routes where one-point toll systems are in effect.

AMENDATORY SECTION (Amending Order 75, filed 3/18/94, effective 4/18/94)

WAC 468-300-020 Vehicle under 20', motorcycle, and stowage ferry tolls.

Effective 03:00 a.m. (~~May 8~~) **October 9, 1994**

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ROUTES	Vehicle Under 20' Incl. Driver One Way	Vehicle Under 20' w/ Sr. Citizen or Disabled Driver ⁴	Vehicle Under 20' Over Height Surcharge ¹	Frequent User Ticket book 20 Rides ²	Motorcycle/Stowage ⁵ Incl. Driver Stowage ³ One Way	(Vehicle) Motorcycle w/Sr Citizen or Disabled Driver Stowage ³ One Way	(Motorcycle/Stowage⁵ Incl. Driver) Frequent User Ticket book 20 Rides ²
Fauntleroy-Southworth							
Seattle-Bremerton							
Seattle-Winslow	5.90	5.05	((3.55))	94.15	2.60	<u>1.75</u>	41.55
Port Townsend-Keystone			<u>3.80</u>				
Edmonds-Kingston							
*Fauntleroy-Vashon							
*Southworth-Vashon	7.85	6.85	((4.80))	63.60	3.40	<u>2.25</u>	27.15
*Pt. Defiance-Tahlequah			<u>5.10</u>				
Mukilteo-Clinton	4.00	3.40	((2.40))	63.60	1.70	<u>1.15</u>	27.15
			<u>2.55</u>				
	10 Rides						
*Anacortes to Lopez	12.30	9.85	((7.35))	49.20	6.40	<u>3.95</u>	51.30
			<u>7.80</u>				
*Shaw, Orcas	14.70	12.20	((8.80))	58.75	6.90	<u>4.45</u>	55.15
			<u>9.35</u>				
*Friday Harbor	16.80	14.35	((10.10))	67.20	7.30	<u>4.85</u>	58.55
			<u>10.75</u>				
Between Lopez, Shaw, Orcas and Friday Harbor ³	7.00	7.00	((4.25))	27.50	2.00	<u>2.00</u>	N/A
			<u>4.50</u>				
<i>International Travel</i>							
Anacortes to Sidney and Sidney to all destinations	((27.90)) <u>29.70</u>	24.70 <u>26.30</u>	16.75 <u>17.85</u>	N/A	((10.75)) <u>11.45</u>	<u>8.00</u>	N/A
From Lopez, Shaw, Orcas and Friday Harbor to Sidney [@]	((13.25)) <u>14.00</u>	12.50 <u>13.25</u>	8.00 <u>8.50</u>	N/A	((3.75)) <u>4.00</u>	<u>3.25</u>	N/A
Lopez, Shaw, Orcas and Friday Harbor to Sidney (round trip) ⁶	((41.15)) <u>43.90</u>	37.20 <u>39.55</u>	24.75 <u>26.35</u>	N/A	((14.50)) <u>15.45</u>	<u>11.25</u>	N/A

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

- ¹SIZE - All vehicles up to 20' in length and under 7'6" shall pay the vehicle under 20' toll. Vehicles up to 20' but over 7'6" in height shall pay a height surcharge of 60% of the vehicle full fare. Upon presentation by either the driver or passenger of a WSF Disability Travel Permit, Regional Reduced Fare Permit, or other identification which establishes disability, the height surcharge will be waived for vehicles equipped with wheel chair lift or other mechanism designed to accommodate the person with disability.
- ²FREQUENT USER TICKETS - Shall be valid only for 90 days from date of purchase after which time the ticket shall not be accepted for passage.
- ³INTER-ISLAND FARES - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for inter-island travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.
- ⁴SENIOR CITIZEN, DISABLED DRIVER OR DISABLED ATTENDANT DRIVER - Half fare discount applies to driver portion of the vehicle-driver fare and only when the driver is eligible. Those persons with disabilities who require attendant care while traveling on the ferries, and are so certified by their physician, may obtain an endorsement on their WSR Disability Travel Permit and such endorsement shall allow the attendant, when driving, to have the driver portion of the vehicle fare waived.
- ⁵MOTORCYCLES - The motorcycle including driver fare includes motorcycles pulling trailers and motorcycles with side cars.
- ⁶ROUND TRIP - Round trip tickets for international travel available for trips beginning or ending on one of the islands served.
- VANPOOLS - A commuter vanpool which carries five or more persons on a regular and expense-sharing basis for the purpose of travel to and from work or school and which is certified as such by a local organization approved by the Washington state ferry system, may purchase for a \$10 fee, a permit valid for one year valid only during the hours shown on the permit. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The \$10.00 fee shall include the driver. Remaining passengers shall pay the applicable passenger fare. Except that the minimum total paid for all passengers in the van shall not be less than four times the applicable passenger fare.
- STOWAGE - Stowage carry-on items including kayaks, canoes and other items of comparable size which are typically stowed on the vehicle deck of the vessel shall be charged at the motorcycle rate. This rate includes the walk-on passenger carrying on the item to be stowed.
- PEAK SEASON SURCHARGE - A 20% surcharge shall be applied effective the second Sunday in May through the second Sunday in October to all vehicles except those using frequent user tickets.
- PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.
- PROMOTIONAL TOLLS - A promotional rate may be established at the discretion of the secretary of transportation for a specified discount (not to exceed 50 percent of full fare) and effective only at designated times on designated routes (not to exceed 100 days per year on any one route).

AMENDATORY SECTION (Amending Order 75, filed 3/18/94, effective 4/18/94)

WAC 468-300-040 Oversize vehicle ferry tolls.

Effective 03:00 a.m. (~~May 8~~) October 9, 1994

ROUTES	Oversize Vehicle Ferry Tolls ¹							Cost Per Ft. Over 80'
	Overall Unit Length - Including Driver							
	20' To Under 30'	30' To Under 40'	40' To Under 50'	50' To Under 60'	60' To Under 70'	70' To and Include 80'		
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Port Townsend-Keystone Edmonds-Kingston	(14.10) <u>15.00</u>	18.80 <u>20.00</u>	25.75 <u>27.40</u>	30.90) <u>32.90</u>	41.20	47.10	0.60	
*Fauntleroy-Vashon *Southworth-Vashon *Pt. Defiance-Tahlequah	(19.10) <u>20.35</u>	25.45 <u>27.10</u>	34.80 <u>37.05</u>	41.80) <u>44.50</u>	55.70	63.60	0.80	
Mukilteo-Clinton	(9.55) <u>10.15</u>	12.70 <u>13.50</u>	17.40 <u>18.50</u>	20.90) <u>22.25</u>	27.85	31.80	0.40	
*Anacortes to Lopez ² *Shaw, Orcas *Friday Harbor	(35.25) <u>37.55</u>	47.00 <u>50.05</u>	64.25 <u>68.40</u>	77.10) <u>82.10</u>	102.80	117.50	1.50	
Between Lopez, Shaw, Orcas and Friday Harbor ³	(14.75) <u>15.75</u>	14.75 <u>15.75</u>	14.75) <u>15.75</u>	58.25	58.25	58.25	N/A	
<i>International Travel</i>								
Anacortes to Sidney and Sidney to all destinations	(53.25) <u>55.75</u>	69.85 <u>74.35</u>	87.25 <u>92.90</u>	104.70 <u>111.45</u>	156.40 <u>166.50</u>	178.65 <u>190.20</u>	2.25) <u>2.40</u>	

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From Lopez, Shaw, Orcas and Friday Harbor to Sidney@	((17.00	22.75	23.00	27.50	53.50	61.25	0.75))
	<u>18.10</u>	<u>24.25</u>	<u>24.50</u>	<u>29.25</u>	<u>57.00</u>	<u>65.25</u>	<u>1.00</u>
<hr/>							
<u>Lopez, Shaw, Orcas and Friday Harbor to Sidney (round trip)⁴</u>	<u>73.85</u>	<u>98.60</u>	<u>117.40</u>	<u>140.70</u>	<u>223.50</u>	<u>255.45</u>	<u>3.40</u>

@ These fares rounded to the nearest multiple of \$.25.

* These routes operate as a one-point toll collection system.

¹OVERSIZE VEHICLES - Includes all vehicles 20 feet in length and longer regardless of type: Commercial trucks, recreational vehicles, vehicles under 20' pulling trailers, etc. Length shall include vehicle and load to its furthest extension. Overheight charge is included in oversize vehicle toll. Vehicles which are 11 feet in width or wider pay double the fare applicable to their length. Private and commercial passenger buses or other passenger vehicles pay the applicable oversize vehicle tolls. Public transit buses shall travel free upon display of an annual permit which may be purchased for \$10.

²STOPOVERS - Tolls collected westbound only. Oversize vehicles traveling westbound from Anacortes may purchase a single intermediate stopover ticket for \$2.50 when first purchasing the appropriate vehicle fare. The stopover is valid for a 24-hour period.

³INTER-ISLAND - Tolls collected westbound only. Vehicles traveling between islands may request a single transfer ticket good for one transfer at an intermediate island. The transfer may only be obtained when purchasing the appropriate vehicle fare for interisland travel (westbound at Lopez, Shaw, or Orcas) and is free of charge. Transfers shall be valid for 24 hours from time of purchase.

⁴ROUND TRIP - Round trip tickets for international travel available for trips beginning or ending on one of the islands served.

PEAK SEASON SURCHARGE - A 20% surcharge shall be applied effective the second Sunday in May through the second Sunday in October to all vehicles except those using frequent user tickets.

SENIOR CITIZEN DISCOUNTS - Discounts of 50% for the driver of the above vehicles shall apply. Senior citizen discount is determined by subtracting full-fare passenger rate and adding half-fare passenger rate.

PENALTY CHARGES - Owner of vehicle without driver will be assessed a \$100.00 penalty charge.

DISCOUNT FROM REGULAR TOLL

Oversize vehicles making 12 or more, one-way crossings per week (Sunday thru Saturday) will qualify for a 20% discount from the regular ferry tolls.

EMERGENCY TRIPS DURING NONSERVICE HOURS - While at locations where crew is on duty charge shall be equal to the cost of fuel consumed to make emergency trip. Such trips shall only be offered as a result of official requests from an emergency services agency and only in the case of no reasonable alternative.

BULK NEWSPAPERS - Per 100 lbs. \$2.20

(Shipments exceeding 60,000 lbs. in any month shall be assessed \$1.10 per 100 lbs.)

Daily Newspapers, in bundles, and medical supplies, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings.

EXPRESS SHIPMENTS - A flat handling charge of \$25.00 per parcel is charged.

(Shipments exceeding 100 lbs. assessed \$8.30 for each 25 lbs. or fraction thereof.)

Express shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight that can easily be handled by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds.

San Juan inter-island express shipments will be handled at \$5.00 per parcel.

MEDICAL SUPPLIES - A flat handling charge of \$5.00 per shipment is charged.

DISCLAIMER - Under no circumstances does Washington state ferries warrant the availability of ferry service at a given date or time; nor does it warrant the availability of space on board a vessel on a given sailing.

WSR 94-18-029

PERMANENT RULES

INSURANCE COMMISSIONER'S OFFICE

[Order R 94-18 —Filed August 29, 1994, 3:42 p.m.]

Date of Adoption: August 29, 1994.

Purpose: The purpose of the regulation is to regulate accelerated benefits paid under individual life insurance policies and group life insurance policies and also to establish minimum required standards of disclosure to the consumer.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a), 48.30.010.

Pursuant to notice filed as WSR 94-15-105 on July 20, 1994; and WSR 94-18-019 on August 26, 1994.

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

August 29, 1994

Deborah Senn

Insurance Commissioner

ACCELERATED LIFE INSURANCE BENEFITS

NEW SECTION

WAC 284-23-600 Title. This regulation, WAC 284-23-600 through WAC 284-23-730, inclusive, may be known and cited as "The Washington Regulation on Accelerated Life Insurance Benefits."

NEW SECTION

WAC 284-23-610 Authority, finding, purpose, and scope. (1) The purpose of this regulation, WAC 284-23-600 through 284-23-730, is to define certain minimum standards for the regulation of accelerated benefit provisions of individual and group life insurance policies, a single violation of which will be deemed to constitute an unfair claims settlement practice. The Commissioner finds and hereby defines it to be an unfair act or practice and an unfair method of competition for any insurer to provide accelerated benefits except as provided in this regulation.

(2) The Commissioner finds that accelerated benefits in life insurance policies are primarily mortality risks rather than morbidity risks. The Commissioner further finds that accelerated benefits are optional modes of settlement of

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proceeds under life insurance proceeds under RCW 48.11.020.

(3) This regulation applies to all accelerated benefit provisions of individual and group life insurance policies and riders which are issued or delivered to a resident of this state, on or after the effective date of this regulation. The regulation applies to both policies and riders. It also applies to solicitations for the sale of accelerated benefits, whether in the form of policies or riders.

(4) This regulation does not apply to any long term care insurance policies, contracts, or certificates.

(5) This regulation does not require inclusion or offering of any accelerated benefit in a life insurance policy. This regulation regulates those accelerated benefits which individual and group life insurers choose to advertise, offer, or market on or after the effective date of this regulation.

NEW SECTION

WAC 284-23-620 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this regulation.

(1) "Accelerated Benefits" means benefits payable under an individual or group life insurance policy. They are primarily mortality risks, rather than morbidity risks. Accelerated benefits may also mean optional modes of settlement of proceeds under life insurance policies. Accelerated benefits are benefits:

(a) Payable to either the policyholder of an individual life policy or to the certificateholder of a group life policy, during the lifetime of the insured, in anticipation of death, or upon the occurrence of certain specified life-threatening, terminal, or catastrophic conditions defined by the policy or rider; and

(b) Which reduce or eliminate the death benefit otherwise payable under the life insurance policy or rider; and

(c) Which are payable upon the occurrence of a single qualifying event which results in the payment of a benefit amount fixed at the time the accelerated benefit is paid.

(2) "Qualified actuary" means a person who is a qualified actuary as defined in WAC 284-05-060.

(3) "Qualifying event" means one or more of the following:

(a) A medical condition which would result in a drastically limited life span as specified in the policy or rider, such as twenty-four months or less;

(b) A medical condition which has required or requires extraordinary medical intervention; For example, major organ transplants or the use of continuous life support, without which the insured would die;

(c) Any condition which usually requires continuous confinement in any eligible institution as defined in the policy or rider, if the insured is expected to remain there for the rest of his or her life;

(d) Any medical condition which, in the absence of extensive or extraordinary medical treatment, would result in a drastically limited life span of the insured. Such medical conditions may include, for example:

(i) Coronary artery disease resulting in an acute infarction or requiring surgery;

(ii) Permanent neurological deficit resulting from cerebral vascular accident;

(iii) End stage renal failure;

(iv) Acquired Immune Deficiency Syndrome; or

(v) Other medical conditions which the Insurance Commissioner approves for any particular filing.

NEW SECTION

WAC 284-23-630 Assignees and beneficiaries. Prior to the payment of any accelerated benefit, the insurer shall obtain from any assignee or irrevocable beneficiary a signed consent to the terms of the payout. If the insurer paying the accelerated benefit is itself an assignee, its own written consent is not required.

NEW SECTION

WAC 284-23-640 Criteria for payment. (1) Payment options shall include, the option of taking the benefit as a lump sum. The benefit shall not be made available as an annuity contingent upon the life of the insured.

(2) No insurer may restrict the use of the proceeds from the payment of accelerated benefits.

(3) If any part of the death benefit remains after payment of an accelerated benefit, then any applicable accidental death benefit payable under the policy or rider shall not be affected by the payment of the accelerated benefit.

NEW SECTION

WAC 284-23-650 Disclosure statement. (1) The words "Accelerated Benefit" must be included in the required title of every life insurance policy or rider that includes a provision for accelerated benefits. Accelerated Benefits shall not be described, advertised, marketed, or sold as either long-term care insurance or as providing long-term care benefits.

(2) Possible tax consequences and possible consequences on eligibility for receipt of Medicare, Medicaid, Social Security, Supplemental Security Income (SSI), or other sources of public funding shall be included in every disclosure statement.

(a) A disclosure statement shall be provided which contains a statement that receipt of accelerated benefits may be taxable and that assistance should be sought from a personal tax advisor. The disclosure statement shall be prominently displayed on the first page of the policy or rider and any other related materials.

(b) The disclosure statement shall contain substantially the following: "If you receive payment of accelerated benefits from a life insurance policy, you may lose your right to receive certain public funds, such as Medicare, Medicaid, Social Security, Supplemental Security, Supplemental Security Income (SSI), and possibly others. Also, receiving accelerated benefits from a life insurance policy may have tax consequences for you. We cannot give you advice about this. You may wish to obtain advice from a tax professional or an attorney before you decide to receive accelerated benefits from a life insurance policy."

(c) The disclosure statement must be provided (i) to the applicant for an individual or group life insurance policy at the time application is made for the policy or rider; and (ii)(A) to the individual insured at the time the owner of an

individual life insurance policy submits a request for payment of the accelerated benefit, and before the accelerated benefit is paid, or (B) to the individual certificate holder at the time an individual certificateholder of a group life insurance policy submits a request for payment of the accelerated benefit, and before the accelerated benefit is paid. It is not sufficient to provide this required disclosure statement only to the holder of a group policy.

(3) The disclosure statement shall give a brief and clear description of the accelerated benefit. It shall define all qualifying events which can trigger payment of the accelerated benefit. It shall also describe any effect of payment of accelerated benefits upon the policy's cash value, accumulation account, death benefit, premium, policy loans, and policy liens.

(a) In the case of agent solicited insurance, the agent shall provide the disclosure form to the applicant before or at the time the application is signed. Written acknowledgment of receipt of the disclosure statement shall be signed by the applicant and the agent.

(b) In the case of a solicitation by direct response methods, the insurer shall provide the disclosure form to the applicant at the time the policy is delivered, with a written notice that a full premium refund shall be made if the policy is returned to the insurer within the free look period.

(c) In the case of group life insurance policies, the disclosure statement shall be contained in the certificate of coverage, or in any other related document furnished by the insurer to the certificateholder.

(4) If there is a premium or cost of insurance charge for the accelerated benefit, the insurer shall give the applicant a generic illustration numerically demonstrating any effect of the payment of an accelerated benefit upon the policy's cash value, accumulation account, death benefit, premium, policy loans, or policy liens.

(a) In the case of agent solicited insurance, the agent shall provide the illustration to the applicant either before or at the time the application is signed.

(b) In the case of a solicitation by direct response methods, the insurer shall provide the illustration to the applicant concurrently with delivery of the policy to the applicant.

(c) In the case of group life insurance policies, the disclosure form shall be included in the certificate of insurance or any related document furnished by the insurer to the certificateholder.

(5)(a) Insurers with financing options other than as described in WAC 284-23-645 (1)(b) and (c) of this regulation, shall disclose to the policyowner any premium or cost of insurance charge for the accelerated benefit. Insurers shall make a reasonable effort to assure that the certificateholder on a group policy is made aware of any premium or cost of insurance charge for the accelerated benefits, if he or she is required to pay all or any part of such a premium or cost of insurance charge.

(b) Insurers shall furnish an actuarial demonstration to the Insurance Commissioner when filing an individual or group life insurance policy or rider form that provides accelerated benefits, showing the method used to calculate the cost for the accelerated benefit.

(6) Insurer shall disclose to the policyholder any administrative expense charge. The insurer shall make a

reasonable effort to assure that the certificateholder on a group policy is made aware of any administrative expense charge if he or she is required to pay all or any part of any such charge.

(7) When the owner of an individual policy or the certificateholder of a group policy requests payment of an accelerated benefit, within 20 days of receiving the request the insurer shall send a statement to that person, and to any irrevocable beneficiary, showing any effect that payment of an accelerated benefit will have on the policy's cash value, accumulation account, death benefit, premium, policy loans, and policy liens. This statement shall disclose that receipt of accelerated benefit payments may adversely affect the recipient's eligibility for Medicaid or other government benefits or entitlements. When the insurer pays the accelerated benefit, it shall issue an amended schedule page to the owner of an individual policy, or to the certificateholder of a group policy, showing any new, reduced in-force amount of the policy. When more than one payment of accelerated benefit is permitted under the policy or rider, the insurer shall send a revised statement to the owner of an individual policy, or to the certificateholder of a group policy, when a previous statement has become invalid due to payment of accelerated benefits.

NEW SECTION

WAC 284-23-660 Effective date of the accelerated benefit. The accelerated benefit provision shall be effective for accidents on the effective date of the policy or rider. The accelerated benefit provision shall be effective for illness no more than thirty (30) days following the effective date of the policy or rider.

NEW SECTION

WAC 284-23-670 Waiver of premiums. The insurer may offer a waiver of premium for the accelerated benefit provision, even in the absence of a policy waiver of premium provision being in effect. At the time payment of the accelerated benefit is requested, the insurer shall explain to the owner of an individual policy, or the certificateholder of a group policy, any continuing premium requirement necessary to keep the policy in force.

NEW SECTION

WAC 284-23-680 Unfair discrimination. An insurer shall not unfairly discriminate between insureds with different qualifying events covered under the policy or rider. An insurer may not unfairly discriminate between insureds with similar or identical qualifying events covered under the policy or rider. Insurers may not apply conditions on the payment of the accelerated benefits except those specified in the insured's policy or rider.

NEW SECTION

WAC 284-23-690 Actuarial standards, financing options, effect on cash value, and effect on policy loans. (1) An insurer shall select one of the following finance options. Under subsection (1)(a) and (1)(b) of this section, the accelerated death benefit is regarded as completely

settled. Premiums, if any, payable for the remaining coverage shall be reduced proportionally.

(a) An insurer may require a premium charge or cost of insurance charge for the accelerated benefit. These charges shall be based on sound actuarial principles. No additional charges may be imposed to collect benefits.

(b) An insurer may pay the present value of the face amount of the insured's policy or certificate. The calculation of that present value shall be based upon any applicable discount appropriate to the policy design. The interest rate or interest rate methodology used in the calculation shall be based upon sound actuarial principles and disclosed in the policy or actuarial memorandum. The maximum interest rate used shall be no more than the greater of:

(i) The current yield on ninety day treasury bills; or
(ii) The current maximum statutory adjustable policy loan interest rate.

(c) An insurer may accrue an interest charge on the amount of the accelerated benefits. The interest rate or the interest rate methodology used in the calculation shall be based upon sound actuarial principles and shall be disclosed in the policy or the actuarial memorandum. The maximum interest rate used shall be no more than the greater of:

(i) The current yield on ninety day treasury bills; or
(ii) The current maximum statutory adjustable policy loan interest rate.

The interest rate accrued on the portion of the lien which is equal in amount to the cash value of the policy at the time the benefit is accelerated shall be no more than the loan interest rate stated in the policy.

(2) Effect on Cash Value. (a) When an accelerated benefit is payable, there shall be no more than a pro rata reduction in the cash value based upon the percentage of death benefit accelerated to produce the accelerated benefit payment; provided, however, that the payment of accelerated benefits, any administrative expense charges, any future premiums, and any accrued interest may be considered a lien against the death benefit of the policy or rider, and the access to any remaining cash value may be restricted to the excess of the cash value over the sum of any other outstanding loans and any lien. Future access to additional policy loans may be limited to any excess of the cash value over the sum of the lien and any other outstanding policy amounts. When payment of an accelerated benefit results in a pro rata reduction in the cash value, the payment may not be applied toward repaying an amount greater than a pro rata portion of any outstanding policy loans.

NEW SECTION

WAC 284-23-700 Actuarial disclosure and reserves.

(1) A qualified actuary shall describe the accelerated benefits, the risks, the expected costs, and the calculation of statutory reserves in an actuarial memorandum accompanying each filing that includes a provision for accelerated benefits. The insurer shall maintain in its files descriptions of the bases and procedures used to calculate benefits payable under these provisions. These descriptions shall be made available for examination by the commissioner upon request.

(2)(a) When benefits are provided through the acceleration of benefits under individual or group life policies, or

riders to such policies, policy reserves shall be determined in accordance with the Standard Valuation Law chapter 48.74 RCW. All valuation assumptions used in constructing the reserves shall be determined as appropriate for statutory valuation purposes by a qualified actuary. Mortality tables and interest currently recognized for life insurance reserves by the National Association of Insurance Commissioners may be used, as well as appropriate assumptions for the other provisions incorporated in the policy. The actuary shall follow both actuarial standards and certification for good and sufficient reserves. Reserves in the aggregate shall be sufficient to cover:

(i) Policies upon which no claim has yet arisen; and
(ii) Policies upon which a claim for one or more payments of accelerated benefits has arisen.

(b) For policies and certificates which provide actuarially equivalent benefits, no additional reserves need to be established.

(c) Policy liens and policy loans, plus any accrued interest, represent assets of the insurer for statutory reporting purposes. For any policy on which the policy lien exceeds the policy's statutory reserve liability, such excess must be held as a non-admitted asset.

NEW SECTION

WAC 284-23-710 Filing requirements. The filing of all forms containing accelerated benefit provisions, including both policies and riders, is required, pursuant to RCW 48.18.100 and WAC 284-58-130.

NEW SECTION

WAC 284-23-720 Administrative expenses. All charges or fees for administration or processing requests for any payments of accelerated benefits shall be disclosed and fully described in the policy, rider, and disclosure statement. Any such charge or fee shall be reasonable; shall be assessed no more than once; and may not exceed five hundred dollars.

NEW SECTION

WAC 284-23-730 Resolution of disputes regarding occurrence of qualifying events. (1) In the event the insured's health care provider and a health care provider appointed by the insurer disagree on whether a qualifying event has occurred, the opinion of the health care provider appointed by the insurer is not binding on the claimant. The parties shall attempt to resolve the matter promptly and amicably. The policy or rider providing the accelerated benefit shall provide that in case the disagreement is not so resolved, the claimant has the right to mediation or binding arbitration conducted by a disinterested third party who has no ongoing relationship with either party. Any such arbitration shall be conducted in accordance with chapter 7.04 RCW. As part of the final decision, the arbitrator or mediator shall award the costs of arbitration to one party or the other or may divide the costs equally or otherwise.

(2) To select the arbitrator or mediator, the claimant shall choose one health care provider, who may or may not be the claimant's regular health care provider or otherwise associated with or related to the claimant. The insurer shall

choose one health care provider, who may or may not be an employee or otherwise associated with the insurer. Those two choices shall be made within seven days after the later of those two health care providers has been chosen, those two health care providers shall agree on and appoint an arbitrator or mediator. The arbitrator or mediator will hear the case or otherwise commence resolving it within seven days of his or her appointment, and shall render a decision within fourteen days after appointment.

(3) "Health care provider," as used in this regulation, means a health care provider acting within the scope of his or her license.

WSR 94-18-034
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3778—Filed August 30, 1994, 11:36 a.m., effective October 1, 1994]

Date of Adoption: August 30, 1994.

Purpose: Households sanctioned for noncooperation with quality control that reapply after ninety-five days from the end of the annual review period and are eligible for expedited service, only have to meet expedited service verification requirements. Other households must verify all eligibility requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-340 Cooperation with quality control review.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: Administrative Notice 94-14 and IPM 94-03.

Pursuant to notice filed as WSR 94-13-007 on June 2, 1994.

Effective Date of Rule: October 1, 1994.

August 30, 1994
Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-340 Cooperation with quality control review. (1) A household shall be ineligible if it refuses to cooperate in a quality control review.

(2) The household shall remain ineligible until the earlier of the following:

(a) Quality control review requirements are met, or

(b) Ninety-five days from the end of the annual quality control review period.

(3) Households reapplying after ninety-five days from the end of the annual quality control review period shall provide verification ~~((of all eligibility requirements))~~:

(a) Of all eligibility requirements prior to certification if not an expedited ~~((services))~~ service household, or

(b) ~~((Prior to receiving second month's benefits if))~~

According to expedited service verification requirements in WAC 388-49-080 if the household is eligible for expedited ((services)) service.

WSR 94-18-036
PERMANENT RULES
FISH AND WILDLIFE
COMMISSION

[Order 94-59—Filed August 30, 1994, 2:05 p.m.]

Date of Adoption: August 13, 1994.

Purpose: To adopt WAC 232-28-514 1994-95 and 1995-96 Trapping seasons and regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-513 1992-93 and 1993-94 Trapping seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 94-14-091 on July 5, 1994.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-514 differs from the proposed version filed with the code reviser in the following specifics: On page one, the sentence that began, "To be issued a trapping license. . ." was modified to read as follows: "To be issued a trapping license, new trappers must meet trapper education requirements"; on page three, the Marten season was corrected to read as follows: Dec. 1, 1994 - Jan. 31, 1995 and Dec. 1, 1995 - Jan. 31, 1996; on page five, under the section entitled "Trap Restrictions," the first paragraph was changed to read as follows: The following described areas are closed to the taking of classified furbearing animals, and coyote, opossum, nutria, and skunk, by the use of foot-hold, instant kill, or snare traps except muskrat and mink may be taken with a number one foot-hold drowning set or a 110 instant kill trap during lawful trapping seasons as established by the Fish and Wildlife Commission; on page five, under the section entitled "Trap Restrictions," a new second paragraph was added to read as follows: Thurston County, within the established city limits (including county islands), of Lacey, Olympia, and Tumwater; and on page five, under the section entitled "48 Hour Trap Check Time," a new second paragraph was added to read as follows: Thurston County, within the established city limits (including county islands), of Lacey, Olympia, and Tumwater.

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

August 26, 1994

John C. McGlenn
Chairman

NEW SECTION

WAC 232-28-514 1994-95 and 1995-96 Trapping seasons and regulations

TRAPPING REGULATIONS

IT SHALL BE UNLAWFUL TO: Trap for wild animals before October 1, and after

March 15, in western Washington; EXCEPTION: trapping of unclassified wild animals causing damage or predation on private property by the owner or person legally controlling said property (or his designee) is permitted.

IT SHALL BE UNLAWFUL TO: Place traps or establish drowning wire and weights prior to 7:00 a.m. on the opening of the trapping season.

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The fox season is closed within the exterior boundaries of the Mount Baker, Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests; and closed in San Juan, Island, Skagit, and Whatcom counties.

Federal lands within the Ross Lake and Lake Chelan National Recreation Areas are CLOSED to trapping.

Licenses will be issued only to trappers who have submitted their mandatory Trappers Report of Catch postmarked on or before April 10 of the previous year.

Trappers who fail to submit a report of catch must wait one year before purchasing another trapping license. False reports will be considered the same as no Report of Catch being filed.

To be issued a trapping license, new trappers must meet trapper education requirements.

Certain areas have extended, shortened, or closed seasons for listed species. Refer to the general season, then look for special seasons and exceptions in the trapping zone in which you wish to trap. All opening and closing dates are inclusive. Trapping season starts at 7 a.m. on opening dates.

EASTERN WASHINGTON

General Seasons For All Eastern Washington

For purposes of this regulation, all of Klickitat County will have the same general seasons as Eastern Washington.

Bobcat Dec. 15, 1994-Jan. 15, 1995 and Dec. 15, 1995-Jan. 15, 1996

Beaver, River Otter, Nov. 8, 1994-Feb. 28, 1995 and Badger, Fox Nov. 8, 1995-Feb. 28, 1996

Muskrat Nov. 8, 1994-Mar. 15, 1995 and Nov. 8, 1995-Mar. 15, 1996

River Otter Season bag limit is two (2)

Northern Zone (Chelan, Ferry, Okanogan, Pend Oreille, Spokane, and Stevens counties)

Weasel, Raccoon, Nov. 15, 1994-Jan. 31, 1995 and Mink Nov. 15, 1995-Jan. 31, 1996

Marten Dec. 15, 1994-Jan. 15, 1995 and Dec. 15, 1995-Jan. 15, 1996

A permit is required to trap on the Little Pend Oreille National Wildlife Refuge. Contact Little Pend Oreille Refuge Headquarters to obtain permits.

EXCEPTIONS:

CHELAN

Beaver Closed in Swakane and Mudd Creek

OKANOGAN

Marten Dec. 1, 1994-Jan. 31, 1995 and Dec. 1, 1995-Jan. 31, 1996

PEND OREILLE COUNTY

Marten Closed west of the Pend Oreille River

SPOKANE COUNTY

River Otter, Marten CLOSED

STEVENS COUNTY

Marten Closed east of the Columbia River Southern Zone (Adams, Asotin, Benton, Columbia, Douglas, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Walla Walla, Whitman, and Yakima counties)

River Otter open only in Klickitat, Kittitas, and Yakima counties, as well as the Snake and Walla Walla Rivers and their tributaries (season bag limit 2 Otter).

Weasel, Raccoon, Nov. 15, 1994-Feb. 28, 1995 and Mink Nov. 15, 1995-Feb. 28, 1996

Marten Dec. 1, 1994-Jan. 31, 1995 and Dec. 1, 1995-Jan. 31, 1996

EXCEPTIONS:

KITTITAS COUNTY

BEAVER closed in the north fork of Tarpiscan Creek, and the Umtanum Creek drainage.

WESTERN WASHINGTON

Certain areas have extended, shortened, or closed seasons for listed species. Refer to the general season, then look for special seasons and exceptions. All opening and closing dates are inclusive. Trapping season starts at 7 a.m. on opening dates.

General Seasons For All Western Washington

Beaver, Otter Dec. 8, 1994-Jan. 31, 1995 and Dec. 8, 1995-Jan. 31, 1996

Muskrat, Mink, Raccoon, Marten, Weasel Nov. 21, 1994-Jan. 31, 1995 and Nov. 21, 1995-Jan. 31, 1996

Bobcat, Fox Nov. 21, 1994-Feb. 15, 1995 and Nov. 21, 1995-Feb. 15, 1996

EXCEPTIONS:

COWLITZ COUNTY

Game Management Unit 522 (Loo-wit) closed to all trapping.

LEWIS COUNTY

Green River closed to trapping above confluence of Elk Creek except bobcat and coyote. Game Management Unit 522 (Loo-wit) closed to all trapping.

MASON COUNTY

Agate Peninsula (near Shelton) west of the Grunert Road and Agate Loop Road to Campbell Creek are open for the use of cage traps only.

PIERCE COUNTY

Marten Closed within the following described boundary: Beginning at intersection of State Highway 410 and USFS Road #70, then east along USFS Road #70 to the Pacific Crest Trail (Pierce/Yakima county line), then south along the Pac-

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ific Crest Trail to USFS Road #7174, then west along USFS Road #7174 to State Highway 410, then north along State Highway 410 to the point of beginning.

SKAGIT COUNTY

Beaver Dec. 1, 1994-Feb. 28, 1995 and Dec. 1, 1995-Feb. 28, 1996 in that part of Skagit County west of I-5.

Trappers should note that the Illabot Slough and Barnaby Slough posted areas, within the Skagit Bald Eagle Natural Area, are closed to trespass to protect eagle roosting sites.

SKAMANIA COUNTY

Smith Creek, Bean Creek, Clearwater Creek, above USFS 83 Road on Pine Creek, above the confluence of Bean Creek on the Muddy River, CLOSED to all trapping except for bobcat and coyote. Game Management Unit 522 (Loo-wit) CLOSED to all trapping.

THURSTON COUNTY

Raccoon Season extended for cage traps only. Feb. 1, 1995-Feb. 15, 1995 and Feb. 1, 1996-Feb. 15, 1996

URBAN TRAPPING AREAS

Trap Restrictions

The following described areas are closed to the taking of classified furbearing animals, and coyote, opossum, nutria, and skunk, by the use of foot-hold, instant kill, or snare traps except muskrat and mink may be taken with a number one foot-hold drowning set or a 110 instant kill trap during lawful trapping seasons as established by the Fish and Wildlife Commission.

Thurston County, within the established city limits (including county islands) of Lacey, Olympia, and Tumwater.

Within Snohomish, King, and Pierce counties. Beginning at the confluence of the Snohomish River and the Puget Sound; then east up the Snohomish River to Interstate 5 (I-5); then south on I-5 to Interstate 405 (I-405); then south on I-405 to I-5; then south on I-5 to its junction with Pioneer Way; then east along Pioneer Way to Waller Road; then south along Waller Road to SR 512; then west along SR 512 to I-5; then north and west to Puget Sound; then north along the coast to the mouth of the Snohomish River and point of beginning.

In the described area Raccoon season is open (cage traps only) Nov. 21, 1994-Feb. 15, 1995 and Nov. 21, 1995-Feb. 15, 1996

48 Hour Trap Check Time

In the following described areas all traps or devices, not capable of drowning the animal (land sets), must be checked and the animal removed within 48 hours.

Thurston County, within the established city limits (including county islands), of Lacey, Olympia, and Tumwater.

Within Snohomish, King, and Pierce counties. Beginning at the mouth of the Snohomish River; then south and east up

the Snohomish River to Highway 9; then south on Highway 9 to the Woodinville-Duvall Road; then east on Woodinville-Duvall Road to Avondale Road; then south on Avondale Road to Highway 202; then east on Highway 202 to Duthie Hill Road; then southwest on Duthie Hill Road to its junction with the Issaquah-Fall City Road; then southwest on Issaquah-Fall City Road to East Lake Sammamish Parkway; then south on East Lake Sammamish Parkway to Front Street; then south on Front Street to Issaquah-Hobart Road; then southeast on Issaquah-Hobart Road to Highway 18; then southwest on Highway 18 to Highway 167; then south on Highway 167 to Highway 161; then south on Highway 161 to 224th Street E.; then west on 224th Street E. to Highway 7; then northwest on Highway 7 to Highway 507; then southwest on Highway 507 to Pierce County line; then west along the county line to Puget Sound; then north along the coast to the mouth of the Snohomish River and point of beginning.

REPEALER

The following section of the Washington Administrative Code is hereby repealed.

WAC 232-28-513 1992-93 and 1993-94 Trapping seasons and regulations

WSR 94-18-038

PERMANENT RULES

INSURANCE COMMISSIONER'S OFFICE

[Order R 94-17—Filed August 30, 1994, 3:03 p.m.]

Date of Adoption: August 30, 1994.

Purpose: The purpose of this rule is to provide minimum standards for the coverage of off-label drugs in policies or contracts which include coverage for prescription drugs.

Statutory Authority for Adoption: RCW 48.01.030, 48.02.060, 48.30.010.

Pursuant to notice filed as WSR 94-15-104 on July 20, 1994; and WSR 94-18-020 on August 26, 1994.

Changes other than Editing from Proposed to Adopted Version: One clarifying change was made to WAC 284-30-450 (4)(a)(ii) as a result of public comment.

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

August 29, 1994

Deborah Senn

Insurance Commissioner

NEW SECTION

WAC 284-30-450 Insurance policies and contracts—Coverage for drugs. (1) Authority and purpose.

(a) Some insurers deny payment for drugs that have been approved by the Federal Food and Drug Administration (FDA) when the drugs are used for indications other than those stated in the labelling approved by the FDA (off-label use) while other insurers with similar coverage terms pay for off-label use. Denial of payment for off-label use can interrupt or effectively deny access to necessary and appropriate treatment for a person being treated for a life-threatening illness.

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(b) Equity among insured residents of this state and fair claims settlement practices and fair competition among companies providing coverage to residents of this state require comparable reimbursement for prescribed drugs among insurers, health care service contractors, and health maintenance organizations.

(c) Use of off-label indications often provides efficacious drugs at a lower cost.

(d) To prevent unfair methods of claims settlements, unfair competition, and unfair or deceptive acts or practices of insurers and prohibited acts or practices of health care service contractors or health maintenance organizations, this rule is adopted.

(2) Scope.

This regulation affects all insurance and health benefit policies and contracts providing coverage for drugs to a resident of this state which are issued, amended, delivered or renewed on or after January 1, 1995.

(3) Definitions. The following definitions are used in this section:

(a) "Drug" or "drugs" means any substance prescribed by a physician taken by mouth, injected into a muscle, the skin, a blood vessel, or a cavity of the body, or applied to the skin to treat or prevent a disease, and specifically includes drugs or biologicals used in an anticancer chemotherapeutic regimen for a medically accepted indication or for the treatment of people with HIV or AIDS.

(b) "Off-label" means the prescribed use of a drug which is other than that stated in its FDA approved labelling.

(c) "Peer-reviewed medical literature" means scientific studies printed in journals or other publications in which original manuscripts are published only after having been critically reviewed for scientific accuracy, validity, and reliability by unbiased independent experts. Peer-reviewed medical literature does not include in-house publications of pharmaceutical manufacturing companies.

(d) "Physician" means a medical doctor or other health care provider acting within the scope of his or her professional license.

(e) "Policy" or "contract" means any individual, group or blanket policy of insurance or health benefit contract issued by a disability insurer, health care service contractor, or health maintenance organization which is issued, amended, delivered or renewed on or after January 1, 1995, and which provides coverage for drugs to a resident of this state.

(f) "Standard reference compendia" means:

(i) The American Hospital Formulary Service-Drug Information;

(ii) The American Medical Association Drug Evaluation;

(iii) The United States Pharmacopoeia-Drug Information; or

(iv) Other authoritative compendia as identified from time to time by the Federal Secretary of Health and Human Services or the insurance commissioner.

(4) Standards of coverage.

(a) No insurance policy or contract which provides coverage for prescription drugs to a resident of this state shall exclude coverage of any such drug for a particular indication on the grounds that the drug has not been approved by the Federal Food and Drug Administration for that indication, if such drug is recognized as effective for treatment of such indication:

(i) In one of the standard reference compendia;

(ii) In the majority of relevant peer-reviewed medical literature if not recognized in one of the standard reference compendia; or

(iii) By the Federal Secretary of Health and Human Services.

(b) Coverage of a prescription drug required by this section shall also include medically necessary services associated with the administration of the drug.

(c) This regulation shall not be construed to require coverage for any drug when the Federal Food and Drug Administration has determined its use to be contra-indicated.

(d) This regulation shall not be construed to require coverage for experimental drugs not otherwise approved for any indication by the Federal Food and Drug Administration.

**WSR 94-18-056
PERMANENT RULES
FISH AND WILDLIFE
COMMISSION**

[Order 94-55—Filed August 31, 1994, 4:00 p.m.]

Date of Adoption: August 13, 1994.

Purpose: To amend WAC 232-28-242 1994-95, 1995-96, 1996-97 Elk hunting seasons and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-242.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 94-14-087 on July 5, 1994.

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

August 26, 1994

John C. McGlenn
Chairman

AMENDATORY SECTION [(Amending Order 656, filed 5/10/94, effective 6/10/94)]

WAC 232-28-242 1994-95, 1995-96, 1996-97 Elk hunting seasons and regulations.

ELK SEASONS

Bag Limit: One (1) elk per hunter during the annual (July 1-March 31) hunting season.

Hunting Method: Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Tag Required: Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area.

Bull Elk Seasons: Open only to the taking of male elk with visible antlers (bull calves are illegal).

Definition: Visible Antler is defined as a horn-like growth projecting above the hairline.

Spike Bull Restriction GMUs: Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above ears). An animal with branched

antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-154, 160-185, 314-329, 335-368, and 472.

Branched Antler Restriction GMUs: Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points may include eye guards but antler points on the lower half of either main beam must be at least four (4) inches long, measured from tip to nearest edge of beam. All other antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: 418, 460, 466, 478, 490, 506, 512, 524, 530, 556, 558, 572, 601, 602, 607, 636, 638, 681; and GMUs 157 and 485 by permit only.

Special Permits: Modern firearm late season elk tag holders along with muzzleloader tag holders may apply to be drawn in special elk permit seasons. Only hunters with elk tags identified in the Special Elk Permits tables may apply for special bull permits. Please see permit table for tag eligibility. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag and during the dates listed for the hunt.

Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who choose the early tag have the first opportunity to hunt bulls, but only those who choose the late tag are able to apply for special elk permits except as outlined above for bull permits.

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.

Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Modern Firearm Elk Seasons

Legal Elk: Male elk with visible antlers are legal throughout the state except in GMUs 145-154, 160-185, 314-329, 335-368, and 472 spike bull restrictions apply and in branched antler areas branched antler restrictions apply.

Blue Mountains - Open Area: 100 series GMUs; GMUs 127, 130, and 157 limited to permit hunters only. GMUs 145-154, 160-185 are spike bull only, except by permit.

- BE - Blue Mountains Early Tag
- BL - Blue Mountains Late Tag
- BA - Blue Mountains Archery Tag
- BM - Blue Mountains Muzzleloader Tag

Colockum - Open Area: Chelan County portion of GMU 302 and GMUs 300, 301, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334). GMUs 314-329 are spike bull only, except by permit.

- CE - Colockum Early Tag
- CL - Colockum Late Tag

- CA - Colockum Archery Tag
- CM - Colockum Muzzleloader Tag

Yakima - Open Area: Kittitas County portion of GMU 302 and GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 366, 368, and 370. GMUs 335-368 are spike bull only, except by permit.

- YE - Yakima Early Tag
- YL - Yakima Late Tag
- YA - Yakima Archery Tag
- YM - Yakima Muzzleloader Tag

Western Washington - Open Area: All 400, 500, and 600 GMUs except closed in GMU 417, 522, 621 and modern firearm restrictions in portion of GMU 660. GMUs 417 (Bald Mountain) and 621 (Olympic) are closed to all elk hunting as a Conservation Closure. Permit only in GMUs 485, 524, 554, 556, and 602. GMU 472 is spike bull only, except by permit.

- WE - Western Washington Early Tag
- WL - Western Washington Late Tag
- WA - Western Washington Archery Tag
- WM - Western Washington Muzzleloader Tag

	<u>1994</u>	<u>1995</u>	<u>1996</u>
Blue Mountains			
BE - Blue Mountains Early Elk Tag	Oct. 26-Nov. 6	Oct. 25-Nov. 5	Oct. 30-Nov. 10
BL - Blue Mountains Late Elk Tag	Oct. 29-Nov. 6	Oct. 28-Nov. 5	Nov. 2-10
Colockum			
CE - Colockum Early Elk Tag	Oct. 26-Nov. 3	Oct. 26-Nov. 3	Oct. 26-Nov. 3
CL - Colockum Late Elk Tag	Oct. 29-Nov. 3	Oct. 29-Nov. 3	Oct. 29-Nov. 3
Yakima			
YE - Yakima Early Elk Tag	Nov. 5-15	Nov. 5-15	Nov. 5-15
YL - Yakima Late Elk Tag	Nov. 8-15	Nov. 8-15	Nov. 8-15
Western Washington			
WE - Western Washington Early Elk Tag	Nov. 2-13	Nov. 1-13	Nov. 6-17
WL - Western Washington Late Elk Tag	Nov. 5-13	Nov. 4-13	Nov. 9-17

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person.

Hunting Method: Bow and arrow only.

Special Notes: Archery tag holders can hunt only during archery seasons. Only archery elk hunters with tags identified in the Special Permits tables may apply for special bull permits. Please see permit table for tag eligibility. If drawn, archers must hunt with archery equipment and hunt branched bulls during the permit archery season.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for the area hunted: Blue Mountains (BA), Colockum (CA), Yakima (YA), or Western Washington (WA).

GMUs	Elk Tag	1994 Dates	1995 Dates	1996 Dates	Legal Elk
100-118, 121-142, 178	BA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
145-154, 160-169, 175, 181-185	BA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike or antlerless
300, 306, 308, 316	CA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
328, 329, 330	CA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike or antlerless
370	YA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
335, 356, 336, 340, 352, 364	YA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike or antlerless
405-410, 426-454, 504, 505, 510, 514, 516, 520, 550, 554, 560, 568, 574, 576, 586, 588, 615, 618, 642-658, 663, 667, 669, 678	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
460, 466, 478, 490, 512, 530, 558, 572, 601, 607, 638, 681	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	3 pt. min. or antlerless
472	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike or antlerless
484	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex

418	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	3 pt. min.
607	WA	No Season	Sept. 1-14	No Season	3 pt. min.
612	WA	Sept. 1-14	No Season	Sept. 1-14	Either sex
660	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
Bow Area 802	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for the area hunted.

GMUs	Elk Tag	1994 Dates	1995 Dates	1996 Dates	Legal Elk
103, 118, 121, 124, 127, 178	BA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
166	BA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Antlerless only
328	CA	Nov. 23-Dec. 8	Nov. 22-Dec. 8	Nov. 21-Dec. 8	Spike or antlerless
335, 336, 346, 352	YA	Nov. 23-Dec. 8	Nov. 22-Dec. 8	Nov. 21-Dec. 8	Spike or antlerless
405, 433, 454, 484, 505, 520, 564, 588, 603, 612, 615, 648, 672	WA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
506, 530, 638, 681*	WA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	3 pt. min. or antlerless
636	WA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	3 pt. min.
Bow Areas					
802	WA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
806, 807	YA	Nov. 23-Dec. 8	Nov. 22-Dec. 8	Nov. 27-Dec. 8	Spike or antlerless
841	WA	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex

* Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallcut River.

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Early Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	1994 Dates	1995 Dates	1996 Dates	Legal Elk
172	BM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Spike bull only
302	CM, YM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Bull only
314*	CM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Spike bull only
342	YM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Antlerless only
368	YM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Spike bull ((or Antlerless))

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603	WM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Bull only
607	WM	Oct. 6-12	No Season	Oct. 3-9	3 pt. min.
612	WM	No Season	Oct. 5-11	No Season	Bull only
460, 506, 636	WM	Oct. 6-12	Oct. 5-11	Oct. 3-9	3 pt. min.
484, 501, 564, 684	WM	Oct. 6-12	Oct. 5-11	Oct. 3-9	Either sex

Muzzleloader

Area 910	YM	Oct. 1-12	Oct. 1-11	Oct. 1-9	Spike bull or antlerless
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* The portion of GMU 314 bordered by the Colockum Pass Road (Road 10), Naneum Ridge Road (Road 9), and Ingersol Road (Road 1) is closed. See Naneum Green Dot Map.

Late Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	1994 Dates	1995 Dates	1996 Dates	Legal Elk
130, 133, 136, 139	BM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
184	BM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Antlerless only
346	YM	Nov. 16-19	Nov. 16-19	Nov. 16-19	Spike bull or antlerless
484	WM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
501, 568, 574, 576, 586	WM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
505	WM	Nov. 15-20	Nov. 14-19	Nov. 19-24	Either sex
504, 550	WM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Bull only
601	WM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	3 pt. bull min.
684	WM	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
Muzzleloader Areas					
910	YM	Nov. 16-Dec. 8	Nov. 16-Dec. 8	Nov. 16-Dec. 8	Spike bull or antlerless
944	YM	Nov. 16-19	Nov. 16-19	Nov. 16-19	Spike bull or antlerless

Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

Antlerless or Either Sex Elk Hunts

GMUs	Elk Tag	1994 Dates	1995 Dates	1996 Dates	Legal Elk
100, 103, 105, 108, 121, 124 west of SR 395, 133, 136, 139	BE, BL	Oct. 29-Nov. 6	Oct. 28-Nov. 5	Nov. 2-10	Either sex
178	BE, BL	Nov. 5-6	Nov. 4-5	Nov. 9-10	Either sex
370	CM, YE, YL, YM	Nov. 5-13	Nov. 5-13	Nov. 5-13	Either sex

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564*	WA, WM, WE, WL	Nov. 2-13	Nov. 1-13	Nov. 6-17	Either sex
501, 568, 574, 576, 586, 588	WE, WL	Nov. 2-13	Nov. 1-13	Nov. 6-17	Either sex
300, 304, 306, 308, 316 east of Highway 2	CE, CL, CM	Dec. 9-18	Dec. 9-17	Dec. 9-16	Either sex
Elk Area 001	Any Elk Tag	Nov. 1-15	Nov. 1-15	Nov. 1-15	Either sex

* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

Private Lands Wildlife Management Opportunities

Kapowsin Tree Farm (PLWMA 401 - Champion)

Hunting Method	Elk Tag	1994 Open Season	Special Restrictions
Archery	WA	Sept. 1-14	Spike Bull or Antlerless
Modern Firearm	WE	Nov. 2-13	Spike Bull Only
	WL	Nov. 5-13	Spike Bull Only
Muzzleloader	WM	Nov. 23-Dec. 5	Spike Bull Only

Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Fish and Wildlife within 10 days after taking an elk.

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

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

**WSR 94-18-057
PERMANENT RULES
FISH AND WILDLIFE
COMMISSION**

[Order 94-56—Filed August 31, 1994, 4:01 p.m.]

Date of Adoption: August 13, 1994.

Purpose: To amend WAC 232-28-245 1994-95 Deer and elk permit hunting seasons.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-245.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 94-14-088 on July 5, 1994.

Effective Date of Rule: Thirty-one days after filing,
August 26, 1994
John C. McGlenn
Chairman

AMENDATORY SECTION [(Amending Order 659, filed 5/10/94, effective 6/10/94)]

WAC 232-28-245 1994-95 Deer and elk permit hunting seasons

Application Instructions

NOTE: Hunt numbers and GMU numbers are not the same.

A permit gives a hunter additional opportunity but it does not give him/her an extra deer or elk.

To apply for Special Deer Permit: You must have a valid 1994 Washington hunting license and a modern firearm or muzzleloader deer tag. Only those hunters with a Washington Disabled Hunter Permit or Washington Blind or Visually Handicapped Hunter Permit may apply for Special Hunts for Disabled, Blind or Visually Handicapped. You may submit one (only one) special deer permit application for 1994.

If you were drawn for a modern firearm deer permit in 1994, you may not submit a deer permit application in 1995 or 1996 for the Blue Mountains Foothills A or Blue Mountains Foothills B hunts.

To apply for Special Elk Permit: You must have a valid 1994 Washington hunting license and a valid late modern firearm, muzzleloader, or archery elk tag. Each hunter must have the proper tag (identified in the tables) to apply for an elk permit. Only those hunters with a Washington Disabled Hunter Permit or Washington Blind or Visually Handicapped Hunter Permit may apply for the Special Hunts for Disabled, Blind or Visually Handicapped. You may submit one (only one) special permit application for elk. You may not submit an elk permit application if you were drawn for a modern firearm or archery elk permit during 1992 or 1993. Disabled, blind/visually impaired, and muzzleloader special hunts are exempt from the two-year waiting period. Permit hunters may hunt only with a weapon in compliance with their tag.

Application Deadline: To qualify for the drawing all applications must be postmarked no later than July 22, 1994 or received no later than 5:00 p.m. on July 22, 1994 at the Department of Fish and Wildlife headquarters in Olympia or at any of the regional Department of Fish and Wildlife offices.

- Permits will be drawn by random computer selection.
- There are no refunds or exchanges for deer or elk tags for persons applying for special permits.

Special Hunting Season Permits

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You MUST have a valid hunting license and tag to apply for any special hunting season set by the Fish and Wildlife Commission. (Special hunting seasons do not include hunts open to all hunters.)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

SPECIAL DEER PERMIT HUNTING SEASONS
(Open to Permit Holders Only)

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1001	Curlew A	50	Oct. 8-14	Whitetail, Antlerless Only	GMU 100
1002	Boulder	50	Oct. 8-14	Whitetail, Antlerless Only	GMU 103
1003	Kelly Hill	200	Oct. 8-14	Whitetail, Antlerless Only	GMU 105
1004	Douglas	400	Oct. 8-14	Whitetail, Antlerless Only	GMU 108
1005	Aladdin A	125	Oct. 8-14	Whitetail, Antlerless Only	GMU 111
1006	Aladdin B	25	Nov. 23-27	Whitetail, Either Sex	GMU 111
1007	Selkirk	50	Oct. 8-14	Whitetail, Antlerless Only	GMU 113
1008	Chewelah	200	Oct. 8-14	Whitetail, Antlerless Only	GMU 118
1009	Boyer A	275	Oct. 8-14	Whitetail, Antlerless Only	GMU 119
1010	Boyer B	25	Nov. 23-27	Whitetail, Either Sex	GMU 119
1011	Huckleberry	875	Oct. 8-14	Whitetail, Antlerless Only	GMU 121
1012	Mt. Spokane	500	Oct. 8-14	Whitetail, Antlerless Only	GMU 124
1013	Cheney	100	Oct. 8-14	Antlerless Only	GMU 130
1014	Roosevelt	500	Oct. 8-14	Antlerless Only	GMU 133
1015	Harrington	150	Nov. 9-20	Antlerless Only	GMU 136
1016	Steptoe	300	Nov. 9-20	Antlerless Only	GMU 139
1017	Almota	400	Nov. 9-20	Antlerless Only	GMU 142
1018	Mayview A	300	Oct. 15-23	Antlerless Only	GMU 145
1019	Mayview B	100	Oct. 15-23	Whitetail, Antlerless Only	GMU 145
1020	Starbuck	200	Nov. 9-20	Antlerless Only	GMU 148
1021	Blue Creek	150	Nov. 9-20	Whitetail, Antlerless Only	GMU 154
1022	Touchet	75	Nov. 9-20	Whitetail, Antlerless Only	GMU 160
1023	Eckler	75	Nov. 9-20	Whitetail, Antlerless Only	GMU 161
1024	Marengo A	125	Nov. 9-20	Whitetail, Antlerless Only	GMU 163
1025	Marengo B	175	Nov. 9-20	Antlerless Only	GMU 163
1026	Peola	200	Nov. 9-20	Antlerless Only	GMU 178
1027	Couse A	100	Nov. 9-20	Whitetail, Antlerless Only	GMU 181
1028	Blue Mtns. Foothills A	100	Nov. 9-22	Whitetail, 3 Pt. Min. or Antlerless	GMUs 148, 151, 154, 160, 161, 163, 166
1029	Blue Mtns. Foothills B	100	Nov. 9-22	Whitetail, 3 Pt. Min. or Antlerless	GMUs 145, 172, 175, 178, 181
1030	East Okanogan	50	Dec. 7-14	Whitetail, Either Sex	GMUs 200, 206
1031	West Okanogan	50	Dec. 7-14	Whitetail, Either Sex	GMUs 209, 218, 224, 231, 233
1032	Wannacut A	50	Oct. 31- Nov. 6	Antlerless Only	GMU 209
1033	Sinlahekin A	50	Oct. 31- Nov. 6	Whitetail, Antlerless Only	GMU 215
1034	Sinlahekin B	25	Dec. 7-14	Whitetail, Either Sex	GMU 215
1035	Chewuch	100	Oct. 31- Nov. 6	Antlerless Only	GMU 218
1036	Pearrygin	200	Oct. 31- Nov. 6	Antlerless Only	GMU 224
1037	Gardner	100	Oct. 31- Nov. 6	Antlerless Only	GMU 231
1038	Pogue	100	Oct. 31- Nov. 6	Antlerless Only	GMU 233
1039	Big Bend A	50	Oct. 17-23	Antlerless Only	GMU 248
1040	Badger	50	Oct. 17-23	Antlerless Only	GMU 266
1041	Moses Coulee A	50	Oct. 17-23	Antlerless Only	GMU 269
1042	Beezley	50	Oct. 17-23	Antlerless Only	GMU 272

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1043	Wenatchee	200	Nov. 1-15	Antlerless Only	Portion of GMU 314*
1044	Douglas	100	Nov. 1-4	Either sex	GMUs 352, 356, 360
1045	Green River A	40	Oct. 22-28	Either Sex	GMU 485
1046	Green River B	30	Oct. 22-28	Antlerless Only	GMU 485
1047	Lincoln	200	Oct. 22-31	Either Sex	GMU 501
1048	Mossyrock	100	Oct. 22-31	Either Sex	GMU 505
1049	Willapa Hills	75	Oct. 22-31	Either Sex	GMU 506
1050	Stormking	50	Oct. 22-31	Either Sex	GMU 510
1051	Sawtooth	50	Oct. 22-31	Either Sex	GMU 512
1052	Packwood	30	Oct. 22-31	Either Sex	GMU 516
1053	Ryderwood	50	Oct. 22-31	Either Sex	GMU 530
1054	Coweeman	60	Oct. 22-31	Either Sex	GMU 550
1055	Lewis River	50	Oct. 22-31	Either Sex	GMU 560
1056	Siouxon	50	Oct. 22-31	Either Sex	GMU 572
1057	Hoko	50	Oct. 22-31	Either Sex	GMU 601
1058	Pysht	100	Oct. 22-31	Either Sex	GMU 603
1059	Soleduck	35	Oct. 22-31	Either Sex	GMU 607
1060	Goodman	50	Oct. 22-31	Either Sex	GMU 612
1061	Clearwater	70	Oct. 22-31	Either Sex	GMU 615
1062	Olympic	130	Oct. 22-31	Either Sex	GMU 621
1063	Coyle	100	Oct. 22-31	Either Sex	GMU 624
1064	Mason Lake	60	Oct. 22-31	Either Sex	GMU 633
1065	Skokomish	100	Oct. 22-31	2 Pt. Min. or Antlerless	GMU 636
1066	Wynoochee	75	Oct. 22-31	Either Sex	GMU 648
1067	North River	25	Oct. 22-31	Either Sex	GMU 658
1068	Minot Peak	75	Oct. 22-31	Either Sex	GMU 660
1069	Capitol Peak	30	Oct. 22-31	Either Sex	GMU 663
1070	Deschutes	75	Oct. 22-31	Either Sex	GMU 666
1071	Skookumchuck	200	Oct. 22-31	Either Sex	GMU 667
1072	Palix	25	Oct. 22-31	Either Sex	GMU 669
1073	Fall River	75	Oct. 22-31	Either Sex	GMU 672
1074	Nemah	25	Oct. 22-31	Either Sex	GMU 678

*Successful applicants will be mailed a map of the hunt boundary.

DEER MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader deer tag prior to submitting an application for a muzzleloader permit hunt.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1075	Blue Creek B	50	Nov. 23- Dec. 4	Whitetail, 3 Pt. Min. or Antlerless	GMU 154
1076	Wannacut B	100	Nov. 12-20	Mule Deer, Antlerless Only	GMU 209
1077	Chiliwist	200	Nov. 12-20	Whitetail, Either Sex Mule Deer, Antlerless Only	GMU 239
1078	Alta	150	Nov. 12-20	Whitetail, Either Sex Mule Deer, Antlerless Only	GMU 242
1079	Moses Coulee B	50	Nov. 26- Dec. 18	Antlerless Only	GMU 269
1080	Manson	100	Nov. 12-20	Either Sex	GMU 300
1081	Chiwawa	100	Nov. 12-20	Either Sex	GMU 304
1082	Stillaguamish	100	Dec. 3-11	Antlerless Only	GMU 448
1083	Yale	50	Nov. 23- Dec. 13	Either Sex	GMU 554

YOUTH HUNTER OPPORTUNITY

Applicants must be 16 years old or younger and must be accompanied by an adult during the hunt.

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Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1084	Northeast A	500	Oct. 15-31	Whitetail Only, Either Sex	GMUs 100-124
1085	Mica, Cheney	100	Oct. 15-23	Either Sex	GMUs 127, 130
1086	Lincoln	100	Oct. 15-23	Either Sex	GMUs 133, 136
1087	Whitman	100	Oct. 15-23	Either Sex	GMUs 139, 142
1088	Big Bend B	25	Oct. 15-23	Antlerless Only	GMU 248
1089	Blue Mtns. Foothills C	125	Oct. 15-23	Either Sex	GMUs 148, 151, 154, 160, 161, 166
1090	Blue Mtns. Foothills D	125	Oct. 15-23	Either Sex	GMUs 145, 172, 175, 178, 181
1091	Toutle	25	Oct. 15-30	Either Sex	GMU 556
1092	Wind River	25	Oct. 22- Nov. 6	Either Sex	GMU 574
1093	Skookumchuck	40	Oct. 22-31	Either Sex	GMU 667

SENIOR HUNTER OPPORTUNITY

Applicants must be 65 years of age or older.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1094	Northeast B	300	Oct. 15-31	Whitetail Only, Either Sex	GMUs 100-124
1095	Southcentral	300	Oct. 15-23	Either Sex	GMUs 127-142
1096	Blue Mtns. Foothills E	100	Oct. 15-23	3 Pt. Min. or Antlerless	GMUs 148, 151, 154, 160, 161, 166
1097	Blue Mtns. Foothills F	100	Oct. 15-23	3 Pt. Min. or Antlerless	GMUs 145, 172, 175, 178, 181

ADVANCED HUNTER EDUCATION (AHE) PROGRAM

Only hunters who have successfully completed the Department of Fish and Wildlife's Advanced Hunter Education (AHE) Program will be eligible to hunt deer in these seasons. A certification card will be issued to all AHE graduates and must be in possession while hunting during these seasons.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1098	Roosevelt A	25	Nov. 23-27	Whitetail, Either Sex	GMU 133
1099	Almota	25	Nov. 23-27	Whitetail, Either Sex	GMU 142
1100	Wenatchee	10	Nov. 16-30	Either Sex	Portion of GMU 314*
1101	Mt. Adams	5	Oct. 1-12	2-Pt. Min. or Antlerless Only	Elk Area 059

In addition, other AHE permits are available on Private Lands Wildlife Management hunts.

*Successful applicants will be mailed a map of the hunt boundary.

SPECIAL HUNTS FOR DISABLED, BLIND OR VISUALLY IMPAIRED

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit or Washington Blind or Visually Handicapped Hunter Permit may apply for these permits.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1102	Blue Mtn. Foothills G	10	Oct. 15-23	3 Pt. Min. or Antlerless	GMUs 148, 151, 154, 160, 161, 166
1103	Douglas	25	Nov. 23-27	Whitetail, Either Sex	GMU 108
1104	Big Bend C	25	Oct. 20-25	Antlerless Only	GMU 248
1105	Entiat	25	Nov. 1-15	Antlerless Only	GMU 308
1106	Green River	5	Oct. 22-28	Antlerless Only	GMU 485

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1107	Margaret	25	Oct. 15-30	Antlerless Only	GMU 524
1108	Bear River	20	Oct. 15-30	2 Pt. Min. or Antlerless	GMU 681

In addition, special permits for disabled, blind or visually handicapped are available on Private Lands Wildlife Management hunts.

DEER PRIVATE LANDS WILDLIFE MANAGEMENT PERMIT OPPORTUNITIES

Wilson Creek Area

Only hunters possessing modern firearm deer tags and meeting the special restrictions noted for each hunt are eligible for permits on PLWMA 201. There will be up to 20 hunters (Wilson A below) authorized to participate in a special hunt for which an access fee will be charged. You may apply for buck permits (Wilson A) by contacting the landowner at (509) 345-0121. Applications for Wilson B should be through the normal application process. For Wilson C, D, and E, permits are available on a first-call basis. The Region Two office in Ephrata will be taking applications by phone (509) 754-4624 for antlerless permits during July 26-29, 1994. Hunters must purchase hunting license, modern firearm deer tag, and permit application before calling for permits. Access for Hunts C, D, and E are for one day, scheduled by the landowner. There are no access fees for hunts B, C, D, or E, but the landowner or his representative will accompany all deer hunters on these hunts. All hunters ((The hunter)) must have a valid hunting license, ((transport)) deer tag, and written authorization from the landowner to participate in ((this hunt)) these hunts. ((Only Modern Firearm hunters may apply for the hunts on PLWMA 201-)) All other hunting regulations apply.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
*	Wilson A	20	Oct. 1- Dec. 31	Buck Only	PLWMA 201
1109	Wilson B	2	Oct. 1-31	Buck Only, Young Hunters Only***	PLWMA 201
**	Wilson C	50	Oct. 1- Dec. 31	Antlerless Only, Young Hunters Only***	PLWMA 201
**	Wilson D	10	Oct. 1- Dec. 31	Antlerless Only, Disabled or Blind/Visually Handicapped Hunters Only	PLWMA 201
**	Wilson E	10	Oct. 1- Dec. 31	Antlerless Only, AHE Hunters Only	PLWMA 201

* No hunt number because hunter must contact landowner, David Stevens, for access.

** No hunt number because hunters must apply by calling the Region Two office in Ephrata (509-754-4624) during July 26-29, 1994.

***Applicants must be 16 years old or younger and must be accompanied by an adult during the hunt.

Champion's Kapowsin Tree Farm

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
1110	Kapowsin North	50	Dec. 9-13	Antlerless Only, Senior Hunters (Age 65+)	PLWMA 401A North
1111	Kapowsin Central	100	Dec. 9-13	Antlerless Only	PLWMA 401B Central
1112	Kapowsin South	100	Dec. 10, 11, 17, 18	Antlerless Only, Young or Disabled or Blind/Visually Handicapped Hunters Only	PLWMA 401C South

Special Elk Permit Hunting Seasons
(Open to Permit Holders Only)

Hunters must purchase a hunting license and elk tag prior to purchase of a permit application. Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper tag for these hunts (see Elk Tag Prefix required to apply for each hunt). Hunters drawing a permit for a hunt after the first of the year can use their 1994 license and tag during the hunt.

Use the FOUR DIGIT HUNT NUMBER on your application.

PERMANENT

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2001	Aladdin	30	Oct. 29- Nov. 6	Either Sex	BL or BM	GMU 111
2002	Selkirk	50	Oct. 29- Nov. 6	Either Sex	BL or BM	GMU 113
2003	Mount Spokane	30	Oct. 29- Nov. 6	Antlerless Only	BL or BM	GMU 124
2004	Mica, Cheney	250	Oct. 29- Nov. 6	Either Sex	BL or BM	GMUs 127, 130
2005	Blue Creek A	40	Oct. 29- Nov. 6	Spike Bull or Antlerless	BL or BM	GMU 154
2006	Blue Creek B	10	Oct. 26- Nov. 6	Any Bull	BE	GMU 154
2007	Watershed	100	Oct. 29- Nov. 6	3 Pt. Min. or Antlerless	BL or BM	GMU 157
2008	Touchet	10	Oct. 26- Nov. 6	Any Bull	BE	GMU 160
2009	Eckler	10	Oct. 26- Nov. 6	Any Bull	BE	GMU 161
2010	Touchet, Marengo	25	Dec. 15- Jan. 15, 1995	Antlerless Only	BL or BM	GMUs 160*, 161*
2011	Tucannon	10	Oct. 26- Nov. 6	Any Bull	BE	GMU 166
2012	Wenaha A	4	Oct. 1-6	Any Bull	BE	GMU 169
2013	Wenaha B	12	Oct. 26- Nov. 6	Any Bull	BE	GMU 169
2014	Mountain View A	25	Dec. 15- Jan. 15, 1995	Antlerless Only	BL or BM	GMU 172
2015	Mountain View B	10	Oct. 26- Nov. 6	Any Bull	BE	GMU 172
2016	Couse A	40	Oct. 29- Nov. 6	Spike Bull or Antlerless	BL or BM	GMU 181
2017	Couse B	3	Oct. 26- Nov. 6	Any Bull	BE	GMU 181
2018	Joseph/Black Butte	1	Oct. 26- Nov. 6	Any Bull	BE	GMUs 184- 185
2019	Chelan	40	Oct. 15- Nov. 1	Any Elk	CL or CM	GMUs 300, 301, 304, 306, 308, 316
2020	Naneum A	100	Oct. 23-25	Antlerless Only	CL or CM	GMU 328
2021	Naneum B	100	Oct. 26- Nov. 1	Any Bull	CL or CM	GMU 328
2022	Malaga A	150	Sept. 1- Oct. 6	Antlerless Only	CL or CM	Elk Area 032
2023	Malaga B	150	Nov. 2- Jan. 15, 1995	Either Sex	CL or CM	Elk Area 032
2024	Peshastin A	150	Sept. 1- Oct. 6	Antlerless Only	CL or CM	Elk Area 033
2025	Peshastin B	150	Nov. 2- Jan. 15, 1995	Either Sex	CL or CM	Elk Area 033
2026	Quilomene A	200	Oct. 23-25	Antlerless Only	CL or CM	GMU 329
2027	Quilomene B	80	Oct. 26- Nov. 1	Any Elk	CL or CM	GMU 329
2028	West Bar A	25	Oct. 23	Antlerless Only	CL or CM	GMU 330
2029	West Bar B	25	Oct. 24	Antlerless Only	CL or CM	GMU 330
2030	West Bar C	25	Oct. 25	Antlerless Only	CL or CM	GMU 330
2031	Swauk	60	Oct. 25- Nov. 13	Any Bull	CL or CM YL or YM	GMUs 302, 335
2032	Taneum	400	Nov. 1-4	Antlerless Only	YL or YM	GMU 336
2033	Manastash	400	Nov. 1-4	Antlerless Only	YL or YM	GMU 340

2034	Shushuskin	100	Nov. 23- Dec. 15	Antlerless Only	YL or YM	Elk Area 031
2035	Umtanum A	400	Nov. 1-4	Antlerless Only	YL or YM	GMU 342
2036	Peaches Ridge	100	Oct. 25- Nov. 13	Any Elk	YL or YM	GMUs 336, 346
2037	Little Naches A	400	Nov. 1-4	Antlerless Only	YL or YM	GMU 346
2038	Little Naches B	35	Oct. 1- Nov. 13	Any Elk	YL or YM	GMU 346
2039	Observatory	110	Nov. 5-13	Any Elk	YL or YM	GMUs 340, 342
2040	Douglas	100	Oct. 25- Nov. 13	Any Elk	YL or YM	GMUs 352, 356
2041	Nile	150	Nov. 1-4	Antlerless Only	YL or YM	GMU 352
2042	Bumping	600	Nov. 1-4	Antlerless Only	YL or YM	GMU 356
2043	Bethel A	100	Nov. 1-4	Antlerless Only	YL or YM	GMU 360
2044	Bethel B	100	Nov. 5-13	Any Elk	YL or YM	GMU 360
2045	Rimrock A	400	Nov. 1-4	Antlerless Only	YL or YM	GMU 364
2046	Rimrock B	25	Oct. 25- Nov. 13	Any Elk	YL or YM	GMU 364
2047	Cowiche A	200	Nov. 1-4	Antlerless Only	YL or YM	GMU 368
2048	Cowiche B	30	Nov. 5-13	Any Elk	YL or YM	GMU 368
2049	White River A	25	Nov. 2-13	Any Bull	WE or WM	GMU 472
2050	Green River Cow A	25	Nov. 12-16	Antlerless Only	WL or WM	GMU 485
2051	Green River Bull	15	Nov. 12-16	3 Pt. Min. or Antlerless	WL or WM	GMU 485
2052	Green River Spike	5	Nov. 12-16	Spike or Antlerless Only	WL or WM	GMU 485
2053	Lincoln	25	Nov. 15-20	Antlerless Only	WL or WM	GMU 501
2054	Willapa Hills	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 506
2055	Packwood	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 516
2056	Margaret Cow	30	Nov. 15-20	Antlerless Only	WL or WM	GMU 524
2057	Margaret Bull	30	Nov. 2-13	3 Pt. Min.	WL or WM	GMU 524
2058	Ryderwood	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 530
2059	Toutle Cow	75	Nov. 15-20	Antlerless Only	WL or WM	GMU 556
2060	Toutle Bull	200	Nov. 2-13	3 Pt. Min.	WL or WM	GMU 556
2061	Marble	60	Nov. 15-20	Antlerless Only	WL or WM	GMU 558
2062	Lewis River	125	Nov. 15-20	Antlerless Only	WL or WM	GMU 560
2063	Siouxon	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 572
2064	Dickey Bull A	10	Oct. 1-9	3 Pt. Min.	WL or WM	GMU 602
2065	Dickey Bull B	75	Nov. 1-13	3 Pt. Min.	WL or WM	GMU 602
2066	Soleduck	30	Nov. 15-20	Antlerless Only	WL or WM	GMU 607
2067	Goodman	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 612
2068	Matheny	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 618
2069	Quinault Ridge	5	Oct. 1-13	3 Pt. Min.	WL or WM	GMU 638
2070	Wynoochee	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 648
2071	Minot Peak	100	Oct. 8-13	Antlerless Only	WL or WM	GMU 660
2072	Palix	30	Nov. 15-20	Antlerless Only	WL or WM	GMU 669
2073	Nemah	50	Nov. 15-20	Antlerless Only	WL or WM	GMU 678
2074	Backbone	55	Nov. 24- Dec. 14	Either Sex	WL or WM	Elk Area 025
2075	Curtis	50	Dec. 20-31	Antlerless Only	WL or WM	Elk Area 050
2076	Boistfort A	50	Jan. 1-15, 1995	Antlerless Only	WL or WM	Elk Area 054
2077	East Valley	25	Jan. 1-15, 1995	Antlerless Only	WL or WM	Elk Area 055
2078	Carlton	5	Oct. 1-13	3 Pt. Min.	WL or WM	Elk Area 057
2079	West Goat Rocks	5	Oct. 1-13	3 Pt. Min.	WL or WM	Elk Area 058
2080	Mt. Adams	5	Oct. 1-13	3 Pt. Min.	WL or WM	Elk Area 059
2081	Mt. Tebo	5	Oct. 1-13	3 Pt. Min.	WL or WM	Elk Area 061
2082	South Willapa	10	Jan. 1-15, 1995	Antlerless Only	WL or WM	Elk Area 067

*Outside of Umatilla National Forest.

SPECIAL HUNTS FOR DISABLED, BLIND OR VISUALLY IMPAIRED

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter Permit or a Washington Blind or Visually Handicapped Hunter Permit may apply.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
3001	Eckler	10	Dec. 15- Jan. 15, 1995	Antlerless Only	BL or BM	GMU 161*
3002	Naches D	10	Oct. 1-14	Any Elk	YL or YM	GMU 346
3003	Quilomene	10	Nov. 1-13	Antlerless Only	CL or CM	GMU 329
3004	Manastash	10	Nov. 1-13	Antlerless Only	YL or YM	GMU 340
3005	Green River Cow B	5	Nov. 12-16	Antlerless Only	WL or WM	GMU 485
3006	Centralia Mine A	6	Nov. 19-20	Antlerless Only	Any Elk Tag	Portion of GMU 667**
3007	Centralia Mine B	7	Nov. 26-27	Antlerless Only	Any Elk Tag	Portion of GMU 667**
3008	Centralia Mine C	7	Dec. 3-4	Either Sex	Any Elk Tag	Portion of GMU 667**

*Outside of Umatilla National Forest

**Successful applicants will be mailed a map of the hunt boundary.

ADVANCED HUNTER EDUCATION (AHE) PROGRAM

Only hunters who have successfully completed the Department of Fish and Wildlife's Advanced Hunter Education (AHE) Program will be eligible to hunt elk in these seasons. A certification card will be issued to all AHE graduates and must be in possession while hunting during these seasons.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Descriptions
2083	South Spokane	25	Oct. 20-Nov. 20	Either Sex	Elk Area 010
2084	Shushuskin	20	Dec. 16-30	Antlerless Only	Elk Area 031
2085	Margaret	5	Oct. 1-12	3 Pt. Min. or Antlerless Only	GMU 524
2086	Skookumchuck	5	Oct. 8-13	Either Sex	GMU 667

MUZZLELOADER ONLY

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
4001	Blue Creek C	40	Dec. 1- Jan. 31, 1995	Antlerless Only	BM	GMU 154
4002	Mountain View C	25	Oct. 7-13	Spike Bull or Antlerless	BM	GMU 172
4003	Mountain View D	20	Oct. 7-13	Any Bull	BM	GMU 172
4004	Mission	55	Oct. 7-12	Any Bull	CM	GMU 314
4005	Cle Elum A	75	Oct. 1-12	Any Elk	YM	ML Area 910
4006	Cle Elum B	75	Nov. 16- Dec. 8	Any Elk	YM	ML Area 910
4007	Umtanum B	75	Oct. 8-12	Any Elk	YM	GMU 342
4008	Cowiche C	90	Oct. 8-12	Any Elk	YM	GMU 368
4009	Coal Creek	10	Nov. 12- Dec. 12	Antlerless Only	WM	ML Area 940
4010	Stella	50	Nov. 23- Dec. 13	Either Sex	WM	GMU 504
4011	Boistfort B	50	Jan. 16-31, 1995	Antlerless Only	WM	Elk Area 054

PERMANENT

4012	Yale	75	Nov. 23- Dec. 13	Either Sex	WM	GMU 554
4013	Toledo	150	Jan. 2-16, 1995	Antlerless Only	WM	Elk Area 029
4014	Hoko River A	15	Jan. 1-15, 1995	Antlerless Only	WM	ML Area 961
4015	Hoko River B	15	Jan. 16- Feb. 15, 1995	Antlerless Only	WM	ML Area 961
4016	Chinook	5	Jan. 16- Feb. 15, 1995	Antlerless Only	WM	Elk Area 069
4017	North River	30	Nov. 19- Dec. 7	Antlerless Only	WM	GMU 658
4018	Elwha A	5	Dec. 15- Jan. 15, 1995	Antlerless Only	WM	ML Area 962

ARCHERY ONLY

Hunters must purchase a hunting license and archery elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2087	Blue Mountains West	16	Sept. 1-14	Either Sex	BA	GMUs 154, 160, 161, 166, 169
2088	Blue Mountains East	16	Sept. 1-14	Either Sex	BA	GMUs 178, 181, 184, 185
2089	Colockum	130	Sept. 1-14	Any Elk	CA	GMUs 328, 329
2090	Robinson	145	Sept. 1-14	Any Elk	YA	GMUs 336, 340
2091	Taneum	25	Nov. 23- Dec. 8	Any Elk	YA	GMU 336
2092	Douglas	75	Sept. 1-14	Any Elk	YA	GMUs 352, 356
2093	Divide	35	Nov. 23- Dec. 8	Any Elk	YA	Bow Area 806, 807
2094	Cottonwood	90	Sept. 1-14	Any Elk	YA	GMUs 364, 366, 368
2095	White River	10	Sept. 1-14	Either Sex	WA	GMU 472

Private Lands Wildlife Management Permit Opportunities

Champion's Kapowsin Tree Farm

Muzzleloader Elk Permits

Hunt No.	Hunt Name	No. Permits	Permit Season	Special Restrictions	Boundary Description
2096	Kapowsin North	80	Nov. 23- Dec. 5	Spike Bull or Antlerless Only	PLWMA 401A North
2097	Kapowsin Central	15	Nov. 23- Dec. 5	Spike Bull or Antlerless Only	PLWMA 401B Central
2098	Kapowsin South	15	Nov. 23- Dec. 5	Spike Bull or Antlerless Only	PLWMA 401C South

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

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

WSR 94-18-058
PERMANENT RULES
FISH AND WILDLIFE
COMMISSION

[Order 94-57—Filed August 31, 1994, 4:04 p.m.]

Date of Adoption: August 13, 1994.

Purpose: To amend WAC 232-28-02240 Game management units (GMUs)—Special game areas—Boundary descriptions—Muzzleloader area descriptions.

Citation of Existing Rules Affected by this Order:
 Amending WAC 232-28-02240.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 94-14-089 on July 5, 1994.

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

August 26, 1994

John C. McGlenn
 Chairman

AMENDATORY SECTION [(Amending Order 648, filed 5/10/94, effective 6/10/94)]

WAC 232-28-02240 Game management units (GMUs)—Special game areas—Boundary descriptions—Muzzleloader area descriptions.

Muzzleloader Area No. 908 Acme (Whatcom County): Same as Bow Area No. 808. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 910 Cle Elum (Kittitas County): Beginning at Easton; then southeast along the main BPA Powerlines to the Fowler Creek Road (4517); southeast on Spur Road 117 to Granite Creek Trail 1326; then south on Granite Creek Trail 1326 to the top of South Cle Elum Ridge; then east along the ridge on Granite Creek Trail 1326 to Spur Road 111; then east on Road 111 to the Peoh Point Road (3350); then southeast on Road 3350 to the junction with Road 3352; then east on Road 3352 to the Cedar Creek Road; then south on the Cedar Creek Road to the Morrison Canyon Road; then southeast on the Morrison Canyon Road to Interstate Highway 90; then east on I-90 to Exit 106 and junction with U.S. Highway 97; then north on U.S. Highway 97 to Hungary Junction Road and east on Hungary Junction Road to Look Road; then north on Look Road and east on Alford Road to the Wilson Creek Road; then north on Wilson Creek Road to the Lillard Hill Road; northwest on Lillard Hill Road to USFS Road 3517; then northwest on USFS Road 3517 to the Reecer Creek Road, USFS Road 35; then south on USFS Road 35 to USFS Road 3507 and then northwest on USFS Road 3507 to Spur Road 120 (Snowshoe Ridge Road); then west on Spur Road 120 (Snowshoe Ridge Road) to Spur Road 114; then north and south on Spur Road 114 to Spur Road 116; then north on Spur Road 116 to USFS Road 9718; then southwest on USFS Road 9718 (Cougar Gulch Road) through the town of Liberty to U.S. Highway 97; then north on U.S. Highway 97 to USFS 9738, Blue Creek; then west on USFS 9738 to USFS 9702 Dickey Creek; then west on USFS Road 9702 to the North Teanaway Road; then south to the junction with Middle Fork Teanaway Road; then west on Middle Fork Road 1/4 mile to Teanaway Campground; then south up #17 Canyon Road to Cle Elum Ridge Road; then west along Cle Elum Ridge

Road and south to the bottom of #5 Canyon Road; then south to Highway 903 and Bullfrog Road (Sportland Mini-Mart); then south on Bullfrog Road to Interstate Highway 90; then west on Interstate Highway 90 to Easton and point of beginning. (See Wenatchee National Forest map and Washington Atlas & Gazetteer)

Muzzleloader Area No. 921 Baleville (Pacific County): Beginning at the junction of the Hammond Road and U.S. Highway 105; then north on the Hammond Road to the radio towers; continue north on the D 2100 line to its junction with the D-line; then northwest along the D-line (also known as the Rayonier 2720) to its junction with the Rayonier 2700 line; then southwest on the Rayonier 2700 line to its junction with Highway 105; then east on Highway 105 to the Hammond Road and point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 925 Ritzville (Adams County): Beginning at the junction of Interstate 90 and S.R. 261 near the Town of Ritzville; then south along S.R. 261 to S.R. 26; then east on S.R. 26 to the Whitman County line; then north along the Adams, Whitman County line to where it intersects the Lincoln, Adams County line; then north along the Adams, Lincoln County line to Interstate 90; then west along Interstate 90 to point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 926 Guemes (Skagit County): That part of GMU 405 (Chuckanut) on Guemes Island.

Muzzleloader Area No. 940 Coal Creek (Skagit County): Beginning at the point where State Highway 20 crosses Childs Creek approximately one mile west of Lyman; then north up said creek to Crown Pacific 110 Road; then west along said road to Crown Pacific 130 Road; then west along said road to Crown Pacific 132 Road; then continue west along said road to where it crosses Hanson Creek; then south down Hanson Creek to State Highway 20 to Childs Creek and point of beginning.

Muzzleloader Area No. 944 Clemen (Yakima County): That portion of GMU 342 beginning at the junction of Highway 410 and USFS Road 1701 (Big Bald Mountain Road); then north to USFS Road 1712; then east on USFS Road 1712 (Clemen Ridge Road) to the east edge of Meyster Canyon; then along the east side of Meyster Canyon to the elk fence; then west along the elk fence to Waterworks Canyon and Highway 410 and to point of beginning. (See Wenatchee National Forest map)

Muzzleloader Area No. 950 Toutle Mountain (Cowlitz County): Beginning at the confluence of the South Fork Toutle River and the North Fork Toutle River; then up the South Fork Toutle River to Johnson Creek; then up Johnson Creek to the Weyerhaeuser Company 4400 Road; then northeast on the 440 Road to the 2421 Road; then north to the 2400 Road; then east on the 2400 Road to Alder Creek; then north down Alder Creek to the North Fork Toutle River; then west down the North Fork Toutle River to the confluence with the South Fork Toutle River and point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 961 Hoko River (Clallam County): Within one mile of the Hoko County Road between

Highway 112 and the Olympic National Park Boundary near Lake Ozette. (See Olympic National Forest map)

Muzzleloader Area No. 962 Elwha (Clallam County): Beginning at the U.S. Highway 101 Bridge on the Elwha River; then south on the Elwha River to the Olympic National Park Boundary; then along Olympic National Park Boundary to the section line between Sections 32 and 33 of T30N, R7 W.W.M.; then north on the section lines to U.S. Highway 101; then east on U.S. Highway 101 to Elwha River and point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 963 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) beginning at the junction of Wright Canyon Road and South Shore Road; then north to the shoreline of Lake Quinault; then north along Lake Quinault to the Olympic National Park (ONP) boundary; then east along ONP boundary to its intersection with the South Shore Road and U.S. Forest Service boundary; then west along the U.S. Forest Service boundary to the Wright Canyon Road Junction with the South Shore Road and point of beginning.

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

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 94-18-059
PERMANENT RULES
FISH AND WILDLIFE
COMMISSION

[Order 94-58—Filed August 31, 1994, 4:06 p.m.]

Date of Adoption: August 13, 1994.

Purpose: To amend WAC 232-12-024 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-024.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 94-14-090 on July 5, 1994.

Changes Other than Editing from Proposed to Adopted Version: On page one, the second sentence in the first paragraph was changed to read as follows: "(1) It is unlawful to possess river otter, cougar, lynx, or bobcat taken in Washington without a department identification seal which has been attached to the raw pelt, on or off the carcass, prior to the pelt sealing deadline"; and on page one, under the paragraph numbered as "(7)," the second sentence was changed to read as follows: "Taxidermist or fur dealer invoices must be sequentially numbered and record name, address, license number, date received, and seal number."

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

August 26, 1994
John C. McGlenn
Chairman

AMENDATORY SECTION [(Amending Order 498, filed 6/17/91, effective 7/18/91)]

WAC 232-12-024 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat. (1) It is unlawful to possess river otter, cougar, lynx, or bobcat taken in Washington without a department identification seal which has been attached to the raw pelt, on or off the carcass, prior to the pelt sealing deadline.

(2) Any river otter, cougar, (~~lynx~~) or bobcat raw pelt must be presented by the person harvesting the animal, in such a manner that teeth and biological samples can be extracted, to an authorized department employee for sealing.

(3) The raw pelt of a bobcat or river otter must be sealed by an authorized department employee within (~~ten~~) 20 days after the close of the appropriate hunting or trapping season in which it was killed.

(4) Any person who takes a cougar (~~or lynx~~) must notify the department within 72 hours of kill (excluding legal state holidays) and provide the hunter's (~~or trapper's~~) name, date and location of kill, and sex of animal. The raw pelt of a cougar (~~or lynx~~) must be sealed by an authorized department employee within five days of the notification of kill.

Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing. (~~Any person who takes a lynx must present the lynx carcass, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing.~~)

(5) It is unlawful to transport or cause the transport out of Washington (~~of~~) a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington without a department seal attached to the pelt.

(6) The raw pelt of a river otter, cougar, lynx, or bobcat taken outside Washington and imported into the state must be identified by a tag and/or seal from the state or country of origin and be accompanied by an invoice or declaration specifying the number of pelts in the shipment.

(7) It is unlawful to possess an unlocked, broken, or otherwise open department seal for river otter, cougar, lynx, or bobcat unless the seal wire or band has been cut through and removed from a pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a pelt that has been processed. (~~Invoices~~) Taxidermist or fur dealer invoices must be sequentially numbered and record name, address, license number, date received, and seal number. The seal must accompany the pelt while being processed. The pelt must be punched with invoice number at the time of skinning or prior to the removal of the seal.

(8) When a river otter or bobcat is presented unskinned and is to be taken to a taxidermist for processing and will not be sold, an authorized department employee may lock the seal and then cut through the band or wire. The cut seal must be presented to the taxidermist along with the unskinned carcass.

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

WSR 94-18-067
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 1, 1994, 10:33 a.m., effective September 1, 1994]

Date of Adoption: September 1, 1994.

Purpose: Chapter 296-306 WAC, Safety standards for agriculture, state-initiated proposed amendments and new sections to the agriculture safety standards are made to provide agriculture employees with the same electrical and machine guarding protection provided employees in other industries. The Department of Labor and Industries and agriculture industry and labor representatives have worked together to identify and develop these rules to address situations common to agriculture. The proposed rules incorporate parts of Oregon's machine guarding and electrical rules, as well as applicable parts of the general safety and health standards, chapter 296-24 WAC. Chapter 296-306 WAC will continue to augment the general standards, specifically addressing hazards which are common to agriculture. In the event of a conflict between the two standards, chapter 296-306 WAC shall apply.

Citation of Existing Rules Affected by this Order: Amending WAC 296-306-061 Machinery and machine guarding, 296-306-075 Bench grinders, 296-306-145 Electrical, 296-306-175 Farm field equipment guarding, and 296-306-180 Farmstead equipment.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Pursuant to notice filed as WSR 94-12-095 on June 1, 1994.

Changes Other than Editing from Proposed to Adopted Version: The following sections are being withdrawn: WAC 296-306-080 Guarding of hand-held portable power tools, 296-306-165 General requirements for all agricultural equipment, and 296-306-170 Auger conveying equipment. All other amendments are being adopted as proposed.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: These rules are to become effective immediately upon filing of this adoption to prevent imminent peril to the health and safety of agricultural employees. The rules permanently adopt requirements for machine guarding and electrical typically addressed in the agriculture industries. The permanent rules replace emergency rules which have been in effect since February 28, 1994.

Effective Date of Rule: September 1, 1994.

September 1, 1994

Mark O. Brown

Director

AMENDATORY SECTION (Amending Order 92-24, filed 3/5/93, effective 6/1/93)

WAC 296-306-061 Machinery and machine guarding. (~~Chapter 296-24 WAC, Part C shall apply to agriculture equipment effective February 1, 1994. Note: The delayed implementation date is to provide the opportunity for the department, agriculture industry, and farmworker advocates to develop agriculture specific machinery and machine guarding requirements for equipment that is unique to agriculture, which will take precedence over the requirements of chapter 296-24 WAC, Part C.~~)

NEW SECTION

WAC 296-306-06101 Powered saws, general requirements. (1) All cracked saws shall be removed from service.

(2) The practice of inserting wedges between a saw disk and its collar to form a "wobble saw" for rabbeting is prohibited.

Note: This is not applicable to properly designed adjustable rabbeting blades.

(3) When used for ripping, saws shall be equipped with anti-kick-back fingers located on each side of the saw, and shall be equipped with a spreader.

(4) The direction of saw rotation shall be marked on the hood and a permanent warning sign prohibiting ripping or ploughing from that position attached to the rear of the guard. Ripping and ploughing shall be permitted only against the direction in which the saw turns.

(5) Push sticks or push blocks shall be provided at the work place in the sizes and types suitable for the work to be done.

NEW SECTION

WAC 296-306-06103 Band saws. (1) All band wheels shall be completely encased or guarded on both sides. Guards shall be constructed of not less than No. 14 U.S. gauge metal, nominal 2" wood material, or mesh or perforated metal of not less than U.S. gauge No. 20 with openings not greater than 3/8".

(2) All portions of the band saw blade shall be enclosed or guarded except the working side of the blade between the guide, and the table.

(3) The guard for the portion of the blade between the sliding guide and the upper-saw-wheel guard shall protect the saw blade at the front and outer side.

NEW SECTION

WAC 296-306-06105 Radial armsaws. (1) The upper hood shall completely enclose the upper portion of the blade down to a point that will include the end of the saw arbor. The upper hood shall be constructed in such a manner and of such material that it will protect the operator from flying splinters, broken saw teeth, etc., and will deflect sawdust away from the operator. The sides of the lower exposed portion of the blade shall be guarded to the full diameter of the blade by a device that will automatically adjust itself to the thickness of the stock and remain in contact with stock being cut to give maximum protection possible for the operation being performed.

(2) Means shall be provided which will prevent the leading edge of the saw from passing the front edge of the table or roll case.

(3) Radial arm-saws shall be equipped, with a means to return the saw and keep it in position at the back of the table.

Note: This may be accomplished by a counter-weight, a saw retractor device, or tilting the arm sufficiently to maintain the saw at the back when released by the operator or some other equally effective means.

NEW SECTION

WAC 296-306-06107 Table saws. (1) Each circular crosscut table saw shall be guarded by a standard type hood which shall cover the saw at all times at least to the depth of the teeth. The hood shall adjust itself automatically to the thickness of, and shall remain in contact with, the material being cut, except that when finished surfaces of stock may be marred by the guard, it may be raised slightly to avoid contact. The hood shall be so designed as to protect the operator from flying splinters and broken saw teeth.

(2) Rip table saws, and combination rip and crosscut table saws shall be fully guarded as required in Part E of this chapter. While used in performing rabbeting, ploughing, grooving or dado operations they may be used without a spreader but upon completion of such operations, the spreader shall be replaced immediately.

(3) The part of the table saw which is located beneath the table shall be fully guarded.

NEW SECTION

WAC 296-306-06109 Circular fuel wood saws. (1) Fuel wood saws shall be guarded by a standard guard that will completely enclose the blade to the depth of the teeth, except for that portion where material is fed into the blade.

(2) The table of fuel wood saws shall be designed and constructed so that material being sawn is supported on both sides of the blade.

(3) The table on fuel wood saws shall comply with the requirements of WAC 296-306-06105(2).

(4) Tilting tables of fuel wood saws shall be provided with a backrest for the full length of the table. The backrest shall extend upward from the table platform at least to the height of the saw opening. Backrest construction shall allow no opening greater than 2". The backrest frame and filler shall be constructed of material of sufficient strength and rigidity to prevent distortion under normal use conditions.

(5) Shafting, flywheels, and pulleys on fuel wood saws shall be guarded according to Part K of this chapter. Guarding requirements for shafting, flywheels, and pulleys not addressed by Part K of this chapter shall comply with the requirements of WAC 296-24-205, Part C.

(6) A circular fuel wood saw which has developed a crack equal to the length indicated in the following table shall be discontinued from use until properly repaired.

Table E-1

Length of crack	Diameter of saw in inches
1/2"	12"
1"	24"
1 1/2"	36"

AMENDATORY SECTION (Amending Order 75-2, filed 1/24/75.)

WAC 296-306-075 Bench grinders. ~~((1) The safety guard required on bench grinders shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard.~~

~~Note: This requirement does not apply to natural sandstone wheels, or metal, wooden, cloth or paper discs having a layer of abrasive on the surface.~~

~~(2) Work rests shall be used to support the work. These shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted sufficiently close to the wheel to prevent the work from being jammed between the wheel and the rest. Adjustment of the work rest shall not be made while the wheel is turning.~~

~~(3) Goggles or face shields shall be used when grinding.)~~

NEW SECTION

WAC 296-306-07501 Definitions. (1) Abrasive wheel. A cutting tool consisting of abrasive grains held together by organic or inorganic bonds. Diamond and reinforced wheels are included.

(2) Off-hand grinding. The grinding of any material or part which is held in the operator's hand.

(3) Portable grinding. A grinding operation where the grinding machine is hand-held and may be easily moved from one location to another. Requirements for hand-held grinders are located in WAC 296-306-080.

(4) Safety guard. An enclosure for an abrasive wheel consisting of a peripheral and two side members. Its purpose and design is to effectively retain the pieces of the wheel should the wheel break in operation.

NEW SECTION

WAC 296-306-07503 Use, mounting, and guarding.

(1) The requirements of this section shall be complied with to provide protections from hazards associated with the use of abrasive wheels. For other guarding requirements not addressed by this chapter, see chapter 296-24 WAC, Part C.

(2) Work rests shall be used to support the work. Work rests shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted to within 1/8" of the wheel to prevent work from being jammed between the wheel and the rest. Work rests shall be securely clamped after each adjustment and shall not be adjusted with the wheel in motion.

(3) Goggles or face shields shall be used when grinding.

(4) Nonportable type grinding machines shall be securely mounted on substantial floors, benches, foundations, or other adequate structures.

(5) After mounting an abrasive wheel it shall be run at operating speed with safety guard in place and properly adjusted, or in a protected enclosure for at least one minute before applying work, during which time no one shall stand in front of or in line with the wheel.

(6) The use of grinders or abrasive wheels which vibrate or are out of balance shall not be used until the cause of the vibration or unbalance condition is rectified.

(7) Abrasive wheels not designed for the machine or guard, shall not be mounted on a grinder.

(8) Side grinding shall only be performed with wheels designed for this purpose.

Note: Dressing on the side of straight wheels may be permitted only when very delicate pressure is applied.

PERMANENT

(9) Arbor size. Grinding wheels shall fit freely on the spindle and remain free under all grinding conditions. A controlled clearance between the wheel hole and the machine spindle (or wheel sleeves or adapters) is essential to avoid excessive pressure from mounting and spindle expansion. To accomplish this, the machine spindle shall be made to nominal (standard) size plus zero minus .002 inch, and the wheel hole shall be made suitably oversize to assure safety clearance under the conditions of operating heat and pressure.

(10) An abrasive wheel which is designed to be held by flanges shall not be operated unless it is properly mounted between suitable flanges. Except for those types requiring flanges of a special design, flanges shall be at least 1/3 the diameter of the wheel.

(11) Facings of compressible material shall be interposed between the abrasive wheel and its flanges to insure uniform distribution of flange pressure.

(12) Abrasive wheels larger than 2" in diameter shall be used only on machines provided with safety guards, except for those specially-shaped abrasive wheels mounted in mandrel-type bench or floor stands and used for and commonly known as "sickle grinding stones or wheels." Guards for abrasive wheels used where the work itself provides full protection may be removed or omitted only while the wheel is contained within the area of protection.

(13) Guards for abrasive wheels shall cover the spindle end, nut, and outer flange projection of the wheel. The guard shall cover the sides and periphery of the wheel except for that degree of exposure as permitted below:

(a) Bench and floor stands;

(i) The maximum permissible angle of exposure is 90°. This exposure shall begin at a point not more than 65° above the horizontal plane of the wheel spindle.

(ii) Wherever the nature of the work requires contact with the wheel below the horizontal plane of the spindle, the exposure shall not exceed 125°. This exposure shall begin at a point not more than 65° above the horizontal plane of the wheel spindle.

(b) Swing frame grinders: The maximum permissible angle of exposure is 180°, and the top half of the wheel shall be enclosed at all times.

(c) Top grinding: Where the work is applied to the top of the wheel the exposure of the grinding wheel periphery shall not exceed 60°.

(d) Portable grinders: The requirements for guarding portable grinders are prescribed in WAC 296-306-080, Part E of this chapter.

(14) Where the operator may stand in front of the opening, safety guards shall be constructed so that the peripheral protecting member can be adjusted to compensate for wheel wear. The distance between the wheel periphery and the adjustable tongue or the guard above the wheel shall not exceed 1/4".

AMENDATORY SECTION (Amending Order 92-24, filed 3/5/93, effective 6/1/93)

WAC 296-306-145 Electrical. (~~Chapter 296-24 WAC, Part L shall apply to agriculture industry effective February 1, 1994. Note: The delayed implementation date is to provide the opportunity for the department, agriculture~~

~~industry, and farmworker advocates to develop electrical requirements for electrical applications that are unique to agriculture, which will take precedence over the requirements of chapter 296-24 WAC, Part L.))~~

NEW SECTION

WAC 296-306-14501 Purpose, scope and application.

(1) WAC 296-306-14501 through 296-306-14511 prescribe safety standards to provide for protection against hazards incurred with electricity in places of agricultural employment.

Note: The provisions of chapter 296-306 WAC, Part J do not cover:

1. Installations in watercraft, or automotive vehicles.
2. Facilities under the exclusive control of electric utilities (see chapter 296-45 WAC, electrical workers safety rules).
3. Electric welding (see chapter 296-306 WAC, Part I).

(2) Unless otherwise provided in this chapter all electrical work, installation, and wire capacities shall be in accordance with the National Electrical Code, NFPA 70-1973; ANSI C1-1971, and all other applicable standards administered by the department of labor and industries. Should further information be desired, it is recommended that you contact your local department of labor and industries.

NEW SECTION

WAC 296-306-14503 Definitions. The following definitions apply to this chapter.

(1) "Acceptable." An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of this section:

(a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

(b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

(c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) "Accepted." An installation is "accepted" if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(3) "Bonding jumper." A reliable conductor to assure the required electrical conductivity between metal parts required to be electrically connected.

(4) "Branch circuits." That portion of a wiring system extending beyond the final overcurrent device protecting the circuit. A device not approved for branch circuit protection, such as thermal cutout or motor overload protective device, is not considered as the overcurrent device protecting the circuit.

(5) "Certified." Equipment is certified if it:

(a) Has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner; or

(b) Is of a kind whose production is periodically inspected by a nationally recognized testing laboratory; and

(c) Bears a label, tag, or other record of certification.

(6) "Exposed" (as applied to live parts). A live part that can be inadvertently touched or approached nearer than a safe distance by a person. This term applies to parts not suitably guarded, isolated, or insulated.

(7) "Ground." A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and earth, or to some conducting body which serves in place of the earth.

(8) "Grounded." Connected to earth or to some conducting body which serves in place of the earth. (See NFPA 70 Art. 250.)

(9) "Isolated." Not readily accessible to persons unless special means of access are used.

(10) "Labeled." Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory that:

(a) Makes periodic inspections of the production of such equipment; and

(b) Whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

(11) "Shock hazard." Considered to exist at an accessible part in a circuit between the part and ground, or other accessible parts if the potential is more than 42.4 volts peak and the current through a 1,500 ohm load is more than 5 milliamperes.

(12) "Weatherproof." So constructed or protected that exposure to the weather shall not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

NEW SECTION

WAC 296-306-14505 Temporary lighting and wiring.

(1) Temporary lighting and portable extension lamps:

(a) Temporary lights shall be equipped with guards to prevent accidental contact with the bulb.

Note: Guards are not required when the bulb is deeply recessed in the reflector. (The entire bulb is below the rim and completely surrounded and protected by the reflector.)

(b) Temporary lights shall be equipped with heavy duty electric cords with connections and insulation maintained in safe condition.

(c) Temporary lights shall not be suspended by their electric cords unless cords and lights are designed for this means of suspension.

(d) Hand lamps of the portable type shall be of molded composition or other approved type. Brass shell, paper lined lamp holders shall not be used. Hand lamps shall be equipped with a handle and a substantial guard over the bulb and attached to the lamp holder or the handle.

(e) Portable extension lamps used where flammable vapors or gases, or combustible dusts, or easily ignitable fibers or flyings are present, shall be specifically approved as complete assemblies for the type of hazard involved.

(2) Temporary wiring:

(a) Working spaces, walkways, and similar locations shall be kept clear of power cords.

(b) All temporary wiring shall be grounded. (See NFPA 70 Art. 250)

(c) All electric equipment used in hazardous locations shall be chosen from among those listed by a nationally recognized testing laboratory, such as Underwriters' Laboratories, Inc., or Factory Mutual Engineering Corp., except custom made components and utilization equipment.

(d) All wiring equipment shall be maintained as vapor, dust, or fiber tight as contemplated by their approvals. There shall be no loose or missing screws, gaskets, threaded connections, or other impairments to this tight condition.

(e) Precautions shall be taken to make any necessary open wiring inaccessible to unauthorized personnel.

NEW SECTION

WAC 296-306-14507 Guarding of live parts. (1)

Except as required or permitted elsewhere in this section, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by approved cabinets or other forms of approved enclosures, or by any of the following means:

(a) By location in a room vault or similar enclosure that is accessible only to qualified persons.

(b) By suitable permanent substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the live parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental contact with live parts or to bring conducting objects into contact with them.

(c) By location on a suitable balcony, gallery, or platform so elevated and arranged as to exclude unqualified persons.

(d) By elevation of eight feet or more above the floor or other working surface.

(2) In locations where electric equipment would be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

(3) Entrances to rooms and other guarded locations containing exposed live parts shall be marked with conspicuous warning signs forbidding unqualified persons to enter.

(4) Electrical repairs shall be made only by qualified persons authorized by the employer.

(5) Fuse handling equipment, insulated for the circuit voltage, shall be used to remove or install fuses when the fuse terminals are energized.

(6) No employer shall permit an employee to work in such proximity to an electric power circuit that he/she may

contact it unless the employee is protected against electric shock.

Note: Protection may be accomplished by deenergizing the circuit and grounding it, by guarding it, by effective insulation, or other means.

(7) In work areas where the exact location of underground electric power lines is unknown, workers using jackhammers, bars or other hand tools which may contact a line shall be provided with insulated protective gloves.

(8) Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards.

NEW SECTION

WAC 296-306-14509 Equipment installation and maintenance. (1) Flexible cable extension cords:

(a) Extension cords used with portable electric tools and appliances shall be of three-wire type, and fitted with approved grounding-type attachment plug and receptacle providing ground continuity.

Note: This rule does not apply to cords used with portable tools and equipment provided by an approved system of double insulation or its equivalent.

(b) Worn or frayed electric cables shall not be used.

(2) Flexible cords and cables shall be protected from accidental damage. Sharp corners and projections shall be avoided. Where passing through doorways or other pinch points, flexible cords and cables shall be provided with protection to avoid damage.

(3) Lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least seven feet from normal working surface or by a suitable fixture or lampholder with a guard.

(4) Electrical conductors shall be spliced or joined in splicing devices suitable for the use, by brazing, welding or soldering with a fusible metal or alloy.

(a) Soldered splices shall first be so spliced or joined as to be mechanically and electrically secured without solder, and then soldered. (Rosin-core solder should be used, not acid core solder, when joining electrical conductors.)

(b) All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device suitable for that purpose.

(c) Splices for flexible cords must provide the flexibility and usage characteristics as that of the cord being spliced. Such repairs may be made by vulcanized splices or equivalent means such as systems using shrinkable materials.

(5) Attachment plugs and receptacles:

(a) Attachment plugs for use in work areas shall be so constructed that they will endure rough use and be equipped with a suitable cord grip to prevent strain on the terminal screws.

(b) Attachment plugs shall be of approved grounding type.

(c) Receptacles for attachment plugs shall be of approved concealed contact type with a contact for extending ground continuity and shall be so designed and constructed that the plug may be pulled out without leaving any live parts exposed to accidental contact.

(d) Polarized attachment plugs, receptacles and cord connectors shall be wired to maintain continuity.

(e) Polarized attachment plugs, receptacles and cord connectors for plugs and polarized plugs shall have the terminal intended for connection to the grounded (white) conductor identified by a metal coating substantially white in color. If the terminal is not visible, its entrance hole shall be marked with the word "white," or otherwise identified by a white color.

(f) The terminal for the connection of the equipment grounding conductor shall be:

(i) A green colored, not readily removable terminal screw with hexagonal head; or

(ii) A green colored, hexagonal, not readily removable terminal nut; or

(iii) A green colored pressure wire connector.

(iv) If the terminal for the grounding conductor is not visible, the conductor entrance hole shall be marked with the word "green" or otherwise identified by a distinctive green color.

Note: Two-wire attachment plugs, unless of the polarity type, need not have their terminals marked for identification.

(g) Where different voltages, or types of current (A.C. or D.C.) are to be supplied by portable cords, receptacles shall be of such design that attachment plugs used on such circuits are not interchangeable.

(h) Attachment plugs or other connectors supplying equipment at more than 300 volts shall be of the skirted type or otherwise so designed that arcs will be confined.

(6) Cord and plug connected equipment:

(a) The noncurrent-carrying metal parts of portable or plug-connected equipment shall be grounded.

(b) Portable tools and appliances protected by an approved system of double insulation, or its equivalent, need not be grounded. Where such an approved system is employed, the equipment shall be distinctively marked.

(c) Exposed noncurrent-carrying metal parts of fixed electrical equipment, including motors, frames, electrically driven machinery, etc., shall be grounded.

(d) All shocks received from electrical equipment, no matter how slight, shall be reported immediately to the person in charge or the employer. The equipment causing the shock shall be checked and any necessary corrective action taken without delay.

(7) Grounding and bonding:

(a) Effective grounding. The path from circuits, equipment, structures, and conduit or enclosures to ground shall be permanent and continuous; having ample carrying capacity to conduct safely the currents liable to be imposed on it; and have impedance sufficiently low to limit the potential above ground and to result in the operation of the overcurrent devices in the circuit.

(b) Ground resistance. Driven rod electrodes shall, where practical, have a resistance to ground not to exceed 25 ohms. Where the resistance is not as low as 25 ohms, two electrodes connected in parallel shall be used.

(c) Testing of grounds. Grounding circuits shall be checked to ensure that the circuit between the ground and the grounded power conductor has a resistance which is low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

(d) Conductors used for bonding and grounding stationary and moveable equipment shall be of ample size to carry the anticipated current.

(8) Switches and circuit breakers:

(a) Not less than 3' of clear space shall be maintained in front of switch centers or panels at all times.

(b) Live parts of electrical switchboards and panel boards shall be enclosed or screened.

(c) Each disconnecting means for motors and appliances, and each service feeder or branch circuit at the point where it originates, shall be legibly marked to indicate its purpose unless located and arranged so the purpose is evident.

(d) Disconnecting means shall be located or shielded so that employees will not be injured. The use of open knife switches is prohibited.

(e) Boxes for disconnecting means shall be securely and rigidly fastened to the surface upon which they are mounted and fitted with covers.

(9) Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations shall be installed so as to prevent moisture or water from entering and accumulating within the enclosures. In wet locations the enclosures shall be weatherproof.

(10) Switches, circuit breakers, and switchboards installed in wet locations shall be enclosed in weatherproof enclosures.

(11) Identification and load ratings:

(a) Name plates, rating data, and marks of identification on electrical equipment and electrically operated machines shall not be removed, defaced or obliterated.

(b) In existing installations no changes in circuit protection shall be made to increase the load in excess of the load rating of the circuit wiring, as specified in the National Electrical Code, NFPA 70-1973; ANSI C1-1972, Article 310.

(c) Tampering with, bridging, or using oversize fuses is prohibited. If fuses blow repeatedly, such trouble shall be immediately reported to the employer or an authorized electrician.

(d) Attempts to start electric motors that kick out repeatedly are prohibited.

NEW SECTION

WAC 296-306-14511 Proximity to overhead lines.

(1) Clearance or safeguards required:

(a) All exposed overhead conductors shall be isolated from probability of accidental contact by persons or equipment.

(b) Irrigation pipe shall not be stored within one hundred feet of overhead conductors.

(c) Upending irrigation pipe within one hundred feet of overhead conductors is prohibited.

(d) No part of any water or irrigation system, or any other device which discharges a conductive liquid, shall be set up or operated in such a way that the discharge from that system is directed or may come within ten feet of overhead

high voltage lines, or may contact any other exposed electrical power conductor.

(e) No employer shall require or permit any employees to enter or to perform any function in proximity to high-voltage lines, unless danger from accidental contact with said high-voltage lines has been effectively guarded against.

Note: Voltage 600V and higher is considered high voltage.

(f) The operation, erection, or transportation of any tools, equipment, or any part thereof capable of movement; the handling, transportation, or storage of any materials; or the moving of any building near high-voltage lines is prohibited if at any time it is possible to bring such object within ten feet of high-voltage lines.

(g) Except where electrical distribution and transmission lines have been deenergized and visibly grounded at point of work or where insulating barriers, not a part of or an attachment to the equipment or machinery, have been erected to prevent physical contact with the lines, equipment or machines shall be operated near power lines only in accordance with the following:

(i) For lines rated 50 kv. or below, minimum clearance between the lines and any part of the object shall be ten feet;

(ii) For lines rated over 50 kv. minimum clearance between the lines and any part of the object shall be ten feet plus four tenths of an inch for each 1 kv., over 50 kv., or twice the length of the line insulator but never less than ten feet.

(iii) In transit, the clearance shall be a minimum of four feet for voltages less than 50 kv., ten feet for voltages over 50 kv. up to and including 345 kv., and sixteen feet for voltages up to and including 750 kv.

(iv) A person shall be designated to observe clearance and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means.

(2) Warning sign required:

The employer shall post and maintain in plain view of the operator on each derrick, power-shovel, drilling-rig, hay loader, hay stacker, or similar apparatus, any part of which is capable of vertical, lateral or swinging motion, a durable warning sign legible at twelve feet reading "Unlawful to operate this equipment within ten feet of high-voltage lines."

(3) Notification to power company and responsibility for safeguards. When any operations are to be performed, tools or materials handled, or equipment is to be moved or operated within ten feet of any high-voltage line, the person or persons responsible for the work to be done shall promptly notify the operator of the high-voltage line of the work to be performed, and shall be responsible for the completion of the safety measures as required before proceeding with any work which would reduce the clearance requirements of this section.

Note: The foregoing rules are not intended to apply to the construction, reconstruction, operations and maintenance of overhead electrical conductors (and their supporting structures and associated equipment) by authorized and qualified electrical workers; nor to authorized and qualified employees engaged in the construction, reconstruction, operations and maintenance of overhead electrical circuits or conductors (and their supporting structures and associated equipment) of rail transportation

systems, or electrical generating, transmission, distribution, and communication systems.

NEW SECTION

WAC 296-306-14513 Safeguards for personal protection. (1) Use of protective equipment.

(a) Personal protective equipment. Employees working in the areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed.

Note: Personal protective equipment requirements are contained in chapter 296-24 WAC, Part A-2.

(b) Protective equipment shall be maintained in a safe, reliable condition and shall be periodically inspected or tested, as required by chapter 296-24 WAC, Part A-2.

(c) If the insulating capability of protective equipment may be subject to damage during use, the insulating material shall be protected. (For example, an outer covering of leather is sometimes used for the protection of rubber insulating material.)

(d) Employees shall wear nonconductive head protection wherever there is a danger of head injury from electric shock or burns due to contact with exposed energized parts.

(e) Employees shall wear protective equipment for the eyes or face wherever there is danger of injury to the eyes or face from electrical arcs or flashes or from flying objects resulting from electrical explosion.

(2) General protective equipment and tools.

(a) When working near exposed energized conductors or circuit parts, each employee shall use insulated tools or handling equipment if the tools or handling equipment might make contact with such conductors or parts. If the insulating capability of insulated tools or handling equipment is subject to damage, the insulating material shall be protected.

(b) Ropes and handlines used near exposed energized parts shall be nonconductive.

(c) Protective shields, protective barriers, or insulating materials shall be used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts which might be accidentally contacted or where dangerous electric heating or arcing might occur. When normally enclosed live parts are exposed for maintenance or repair, they shall be guarded to protect unqualified persons from contact with the live parts.

(d) Altering techniques. Altering techniques shall be used to warn and protect employees from hazards which could cause injury due to electric shock, burns, or failure of electric equipment parts.

(e) Safety signs and tags. Safety signs, safety symbols, or accident prevention tags shall be used where necessary to warn employees about electrical hazards which may endanger them, as required by chapter 296-24 WAC, Part B-2.

(3) Workspace:

(a) Sufficient space shall be provided and maintained in the area of electrical equipment to permit safe operation and maintenance of such equipment.

(b) When parts are exposed, the minimum clearance for the workspace shall not be less than six feet six inches high, nor less than a radius of three feet wide.

(c) There shall be clearance sufficient to permit at least a 90° opening of all doors or hinged panels.

(d) Suitable barriers or other means shall be provided to ensure that workspace for electrical equipment will not be used as a passageway during periods when energized parts of electrical equipment are exposed.

NEW SECTION

WAC 296-306-14515 Selection and use of work practices. (1) General.

(a) Deenergized parts. Live parts to which an employee may be exposed shall be deenergized before the employee works on or near them, unless the employer can demonstrate that deenergizing introduces additional or increased hazards or is infeasible due to equipment design or operational limitations. Live parts that operate at less than 50 volts to ground need not be deenergized if there will be no increased exposure to electrical burns or to explosion due to electric arcs.

Note 1: Examples of increased or additional hazards include interruptions of life support equipment, deactivation of emergency alarm systems, shutdown of hazardous location ventilation equipment, or removal of illumination for an area.

Note 2: Examples of work that may be performed on or near energized circuit parts because of infeasibility due to equipment design or operational limitations include testing of electric circuits that can only be performed with the circuit energized and work on circuits that form an integral part of a continuous industrial process in a chemical plant that would otherwise need to be completely shutdown in order to permit work on one circuit or piece of equipment.

Note 3: Work on or near deenergized parts is covered by subsection (2) of this section.

(b) Energized parts. If the exposed live parts are not deenergized (i.e., for reasons of increased or additional hazards or infeasibility), other safety-related work practices shall be used to protect employees who may be exposed to the electrical hazards involved. Such work practices shall protect employees against contact with energized circuit parts directly with any part of their body or indirectly through some other conductive object. The work practices that are used shall be suitable for the conditions under which the work is to be performed and for the voltage level of the exposed electric conductors or circuit parts. Specific work practice requirements are detailed in WAC 296-24-960.

(2) Working on or near exposed deenergized parts.

(a) Application. This subsection applies to work on exposed deenergized parts or near enough to them to expose the employee to any electrical hazard they present. Conductors and parts of electric equipment that have been deenergized but have not been locked out or tagged according to this subsection shall be treated as energized parts, and WAC 296-24-960 applies to work on or near them.

(b) Lock-out and tagging. While any employee is exposed to contact with parts of fixed electric equipment or circuits which have been deenergized, the circuits energizing the parts shall be locked out or tagged or both according to the requirements of this chapter. For additional lock-out/tag-out compliance requirements not addressed by this chapter see WAC 296-24-975.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)**WAC 296-306-175 Farm field equipment guarding.**

(1) Power takeoff guarding.

(a) All power takeoff shafts, including rear, mid- or side-mounted shafts, shall be guarded either by a master shield, as provided in item (1)(b) of this subdivision, or by other protective guarding.

(b) All tractors shall be equipped with an agricultural tractor master shield on the rear power takeoff except where removal of the tractor master shield is permitted by item (1)(c) of this subdivision. The master shield shall have sufficient strength to prevent permanent deformation of the shield when a 250 pound operator mounts or dismounts the tractor using the shield as a step.

(c) Power takeoff driven equipment shall be guarded to prevent employee contact with positively driven rotating members of the power drive system. Where power takeoff driven equipment is of a design requiring removal of the tractor master shield, the equipment shall also include protection from that portion of the tractor power takeoff shaft which protrudes from the tractor.

(d) Signs shall be placed at prominent locations on tractors and power takeoff driven equipment specifying that power drive system safety shields must be kept in place.

(2) Other power transmission components.

(a) The mesh or nip-points of all power driven gears, belts, chains, sheaves, pulleys, sprockets and idlers shall be guarded.

(b) All revolving shafts, including projections such as bolts, keys or set screws, shall be guarded, except smooth shaft ends protruding less than one-half the outside diameter of the shaft and its locking means.

(c) Ground driven components shall be guarded in accordance with items ~~((2)(i)(2)(a)) and ((2)(ii)(2)(b)))~~ (2)(a) and (b) of this subdivision if any employee may be exposed to them while the drives are in motion.

(3) Functional components, such as snapping or husking rolls, straw spreaders and choppers, cutterbars, flail rotors, rotary beaters, mixing augers, feed rolls, conveying augers, rotary tillers, and similar units which must be exposed for proper function shall be shielded to a degree consistent with the intended function and operator's vision of the component.

(4) Access to moving parts. Where removal of a guard or access door will expose an employee to any component which continues to rotate after the power is disengaged, the employer shall provide, in the immediate area, ~~((the following:~~

~~(a))~~ a safety sign warning the employee to:

~~((i))~~ (a) Look and listen for evidence of rotation; and

~~((ii))~~ (b) Not remove the guard or access door until all components have stopped; and

~~((iii))~~ (c) On equipment manufactured after October 25, 1976, a readily visible or audible warning of rotation.

(5) If the mounting steps or ladder and the handholds of the propelling vehicle are made inaccessible by installation of other equipment, other steps and handholds shall be provided on the equipment.

(6) A slip-resistant means or material shall be provided on the operator's steps and platform to minimize the possibility of feet slipping.

(7) Ground-drive equipment shall be shielded or guarded as specified in WAC 296-306-165(12) if operators are exposed to drives while they are in motion.

(8) Additional requirements:

(a) A clutch or other effective means of stopping shall be used on powered machines not driven by an individual motor.

(b) All friction clutches shall have sufficient clearance and shall be kept adjusted to prevent any drag or creeping when disengaged.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)**WAC 296-306-180 Farmstead equipment.** (1) Power takeoff guarding.

(a) All power takeoff shafts, including rear, mid- or side-mounted shafts, shall be guarded either by a master shield as provided in WAC 296-306-175 (1)(b) or other protective guarding.

(b) Power takeoff driven equipment shall be guarded to prevent employee contact with positively driven rotating members of the power drive system. Where power takeoff driven equipment is of a design requiring removal of the tractor master shield, the equipment shall also include protection from that portion of the tractor power takeoff shaft which protrudes from the tractor.

(c) Signs shall be placed at prominent locations on power takeoff driven equipment specifying that power drive system safety shields must be kept in place.

(2) Other power transmission components.

(a) The mesh or nip-points of all power driven gears, belts, chains, sheaves, pulleys, sprockets and idlers shall be guarded.

(b) All revolving shafts, including projections such as bolts, keys, or set screws, shall be guarded, with the exception of:

(i) Smooth shafts and shaft ends (without any projecting bolts; keys, or set screws), revolving at less than 10 rpm, on feed handling equipment used on the top surface of materials in bulk storage facilities; and

(ii) Smooth shaft ends protruding less than one-half the outside diameter of the shaft and its locking means.

(3) Functional components, such as snapping or husking rolls, straw spreaders and choppers, cutterbars, flail rotors, rotary beaters, mixing augers, feed rolls, conveying augers, rotary tillers and similar units, which must be exposed for proper function shall be shielded to a degree consistent with the intended function and operator's vision of the component.

(4) Access to moving parts.

(a) Guards, shields and access doors shall be in place when the equipment is in operation.

(b) Where removal of a guard or access door will expose an employee to any component which continues to rotate after the power is disengaged, the employer shall provide, in the immediate area, ~~((the following:~~

~~(i))~~ a safety sign warning the employee to:

~~((A))~~ (i) Look and listen for evidence of rotation; and

~~((B))~~ (ii) Not remove the guard or access door until all components have stopped; and

~~((C))~~ (iii) On equipment manufactured after October 25, 1976, a readily visible or audible warning of rotation.

(5) Electrical disconnect means:

(a) Application of electrical power from a location not under the immediate and exclusive control of the employee or employees maintaining or servicing equipment shall be prevented by:

(i) Providing an exclusive, positive locking means on the main switch which can be operated only by the employee performing the maintenance or servicing; or

(ii) In the case of material handling equipment located in a bulk storage structure, by physically locating on the equipment an electrical or mechanical means to disconnect the power.

Minimum lock-out means shall meet the requirements of WAC 296-306-14507(3).

(b) All circuit protection devices, including those which are an integral part of a motor, shall be of the manual reset type, except where:

(i) The employer can establish that because of the nature of the operation, distances involved and the amount of time normally spent by employees in the area of the affected equipment, use of the manual reset device would be infeasible;

(ii) There is an electrical disconnect switch available to the employee within fifteen feet of the equipment upon which maintenance or service is being performed; and

(iii) A sign is prominently posted near each hazardous component which warns the employee that unless the electrical disconnect switch is utilized, the motor could automatically reset while the employee is working on the hazardous component.

(6) Additional guarding requirements:

(a) Carton or bag stitching machines shall be properly safeguarded to prevent persons from coming in contact with the stitching head and other pinch or nip points.

(b) The point of operation of all machines shall be guarded. The guard shall be so designed and constructed as to prevent the operator from having any part of his/her body in the danger zone during the operating cycle.

Note: Table K-2 prescribes the distances that point-of-operation guards shall be positioned from the danger line with relation to the size of the opening.

TABLE K-2

<u>Guarding Line or Distance of opening from point of operation hazard (inches)</u>	<u>Maximum width of opening (inches)</u>
<u>1/2 to 1 1/2</u>	<u>1/4</u>
<u>1 1/2 to 2 1/2</u>	<u>3/8</u>
<u>2 1/2 to 3 1/2</u>	<u>1/2</u>
<u>3 1/2 to 5 1/2</u>	<u>5/8</u>
<u>5 1/2 to 6 1/2</u>	<u>3/4</u>
<u>6 1/2 to 7 1/2</u>	<u>7/8</u>
<u>7 1/2 to 12 1/2</u>	<u>1 1/4</u>
<u>12 1/2 to 15 1/2</u>	<u>1 1/2</u>
<u>15 1/2 to 17 1/2</u>	<u>1 7/8</u>
<u>17 1/2 to 31 1/2</u>	<u>2 1/8</u>

WSR 94-18-070
PERMANENT RULES
SEATTLE COMMUNITY COLLEGES

[Filed September 1, 1994, 4:42 p.m.]

Date of Adoption: March 23, 1994.

Purpose: The purpose for adoption of this new chapter for rules of procedure for contested case hearings/ administrative disputes and for the repeal of the current chapter relating to procedure for contested case hearings is for District VI to be in conformity with the Administrative Procedure Act, chapter 34.05 RCW. The purpose for amending District VI's current chapter relating to the board of trustee's rules and regulation is to update and change: Location of meeting, review of agenda items, submission routes, and board distribution list.

Citation of Existing Rules Affected by this Order: Repealing chapter 132F-08 WAC; and amending chapter 132F-104 WAC.

Statutory Authority for Adoption: RCW 28B.50.140.

Pursuant to notice filed as WSR 94-05-097A on February 16, 1994.

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

August 31, 1994
James P. St. Germain
Vice-Chancellor
Business and Finance

AMENDATORY SECTION (Amending Order 48, filed 10/7/85)

WAC 132F-104-030 Location of meeting. Board meetings will be rotated among the three campuses, ((for a total of three meetings at each campus and two meetings at the district office, one during the summer on a month designated by the board and one during December,)) the institute, campus centers, and the Siegal Center. Addresses of these sites are as follows:

North Seattle Community College
9600 College Way North
Seattle, WA 98103

Seattle Central Community College
1701 Broadway
Seattle, WA 98122

South Seattle Community College
6000 16th Avenue S.W.
Seattle, WA 98106

Seattle Vocational Institute
315 - 22nd Avenue South
Seattle, WA 98144

Duwamish Industrial Education Center
6770 E. Marginal Way South
Seattle, WA 98108

Wood Construction Center
2310 South Lane
Seattle, WA 98144

Maritime Training Center
4455 Shilshole Avenue N.W.
Seattle, WA 98107

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((Summer and December meetings:))
 Seattle Community College District
Siegal Center
 ((300 Elliott Avenue))
1500 Harvard
 Seattle, WA ((98119)) 98122

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.

AMENDATORY SECTION (Amending Order 41, filed 6/15/83)

WAC 132F-104-811 Review of agenda items. All items submitted for the board agenda will be reviewed by the appropriate campus/district officers and the district chancellor. A standard cover sheet containing background information and the district chancellor's recommendation, as appropriate, shall be attached and the item shall be assigned to the agenda for the board meeting. As practicable, all materials prepared for consideration by the board of trustees shall be reviewed by the chancellor's cabinet and the ((district council)) prior to submission to the board.

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

AMENDATORY SECTION (Amending Order 48, filed 10/7/85)

WAC 132F-104-813 Submission routes. To allow the board to have the benefit of background information and research, and to permit access for all SCCD constituencies to the board, the following submission routes to the board are available:

INITIATED BY:	SUBMITTED BY:
(1) An individual student, group of students, or student government organization	Student body government or other elected student representative to students' advisory representative to the board, or through the ((dean of students)) <u>vice president of student services</u> to the campus president/ <u>vice chancellor</u> .
(2) An individual faculty member, group of faculty members, or the faculty organization (SCCFT).	Faculty representative organization (SCCFT) to the faculty advisory representative to the board, or to the campus president/ <u>vice chancellor</u> via the ((dean of instruction)) <u>vice president of instruction</u> or the district chancellor.
(3) An individual support staff employee, group of support staff employees, or the non-supervisory classified employees' organization (WFSE).	For supervisory classified, per individual via the campus president/ <u>vice chancellor</u> or district president/chancellor. For WFSE members, to executive committee and WFSE advisory representative to the board.

- (4) An individual administrative employee, a group of administrative employees, or administrative organization. Either the campus president/vice chancellor or the district president/chancellor via immediate supervisor.
- (5) Individual citizens, groups, organizations, associations, agencies, or others who are not regular members of the district community. Campus president/vice chancellor if the matter concerns only one campus or the district chancellor if the matter concerns the entire district.

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.

AMENDATORY SECTION (Amending Order 48, filed 10/7/85)

WAC 132F-104-815 Board distribution list. The distribution list for the board of trustees will include the following:

	NO.	COPIES	TOTAL
Regular board members	1	each	5
Advisory representatives to the board (SCCFT, WFSE), ((3 ASB presidents))	1	"	<u>2</u> ((5))
Campus presidents/ <u>Vice Chancellor's</u> offices <u>NSCC (12), SSCC (11), SCCC (16)</u>	((3))	(("))	((9)) <u>39</u>
Campus Advisory Representatives to the Board (3 ASB presidents)	1	each	
Campus vice presidents, SCCFT	1	each	
Campus Libraries	1	each	
Campus Newspapers			
Editor, Northern Lights	1	each	
Editor, City Collegian	1	each	
Editor, Sentinel	1	each	
((Chancellor's office))	((3))		((3))
<u>District Chancellor's Office Siegal Center Including Seattle Vocational Institute</u>			<u>10</u>
Assistant attorney general	((1))		1
((District officers and staff))	((1))	(("))	((9))
((President, SCCFT))	((1))		((1))
((Campus vice presidents, SCCFT))	((1))	(("))	((3))
((Campus libraries))	((1))	(("))	((3))
((Editor, Polaris))	((1))	(("))	((1))
((Editor, City Collegian))	((1))		((1))
((Editor, Sentinel))	((1))		((1))
<u>Media</u>			
Education editor, Seattle Times	1		1
Education editor, Seattle Post-Intelligencer	1		1
<u>and other Media as Requested</u>			

Individuals or groups who wish to read these materials may do so in the campus presidents' offices or in the board office anytime during regular working hours.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published

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above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 48, filed 10/7/85)

WAC 132F-104-819 Notification to board office. Individuals or groups are requested to notify the board office ((eight)) twelve working days prior to the regular board meeting of the title and/or nature of any items which they wish to discuss under old or new business at the meeting.

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.

REPEALER

The following Chapters of the Washington Administrative Code is repealed.

PROCEDURE FOR CONTESTED CASE HEARINGS Chapter 132F-08 WAC

WAC

- 132F-08-001 Formal hearing policy. [REPEAL]
- 132F-08-005 Definitions. [REPEAL]
- 132F-08-010 Appearance and practice before agency. [REPEAL]
- 132F-08-080 Notice and opportunity for hearing in contested cases. [REPEAL]
- 132F-08-090 Service of process—By whom served. [REPEAL]
- 132F-08-100 Upon whom served. [REPEAL]
- 132F-08-110 Service upon parties. [REPEAL]
- 132F-08-120 Method of service. [REPEAL]
- 132F-08-130 When service complete. [REPEAL]
- 132F-08-140 Filing with agency. [REPEAL]
- 132F-08-230 Depositions and interrogatories in contested cases—Right to take. [REPEAL]
- 132F-08-240 Scope. [REPEAL]
- 132F-08-250 Officer before whom taken. [REPEAL]
- 132F-08-260 Authorization. [REPEAL]
- 132F-08-270 Protection of parties and deponents. [REPEAL]
- 132F-08-280 Oral examination and cross-examination. [REPEAL]
- 132F-08-290 Recordation. [REPEAL]
- 132F-08-300 Signing attestation and return. [REPEAL]
- 132F-08-310 Use and effect. [REPEAL]
- 132F-08-320 Fees of officers and deponents. [REPEAL]
- 132F-08-330 Depositions upon interrogatories—Submission of interrogatories. [REPEAL]
- 132F-08-340 Interrogation. [REPEAL]
- 132F-08-350 Attestation and return. [REPEAL]
- 132F-08-360 Provisions of deposition rule. [REPEAL]
- 132F-08-400 Hearing officers. [REPEAL]
- 132F-08-410 Hearing procedures. [REPEAL]

- 132F-08-420 Duties of hearing officers. [REPEAL]
- 132F-08-430 Stipulations and admissions of record. [REPEAL]
- 132F-08-440 Definition of issues before hearing. [REPEAL]
- 132F-08-450 Continuances. [REPEAL]
- 132F-08-460 Rules of evidence—Admissibility criteria. [REPEAL]
- 132F-08-470 Tentative admission—Exclusion—Discontinuance—Objections. [REPEAL]
- 132F-08-480 Form and content of decisions in contested cases. [REPEAL]

[This chapter is simultaneously been replaced by new chapter 132F-108 WAC.]

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

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

NEW CHAPTER

The following is a New Chapter of the Washington Administrative Code

CHAPTER 132F-108 WAC RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS/ADMINISTRATIVE DISPUTES

WAC

- 132F-108-010 Adoption of rules of procedure. [NEW SECTION]
- 132F-108-020 Appointment of presiding officers. [NEW SECTION]
- 132F-108-030 Method of recording. [NEW SECTION]
- 132F-108-040 Application for adjudicative proceeding. [NEW SECTION]
- 132F-108-050 Brief adjudicative proceeding. [NEW SECTION]
- 132F-108-060 Discovery. [NEW SECTION]
- 132F-108-070 Adjudicative proceedings open. [NEW SECTION]
- 132F-108-080 Procedure for closing parts of the hearings. [NEW SECTION]
- 132F-108-090 Recording devices. [NEW SECTION]
- 132F-108-100 Petitions for stay of effectiveness. [NEW SECTION]
- 132F-108-110 Reconsideration. [NEW SECTION]
- 132F-108-120 Absence of President [NEW SECTION]
- 132F-108-130 Appearance and practice before agency. [NEW SECTION]
- 132F-108-140 Definition of issues before hearing. [NEW SECTION]

Reviser's note: The brackets and enclosed material in the text of the above digest 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 132F-108-010 Adoption of 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 this institution. Those rules may be found at Chapter 10-08 Washington Administrative Code. 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 by this institution, the Model Rules prevail.

NEW SECTION**WAC 132F-108-020 Appointment of presiding officers.**

The District president/chancellor or president of one of the District's institutions or designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, or a member in good standing of the Washington State Bar Association, or a panel of individuals, the District president/chancellor or his or her designee, or any combination of the above. When more than one individual is designated to be the presiding officer, one person shall be designated by the District president/chancellor's or designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION**WAC 132F-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 132F-108-040 Application for adjudicative proceeding.**

An application for an adjudicative proceeding shall be in writing. Application forms are available at the following address:

Seattle Community College District VI
1500 Harvard Avenue
Seattle, Washington 98122

Written application for an adjudicative proceeding should be submitted to the above address within 20 days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION**WAC 132F-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. These brief adjudicative procedures shall be used in all matters related to:

- (1) Parking violations.
- (2) Student conduct proceedings.
- (3) Outstanding debts owed by students or employees.
- (4) Use of College facilities.
- (5) Residency Determinations.
- (6) Use of library—fines.

(7) Challenges to contents of education records.

(8) Loss of eligibility for participation in institution sponsored athletic events.

Brief adjudicative proceedings are informal hearings and shall be conducted in a manner which will bring about a prompt fair resolution of the matter.

NEW SECTION

WAC 132F-108-060 Discovery. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. 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 132F-108-070 Adjudicative proceedings open.**

Adjudicative proceedings shall be open to the public, except for student disciplinary matters, in compliance with 20 U.S.C. Sec. 1232g, the Family Educational Rights and Privacy Act, unless the student chooses to have the hearing open to the public; and faculty and administrative exempt disciplinary proceedings, unless the person subject of the proceedings chooses to have the hearing open to the public.

NEW SECTION**WAC 132F-108-080 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 10 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 20 days of receiving the request.

NEW SECTION**WAC 132F-108-090 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 132F-108-070, except for the method of official recording selected by the presiding officer.

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

NEW SECTION**WAC 132F-108-100 Petitions for stay of effectiveness.**

Disposition of a petition for stay of effectiveness of a final order shall be made by the official, officer, or body of officers, who entered the final order.

NEW SECTION

WAC 132F-108-110 Reconsideration. (1) The affected individual may file a petition for reconsideration of a final order. Such petition must be filed upon the office of the president within ten days of the service of a final order and must state the specific grounds upon which relief is requested.

(2) No petition for reconsideration may stay the effectiveness of an order.

(3) The petition shall be disposed of by the presiding officer who issued the final order.

NEW SECTION

WAC 132F-108-120 Absence of president. The District president/chancellor or president of one of the District's institutions may designate another employee of the college to act in his/her place on a temporary basis during his/her absence. An employee appointed under this provision shall only have the authority to act upon matters which require a decision by the president within a limited period of time and the president, due to his absence, would be unable to decide such matter.

NEW SECTION (Former WAC 132F-08-010)

WAC 132F-108-130 Appearance and practice before agency. No person may appear in a representative capacity before the agency other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.

(2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law.

(3) Persons otherwise qualified as possessing the requisite skill to appear and expertly represent others who have applied to the agency and have been duly authorized by the agency to appear in a representative capacity before the agency.

(4) A bona fide officer, partner, or full-time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership or corporation.

NEW SECTION (Former WAC 132F-08-440)

WAC 132F-108-140 Definition of issues before hearing. In all proceedings the issues to be adjudicated shall be made initially as precise as possible, in order that the agency may proceed promptly to conduct the hearings on relevant and material matter only.

WSR 94-18-073

PERMANENT RULES

DEPARTMENT OF COMMUNITY,
TRADE, AND ECONOMIC DEVELOPMENT

[Filed September 2, 1994, 10:19 a.m.]

Date of Adoption: September 1, 1994.

Purpose: To update and revise chapter 365-140 WAC allowing for the establishment of an optional consolidated emergency food assistance program (EFAP) pilot project which will allow participants to apportion their EFAP funds in the most advantageous way to meet the particular need of their communities.

Citation of Existing Rules Affected by this Order: Amending chapter 365-140 WAC.

Statutory Authority for Adoption: RCW 43.63A.060, section 222(5), chapter 232, Laws of 1992.

Pursuant to notice filed as WSR 94-13-022 on June 3, 1994.

Effective Date of Rule: Thirty-one days after filing.
September 2, 1994

Andrew J. Lofton

Deputy Director

for Mike Fitzgerald

Deputy Director

AMENDATORY SECTION (Amending Order 93-06, filed 8/25/93, effective 9/25/93)

WAC 365-140-030 Definitions. (1) "Department" means the department of community, trade, and economic development.

(2) "Director" means the director of the department of community, trade, and economic development.

(3) "Food bank" means an emergency food program that distributes food and other products on a regular basis without a charge.

(4) "Food distributor" means a food distribution agency that collects, warehouses, and distributes food and other products to emergency food programs and other charities on a county, regional, or state-wide basis.

(5) "Commodity program" means a program that primarily distributes USDA surplus commodities to clients (TEFAP).

(6) "Emergency food assistance program" means the multifaceted state-wide administrative activities carried out within the department (~~(of community development)~~) to allocate, award, and monitor state funds appropriated to assist local food banks and food distributors, tribes or tribal organizations, and other food programs.

(7) "Applicant" means a public or private nonprofit organization, tribe or tribal organization which applies for state emergency food assistance.

(8) "Contractor" means an applicant which has been awarded state funds under the emergency food assistance program, and which has entered into a contract with the department of community, trade, and economic development to provide emergency food assistance to individuals.

(9) "Lead agency contractor" means a contractor which may subcontract with one or more local organizations to provide emergency food assistance to individuals.

(10) "Tribal food voucher program" means the state-wide administrative activities carried out within the department (~~(of community development)~~) to allocate, award, and monitor state funds appropriated to assist tribes or tribal organizations in issuing food vouchers to clients.

(11) "Religious service" means any sectarian or non-denominational service, rite, or meeting that involves worship of a higher being.

(12) "Participating agency" means a local public or private nonprofit organization which enters into a subcontract with a contractor to provide emergency food program services.

NEW SECTION

WAC 365-140-045 Pilot project for consolidated emergency food assistance program. The department has established an optional consolidated emergency food assistance program pilot project for counties or multicounty regions. The following conditions shall apply to pilot project participants:

(1) A county or multicounty region which requests to participate in the pilot project must be approved by the department to do so. Approval shall be granted if all existing participating food banks and contractors in the county or multicounty region agree to participate in the pilot project.

(2) WAC 365-140-040 (1), (2) and (6) and the criteria found in WAC 365-140-050(6) for food distributors shall not apply to participants in the pilot project.

(3) A public or nonprofit agency selected as the emergency food assistance program lead agency contractor for a county or multicounty region shall contract with the department for that county's or region's entire emergency food assistance program allocation.

(4) Except for the additional funds specifically allocated for food banks in timber-dependent communities, funds shall be allocated between food distributors, food banks and special dietary needs foods based on a two-thirds vote of all participating food banks.

(5) The additional funds specifically allocated for food banks in timber-dependent communities shall remain in the amounts identified by the timber task force.

(6) If a lead agency contractor and the participating food banks designate funds for food distribution, a food distributor will be chosen by a two-thirds vote of the participating food banks and the lead agency contractor. The lead agency contractor shall be responsible for subcontracting with the food distributor. The lead agency contractor and the participating food banks will, by a two-thirds vote, determine the criteria the food distributor must meet, and shall ensure that the requirements of WAC 365-140-050(1) are met.

AMENDATORY SECTION (Amending Order 93-06, filed 8/25/93, effective 9/25/93)

WAC 365-140-050 Applicant eligibility criteria. (1) The applicant must have a certified form from the IRS stating nonprofit status under section 501(c)3, (~~have a sponsor providing 501(c)3 status,~~) or be a public nonprofit agency, be a recognized tribe, a tribal organization with 501(c)3 status, or an unrecognized tribe with 501(c)3 status.

(2) The applicant must not require participation in a religious service as a condition of receiving emergency food or a food voucher.

(3) The applicant must provide food or food vouchers to individuals in an emergency, regardless of residency.

(4) The applicant must practice nondiscrimination in providing services and employment.

(5) The applicant must not deny food or food vouchers to an individual because of his or her inability to pay.

(6) Applicants for funding as participating agency or food distributor must have had a food bank program or food distribution center in operation for one year prior to the beginning date of the contract year.

(7) The applicant for food bank lead agency contractor may or may not actually provide emergency food program services.

WSR 94-18-078 PERMANENT RULES LIQUOR CONTROL BOARD

[Filed September 2, 1994, 1:41 p.m., effective October 5, 1994]

Date of Adoption: August 31, 1994.

Purpose: Provide additional warning information to people about the possibility of alcohol related birth defects such as fetal alcohol syndrome.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 94-15-098 on July 20, 1994.

Changes Other than Editing from Proposed to Adopted Version: Language amended to specify that the rule applies to retail licensees; language amended to add placement of signs in women's restrooms; and language added to allow for posting of signs at permanent area of liquor display.

Effective Date of Rule: October 5, 1994.

September 2, 1994

Joe McGavick
Chairman

NEW SECTION

WAC 314-12-195 Mandatory signs to be posted warning of the possible dangers of consumption of alcohol during pregnancy. No later than October 5, 1994 all retail liquor licensees shall display signs provided by the board warning of the possible danger of birth defects which may be caused as a result of the consumption of alcohol during pregnancy. These signs shall be displayed upon the licensed premise in the following manner:

(1) If a licensee holds a license providing for on-premises consumption, the sign shall be posted in plain view (in place which is clearly visible) at the main entrance to the liquor licensed portion of the establishment and in the women's public restrooms closest to the licensed area.

(a) Self-service "mini-bars" in hotel guest rooms shall be exempt.

(b) Airports, convention centers, sports facilities and other licensed premises where more than one location of such sale, service and consumption is authorized, shall post signs in plain view in a place which is clearly visible to the majority of patrons entering or approaching the liquor licensed portion of the premises.

(2) If the licensee holds a license providing for the sale of alcohol for off-premises consumption, the board provided sign shall be posted in plain view at one or more of the following locations:

(a) at each permanent display area of shelving and coolers displaying alcohol beverages.

(b) at the cash register(s) where alcohol is sold.

(c) at the main entrance to the licensed premises.

(3) If the licensee is a liquor manufacturer, the notices shall be posted in plain view at the main entrance to areas where alcohol is sold for off-premises consumption. If a manufacturer's tasting rooms have separate buildings or separate entrances, the sign shall be posted in plain view at the main entrance to the tasting area.

(4) Signs and replacements shall be available from the enforcement division.

(5) Failure to comply with the provisions of this section shall constitute a violation of the rules of the board and administrative sanctions may be levied.

Purpose: To update WAC for current equipment requirements and language used for tow businesses. Also replace the equipment and standards review section with patrol or designated section.

Citation of Existing Rules Affected by this Order: Amending chapter 204-91A WAC.

Statutory Authority for Adoption: RCW 46.37.005, 46.55.050.

Pursuant to notice filed as WSR 94-15-008 on July 7, 1994.

Changes Other than Editing from Proposed to Adopted Version: Added description of wire rope classifications to WAC 204-91A-170 (1)(c). Changed from two to four securing devices for Class "E" tows, WAC 204-91A-170 (6)(a).

Effective Date of Rule: Thirty-one days after filing.
September 2, 1994
Roger W. Bruett
Chief

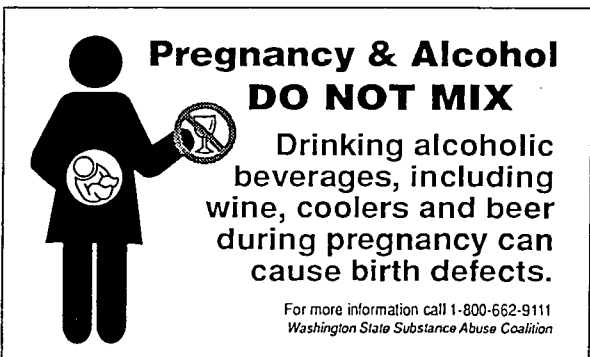
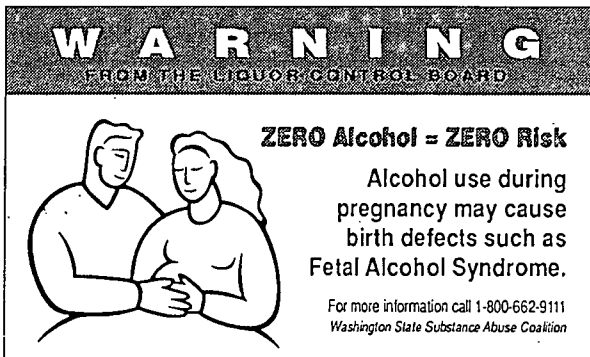
AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-010 Authority. This chapter is adopted pursuant to RCW 46.37.005, 46.55.050, and 46.61.567 which require ~~((that))~~ rules, regulations~~((;))~~ and equipment standards for tow trucks be made and to provide for the removal from the highway of disabled, abandoned, or damaged motor vehicles, or the removal of vehicles when the driver is intoxicated or otherwise incompetent.

AMENDATORY SECTION (Amending WSR 89-21-044, filed 10/13/89, effective 11/13/89)

WAC 204-91A-030 Definitions. The following definitions shall apply throughout this chapter:

- (1) "Patrol" means the Washington state patrol as defined in RCW 43.43.010.
- (2) "Chief" means the chief of the Washington state patrol.
- (3) "Department" means the Washington state department of licensing.
- (4) "Director" means the director of the department of licensing.
- (5) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.
- (6) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles, or in the disposal of abandoned vehicles.
- (7) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing or otherwise transporting other vehicles with specific equipment approved by the state patrol.
- (8) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.
- (9) "Tow truck service" means the towing, moving, transporting, or impounding of vehicles, together with personal effects and cargo, by a registered tow truck operator utilizing equipment approved by the ~~((equipment and standards review section (ESR) of the))~~ patrol.



WSR 94-18-083
PERMANENT RULES
WASHINGTON STATE PATROL
[Filed September 2, 1994, 2:12 p.m.]

Date of Adoption: September 2, 1994.

PERMANENT

(10) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(11) "Place of business" means a building which the registered tow truck operator occupies, either continuously or at regular times, where tow business books and records are kept and tow business is transacted in each assigned tow zone.

(12) "Vehicle storage area" means the approved yard/buildings (primary and secondary) where stored vehicles are kept. The storage areas and fencing will comply with the requirements as established by the department and all local zoning rules and regulations. Both primary and secondary storage areas must be physically located within tow zone assigned to the operator.

(13) "Special event" means any event which causes an unusually large number of impounded vehicles and/or tow calls in a short period of time and is so declared by the district commander or designee.

(14) "Special event storage area" means an area used for temporarily storing vehicles impounded/towed from special events. Approval for such areas shall be obtained from the department, the patrol, and appropriate city and county jurisdictions.

(15) "District commander" means the commanding officer of an area established by the Washington state patrol.

(16) "Inspector" means a commissioned officer of the Washington state patrol who has been designated as a tow truck inspector by the patrol.

(17) "Tow zone" means that specific geographical area designated by the district commander for the removal of vehicles as defined in Title 46 RCW and this chapter.

(18) (~~"ESR" means the equipment and standards review section of the Washington state patrol.~~) "Section" means the section designated by the chief of the Washington state patrol to coordinate the tow truck inspection program, maintain tow truck files, and issue letters of appointment.

(19) "Letter of appointment" means a letter issued by the ((ESR)) section that authorizes a registered tow truck operator to tow and store vehicles on a rotational or contractual basis, in a specific area, for the Washington state patrol. Effective October 15, 1989, the letter of appointment must have an attached valid contractual agreement listing the maximum rates that will be charged by the operator for services provided as a result of state patrol originated calls.

(20) "Initial tow" means services provided as a result of an original call, on a particular vehicle, that the tow operator receives from the patrol as a result of contract or rotational call list.

(21) "Secondary tow" means towing services from an operator's storage facility or place of business, to another location designated by the owner/agent of a vehicle that was initially towed as a result of call from the patrol.

(22) "Letter of contractual agreement" means the document, attached to the letter of appointment, that specifies the maximum tow rates that may be charged for services provided as a result of state patrol originated calls.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-040 Inspections. Upon the request of a registered tow operator or applicant, the patrol shall conduct an inspection of the applicant's place of business, facilities, and equipment to determine if the applicant meets the requirements of chapter 46.55 RCW, or Titles 308 and/or 204 WAC. Verification must be shown to the inspector that the applicant complies with all applicable local laws and regulations as prescribed for the geographical area where the towing business will be established. If local zoning regulations are applicable, a copy of the certification of approval from the local zoning commission will be furnished to the inspector. This certification may be included in the department's application form for license. The certification will become a part of the permanent record maintained on each approved towing firm by the ((ESR)) section.

(1) Reinspections will be conducted at least once a year. Unscheduled inspections may be conducted without notice at the operator's place of business by an inspector to determine the fitness of tow trucks, facilities, and business records.

(2) If reinspection of a previously-approved tow truck reveals equipment defects, one of the following procedures shall apply:

(a) In the event of a safety-related defect which would render the tow truck a safety hazard upon the public highway, a red "out-of-service" sticker shall be affixed immediately by the inspector.

(b) In the event of missing or defective equipment that does not constitute a safety hazard but is required, the inspector shall advise the operator of the defect. If after ten days the operator fails or refuses to repair the defect, the red out-of-service sticker shall be affixed.

(c) Upon confirming the satisfactory repair of the defect or defects that caused the tow truck to be taken out of service, the inspector shall remove the red sticker. In the event that the original inspector is not available to reinspect the equipment, another patrol officer appointed by the appropriate supervisor may do so. The reinspection shall be completed as soon as possible after the operator advises the patrol that the defect has been repaired. Whenever practicable this shall be done within three days and may require the operator to bring the truck to the inspector.

(d) Upon sale or other transfer of a tow truck from the business, the operator shall so advise the inspector who will obtain the issued cab card permit and will remove any decals indicating truck class, district and/or zone. The permit will be forwarded to the department by the inspector who will also advise the ((ESR)) section of the action taken.

(e) Upon the purchase or acquisition of any additional or replacement tow truck(s) to be used pursuant to this chapter, the operator shall immediately notify the patrol and request an inspection of the new unit. The new unit shall not be used for public or private impound calls until satisfactory inspection is completed and a cab card permit and/or decals for the vehicle has been issued by the department and/or patrol.

(3) On original inspection, and subsequent reinspection, the inspector shall confirm the identities and status of driving privilege of all persons that operate the tow trucks. The

inspector shall notify the operator if any person does not meet the minimum license requirements.

(a) In the event that an operator becomes aware that the driving privilege of an employee, or owner no longer meets the minimum requirements, the operator shall prohibit that person from operating any tow truck.

(b) An operator shall, within three days of employing a new driver, advise the inspector in writing of the identity, including name, address and date of birth, of the new employee. The inspector shall notify the operator if the new employee does not meet the minimum license requirements.

AMENDATORY SECTION (Amending WSR 89-21-044, filed 10/13/89, effective 11/13/89)

WAC 204-91A-060 Application for letter of appointment. (1) An application for a letter of appointment will not be considered or approved until the applicant is qualified as a licensed and registered tow truck operator with at least one approved "A" or "B" class tow truck. Additional trucks are optional.

Note: An exception may be made if an operator desires a letter of appointment for class "C" tows only. In such situations, only a class "C" truck is required.

Upon request, the ((ESR)) section shall advise the applicant of the contents of the department's regulations and of the standards established for the issuance of a letter of appointment.

(2) An application for a letter of appointment to provide towing service for the patrol shall be filed by the applicant with the local state patrol district office on a form prescribed by the patrol. In the case of a partnership, each partner shall apply on the form prescribed. In the case of a corporation, the patrol may require that each of the present and any subsequent officers, managers, and stockholders holding ten percent or more of the total issued and outstanding stock of the applicant corporation complete an application form. A signed "letter of contractual agreement" listing the maximum tow rates to be charged for services resulting from state patrol originated calls will be attached to the application.

(3) The district commander or designee shall complete tow zone portion of the form. He/she will enter "approved" or "disapproved" and will sign the form next to the zone designation. The application and "letter of contractual agreement" will be forwarded to the ((ESR)) section.

(4) The application form will be assigned a docket number, by the ((ESR)) section, which shall be its permanent identification number for all matters relating to appointments, granted or denied, and any other correspondence with the ((ESR)) section thereafter.

(5) The filing of an application for a letter of appointment does not in itself authorize the operator to provide towing services pursuant to this chapter until a letter of appointment has been issued by the ((ESR)) section. However, nothing herein shall prohibit the patrol from calling the towing business upon the specific request of a person responsible for a vehicle or his agent.

AMENDATORY SECTION (Amending WSR 89-21-044, filed 10/13/89, effective 11/13/89)

WAC 204-91A-070 Issuance of a letter of appointment. (1) No towing operator shall be called to perform a towing service at the request of the patrol unless such operator has a letter of appointment as described in this chapter. No such letter of appointment will be issued unless all qualifications set out in this chapter have either been met by the applicant, or a waiver of those qualifications not met has been granted by the ((ESR)) section.

(2) The ((ESR)) section commander shall have the authority to issue letters of appointment upon request after receiving certification from the inspector, an application for a letter of appointment endorsed by the district commander, and notice from the department that the requestor has been licensed as a registered tow truck operator.

If the ((ESR)) section shall find the requestor does not or will not meet all requirements and is not qualified for a waiver of the requirements, then such request shall be denied. The ((ESR)) section shall notify the requestor of its decision in writing, stating the reasons. If the request is approved, the ((ESR)) section commander will issue the letter of appointment and forward it to the tow operator. The tow company will be admitted to the patrol's call list for the appropriate tow zone on the effective date of the letter.

If the district commander recommends denial of a request for a letter of appointment, the ((ESR)) section commander shall notify the applicant and provide an opportunity for applicant to have a hearing as provided in chapter 34.05 RCW.

(3) A letter of appointment will be valid for one business, in a single tow zone, assigned by the district commander. Requests for additional letters of appointment in the same or another zone must be based on a complete and separate place of business capable of independent operation within the appropriate zone.

(4) A tow operator (or a district commander) may petition the ((ESR)) section in writing for a waiver of one or more requirements. The ((ESR)) section may grant a waiver if it finds that:

- (a) The towing service available to the patrol without the waiver is inadequate to meet the needs of the public;
- (b) The request is otherwise reasonable; and
- (c) The request has the district commander's approval.

In the event a qualified tow operator meeting all requirements and qualifications receives a letter of appointment in the same zone as a tow operator that had earlier been granted a waiver, the tow operator with a waiver will have the letter of appointment rescinded by the ((ESR)) section and after notification will not be called for patrol-initiated tows.

(5) Every letter of appointment shall be issued in the name of the applicant and the holder thereof shall not allow any other person or business to use the letter of appointment.

(6) The letter of appointment will only be valid for the place of business named on the application and will not apply to any other place of business.

(7) A letter of appointment shall be valid until suspended, superseded, or revoked by the ((ESR)) section.

(8) The holder of each letter of appointment must maintain at least one tow truck meeting the minimum class "A," "B," or "C" standards as listed in WAC 204-91A-170.

(9) All storage areas, primary and secondary, for each place of business must be in the tow zone assigned to that place of business.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-080 Suspension or revocation of letter of appointment. Upon receiving evidence that any appointee has failed to comply or no longer complies with any requirement or provision of law or this chapter, the ((ESR)) section may deny, suspend, or revoke the letter of appointment. The appointee shall be given notice of the action and an opportunity to be heard as prescribed in chapter 34.05 RCW.

The holder of a letter of appointment may voluntarily relinquish the letter. The ((ESR)) section and the district commander will be advised in writing of this voluntary relinquishment. After receiving written notice, the district commander will cause the inspector to physically obtain the original letter of appointment and forward it to the ((ESR)) section.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-110 Complaints. All law enforcement or local licensing agencies that receive complaints involving registered tow truck operators shall forward the complaints, along with supporting documents, including all results from the complaint investigation, to the department.

(1) Those complaints investigated by the patrol will be reviewed by the ((ESR)) section commander before forwarding to the department.

(2) The patrol shall investigate all complaints involving deficiencies of equipment.

(3) A complete copy of all complaints investigated by the patrol will be kept on file by the ((ESR)) section.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-160 Tow zones. Each district commander shall outline geographical areas within his district to be designated as tow zones. The geographical tow zones for each patrol district shall be filed with the ((ESR)) section. The boundaries established pursuant to this action may be modified as circumstances warrant. Considerations may include, but are not limited to, such factors as the frequency and severity of accidents and the frequency of DWI arrests in various areas throughout the district, the volume and pattern of traffic, the availability of tow services, and the accessibility of tow services to the areas of need within each district. Nothing herein shall prevent the patrol from amending tow zones from time to time as required by changing traffic and accident patterns and other such factors affecting the adequacy of towing service available to the patrol.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-170 Minimum tow truck equipment standards. All tow/recovery trucks used by a registered tow operator for public or private impounds or in response to patrol requests shall meet the minimum standards as listed in this section. ~~((All equipment used in conjunction with each truck shall be commensurate with the basic boom rating or, if the truck is not equipped with booms, the manufacturer's gross vehicle weight rating. A waiver for one or more requirements may be granted as outlined in WAC 204-91A-070(4).))~~

Note: Equipment standards will be effective one year from the date of adoption.

(1) Minimum standards:

(a) All equipment used in conjunction with the tow truck winching system shall have a working load limit at least twenty-five percent more than the working load limit of the wire rope being used. All equipment shall comply with the Washington safety and health administration (WSHA) regulation if applicable.

Note: Industry standards set the working load limit of wire rope at 1/5 of its nominal or breaking strength.

(b) Each wire rope shall be capable of being fully extended from and fully wound onto its drum.

Note: OSHA (1410.179(h)(2)(ii)) requires no less than two wraps of rope remain on drum when rope is "fully extended." This is to ensure the full load never bears on the rope to drum connection.

(c) All wire rope shall be 6 X 19 or 6 X 37 classification graded "extra improved plow steel" (XIP).

Notes: Documentation from the supplier must be kept on file showing the type of wire rope installed and the date of installation for each truck.

6 X 19 wire rope classification includes wire ropes with six strands having wire combinations from fifteen through twenty-six wires per strand but not more than twelve outer wires in each strand.

6 X 37 wire rope classification includes wire ropes with six strands having wire combinations from twenty-seven through forty-nine wires per strand but not more than eighteen outer wires in each strand.

(d) All wire rope shall be in good working order. The following industry standards for out-of-service criteria shall apply:

(i) No more than six randomly distributed broken wires in one rope lay, or more than three broken wires in one strand in one rope lay.

(ii) Excessive abrasion causing the loss of more than one-third the original diameter of an outside individual wire.

(iii) Evidence of rope deterioration from corrosion.

(iv) Kinking, crushing, or other damage that results in detrimental distortion of the rope structure.

(v) Any evidence of heat damage.

(vi) Any marked reduction in diameter either along the entire main length or in one section.

(vii) Unlaying or opening up of a tucked splice.

(viii) Core protrusion along the entire length.

(ix) End attachments that are cracked, deformed, worn, or loosened.

Note: Hooks must be replaced if the throat opening has increased beyond manufacturer recommendations, the load bearing point has been worn by ten percent, or the hook is twisted by more than ten degrees.

(x) Any indication of strand or wire slippage in end attachments.

(xi) More than one broken wire in the vicinity of fittings.

(e) Wire rope end connections shall be swaged or, if clamped, shall have a minimum of three forged clamps spaced a minimum of six rope diameters apart and attached with the base or saddle of the clamp against the longer or "live" end of the cable. The "U" bolt will be placed over the short or "dead" end of the rope and will be of the proper size for the cable being clamped.

Note: Wire rope clamps must be installed and torqued per manufacturer specifications.

(f) All wire rope related equipment, sheaves, etc., must conform to the diameter of the wire rope being used or to the original tow truck equipment manufacturer specifications.

(g) All winching equipment, snatch blocks, etc., shall have permanently affixed durable factory identification, stating working load limit (WLL). If this identification has been removed or is no longer readable, it is criteria for placing the item out-of-service. Equipment may be reinspected by a recognized recertification company. If the equipment is acceptable, it may be reidentified with a working load limit (WLL) and a recertification company identifier.

(h) All block and tackle equipment used in the winching system which shows signs of permanent deformation, significant wear or damage is criteria for placing the item out-of-service.

(i) All "J" hook chain assemblies must only be used with a sling lift system and be grade "7" chain or better.

(j) Safety chains must only be used for the securing of vehicles to the truck. Must be minimum grade "4" chain or meet the original manufacturer's recommendations and be permanently attached to the truck.

(k) Comply with legal lighting, equipment, and license requirements.

(l) Portable tail, stop, and turn signal lights for vehicles being towed.

(m) Have department of licensing registration and truck numbers painted or permanently affixed to both sides of the truck. Have firm's name, city of address, and phone number permanently affixed to both sides of the vehicle. Letters must be a minimum of three inches high with one-half inch strokes.

(n) Have a revolving/intermittent red light with three hundred sixty degrees visibility. May also be equipped with flashing amber and/or white lights which may be used in conjunction with the red lamps. Must also be equipped with a warning light visible from the driver seat which is energized when the red revolving light or flashing amber lights are activated.

(o) Have a broom, minimum twelve inches wide, handle four feet long.

(p) Have a scoop type shovel, minimum seven inches wide, overall length minimum three feet long.

(q) Be maintained in a reasonably clean condition.

(r) Have two tempered steel pinch bars or equivalent devices, one tapered and one flattened; one at least three feet long and one at least four feet long, with a minimum diameter of three-quarters of an inch.

(s) Have a two-way radio or mobile telephone system capable of communicating with a base station. A citizen band radio does not suffice. A mobile telephone system is acceptable if:

(i) The equipment is of a recognized and established manufacture and is properly installed.

(ii) The equipment is in proper working order and functions correctly throughout the assigned tow areas.

(iii) The equipment does not utilize a siren to signal incoming calls.

(iv) The equipment is used in a correct and lawful manner.

(t) Have one 20 BC rated or two 10 BC rated fire extinguishers.

(u) Axle weight must comply with the requirements of RCW 46.37.351.

(2) Class "A" tow trucks: Trucks that are capable of towing and recovery of passenger cars, pickup trucks, small trailers, or equivalent vehicles. ((Class "A" trucks shall:

(a) Comply with legal lighting, equipment, and license requirements.

(b) Have department of licensing registration and truck numbers painted or permanently affixed to both sides of truck.

(c) Have a revolving/intermittent red light with three hundred sixty degree visibility. May also be equipped with flashing amber and/or white lights which may be used in conjunction with the red lamp(s).

(d) Have a broom, minimum twelve inches wide, handle four feet long.

(e) Have a scoop type shovel, minimum seven inches wide, overall length minimum three feet long.

(f) Be maintained in a reasonably clean condition.

(g) Have all equipment commensurate with total ton rating of booms.

(h) Have firm name, city of address, and phone number permanently affixed to both sides of the vehicle.

(i) Have two pinch bars or equivalent devices; one tapered, one flattened; one three feet and one four feet, with a minimum diameter of three quarters of an inch.

(j) Have a two way radio or mobile telephone system capable of communicating with a working base station. A citizen band radio does not suffice. A mobile telephone system is acceptable if:

(i) The equipment is of a recognized and established manufacture and is properly installed.

(ii) The equipment is in proper working order and functions correctly throughout the assigned tow areas.

(iii) The equipment does not utilize the truck horn or a siren or other sound device to signal incoming calls.

(iv) The equipment is used in a correct and lawful manner.

(k) Have a twenty BC rated fire extinguisher or equivalent.

(l) Have portable tail, stop, and turn signal lights for vehicle being towed.

(m) Have a minimum of two snatch blocks.

(n) Have a tow sling or other comparable device made of material and used in such manner so as to protect vehicles being towed or recovered.

(o) Have a portable dolly or its equivalent for hauling vehicles that are not otherwise towable.

(p) Have ten thousand pounds minimum manufacturer's gross vehicle weight rating or equivalent.

(q) Have dual tires on the rear axle or duplex type tires, referred to as "super single" with load rating that is comparable to dual tire rating.

(r) Have a minimum of one hundred feet of three-eighths inch continuous length cable or its equivalent, measured from the point of attachment to drum and hook, in safe working condition on each drum.

(i) Each cable shall be capable of being fully extended from and fully wound onto its drum.

(ii) All cables and/or wire ropes shall be in good working order and shall have:

(A) No more than six randomly distributed broken wires in one rope lay, or more than three broken wires in one strand in one rope lay.

(B) No evidence of heat damage from any cause.

(C) End attachments that are not cracked, deformed, worn, or loosened.

(iii) Cable end connections shall be swaged or, if clamped, shall have a minimum of three clamps spaced a minimum of six rope diameters apart and attached with the base or saddle of the clamp against the longer or "live" end of the cable. The "U" bolt will be placed over the short or "dead" end of the rope and will be of the proper size for the cable being clamped.

(s) Have a minimum six ton boom rating with single or dual booms. Dual winches to control a minimum of two service drums.)) Class "A" tow trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A ten thousand minimum manufacturer's gross vehicle weight rating.

(b) Dual tires on the rear axle.

(c) A minimum of one hundred feet of three-eighths inch continuous length XIP wire rope on each drum, measured from the point of attachment at the drum to the hook.

(d) A minimum six-ton boom rating with single or dual booms. Dual winches to control a minimum of two service drums.

(e) A minimum of two snatch blocks.

(f) A tow sling or other comparable device made of material and used in such manner so as to protect vehicles being towed or recovered.

(g) A portable dolly or its equivalent for hauling vehicles that are not otherwise towable.

(h) If equipped with a wheel lift system, it must have a fully extended working load rating of at least three thousand pounds and a seven thousand pound tow rated capacity.

(i) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be minimum grade "7" chain with matching fittings.

((2)) (3) Class "B" tow trucks: Trucks that are capable of towing and/or recovery of medium size trucks, trailers, motor homes, or equivalent vehicles. ((Class "B"

tow trucks shall meet the requirements of subsection (1)(a) through (o) of this section, and in addition, shall have:

(a) ~~Seventeen thousand pounds minimum manufacturer's gross vehicle weight rating or equivalent.~~

(b) ~~Minimum ten-ton boom rating, single or dual booms, with two independent winches and drums.~~

(c) ~~A minimum of one hundred fifty feet of seven-sixteenths inch cable on each drum, measured from points of attachment. All cable shall be in safe operating condition as described for class "A" trucks.~~

(d) ~~Minimum of four standard release tools (caging stud assemblies).)~~ Class "B" tow trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) Seventeen thousand pounds minimum manufacturer's gross vehicle rating.

(b) Minimum ten-ton boom rating, single or dual booms, with two independent winches and drums.

(c) A minimum of one hundred fifty feet of seven-sixteenths inch continuous length XIP wire rope on each drum, measured from points of attachment at the drum to the hook.

(d) Minimum of four standard release tools (caging stud assemblies).

(e) A minimum of two snatch blocks.

(f) A tow sling or other comparable device made of material and used in such manner so as to protect vehicles being towed or recovered.

(g) A portable dolly or its equivalent for hauling vehicles that are not otherwise towable when the class B tow truck is being used for class A tows.

(h) If equipped with a wheel lift system, it must have a fully extended working load limit of at least six thousand pounds and a twenty thousand pound tow rated capacity when operating as a class B truck. May be equipped with a three thousand pound fully extended working load wheel lift system with a seven thousand pound tow rated capacity if operating as a class A truck.

(i) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be grade "8" chain with matching fittings.

((3)) (4) Class "C" tow trucks: Trucks that are capable of towing and/or recovery of large trucks, trailers, buses, motor homes, or similar vehicles. ((Class "C" tow trucks shall meet the requirements of subsection (1)(a) through (n) of this section and in addition, shall have:

(a) ~~Tandem rear axle truck chassis (both drive axles).~~

(b) ~~Twenty-five ton minimum single or dual boom and winch rating.~~

(c) ~~One hundred fifty feet of minimum nine-sixteenths inch cable on each drum measured from points of attachment. All cable shall be in safe operating condition as described in class "A."~~

(d) ~~Air brakes and system capable of supplying air to towed vehicle.~~

(e) ~~Minimum of four standard release tools (caging stud assemblies).~~

(f) ~~Forty thousand pounds minimum manufacturer's gross vehicle weight rating or equivalent.)~~ Class "C" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A forty thousand pound manufacturer's gross vehicle weight rating or equivalent.

(b) Tandem rear axle truck chassis (both drive axles).

(c) A minimum of twenty-five-ton boom rating with single or dual booms. Dual winches to control a minimum of two service drums.

(d) A minimum of one hundred fifty feet of nine-sixteenths inch continuous length XIP wire rope on each drum measured from the point of attachment at the drum to the hook.

(e) Air brakes and a system capable of supplying air to towed vehicles.

(f) A minimum of four standard release tools (caging stud assemblies).

(g) If equipped with a wheel lift system, it must have a fully extended working load limit of at least twelve thousand pounds.

(h) A minimum of one ten-foot or two five-foot recovery chains used in the winching system and must be grade "8" chain with matching fittings.

(i) A tow sling or other comparable device used in such a manner as to protect the vehicle being towed or recovered.

(j) A minimum of two snatch blocks.

((4)) (5) Class "D" tow trucks: Trucks that are equipped for and primarily used as "wheel lift" trucks. ((Class "D" must meet the requirement of subsection (1)(a) through (r) of this section, and in addition, shall have:

(a) A minimum three thousand pound manufacturer's lift rated and minimum seven thousand pound tow rated wheel lift assembly.

(b) One winch and drum with one hundred feet of three-eighths inch cable meeting class "A" requirements.))

Class "D" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) A wheel lift assemble with a fully extended manufacturer's working load limit of three thousand pounds and a seven thousand pound tow rated capacity.

(b) One winch and drum with one hundred feet of three-eighths inch XIP wire rope meeting class "A" requirements.

(c) One snatch block.

(d) A minimum of one five-foot recovery chain for use in the winching system and must be a minimum of grade "7" chain with matching fittings.

((Note: One snatch block is sufficient.

(5) Class "E" tow trucks: Trucks that are primarily designed and intended to transport other vehicles by loading the vehicle entirely onto the truck. These trucks may be of a flatbed, "slide back" or "tilt bed," design or may be a "rail" type truck. Class "E" trucks must meet the requirements of subsection (1)(a) through (l) of this section, and in addition, shall have:

(a) Two securing devices with a minimum breaking strength of fifteen thousand pounds. The devices may be chain, cable, nylon strap, or steel strap. The tie downs shall be passed over the axle or frame member (one in front and one in rear) of the transported vehicle. Both ends shall be attached to the truck bed or rail in a manner that will prevent movement of the transported vehicle. Factory style "T" hook tie downs may also be used (front and rear).

(b) One snatch block.

(e) Dual tires on rear axles:

Note: All tires must be of sufficient size to meet the requirements of RCW 46.44.042 under all loading conditions.

(d) If used in a towing mode (as opposed to carrying), a sling, tow bar, and/or wheel lift assembly as appropriate for gross vehicle weight of the towed vehicle.

(e) Additional minimum requirements include:

A. Gross vehicle weight rating	14,500 lbs
B. Purchased tonnage	14,500 lbs
C. Winch rating	4 ton
D. Cable	50', 3/8 6x19 Hemp Center, I.P.S. work limit 3,500 lbs 5-1 safe working load
E. Cable hook connections	3 ton
F. Car carrier (bed)	17'
G. Body load rating (bed)	4 ton
H. Tow bar load rating	2,000 lbs

Note: Trucks of class "E" configuration that were inspected and approved for use prior to the adoption of these specifications and that do not meet them may continue to be used for patrol calls until January 1, 1992. Provided, That they do continue to meet the original specifications required and are otherwise in safe operating condition.))

(6) Class "E" tow trucks: Trucks that are primarily designed and intended to transport other vehicles by loading the vehicle entirely onto the truck. These vehicles may be a flatbed, slide back, tilt bed, or rail design truck. Class "E" trucks shall meet the requirements of subsection (1)(a) through (u) of this section and in addition shall have:

(a) Four securing devices with a minimum working load limit of three thousand nine hundred pounds. The devices may be chain (minimum grade "4"), wire rope, nylon strap, or steel strap. The tie downs shall be attached to the axle or frame member of the transported vehicle both front and rear. All ends shall be secured to the truck bed or rail in a manner that will prevent movement of the transported vehicle. Factory style "T" hook tie-downs may also be used (front and rear).

(b) One snatch block.

(c) Dual tires on the rear axle.

(d) If used in a towing mode (as opposed to carrying), a sling, tow bar, and/or wheel lift assembly can be used and must have a manufacturers' rating appropriate to the vehicle being towed.

(e) Additional minimum requirements include:

(i) Gross vehicle weight rating	14,500
(ii) Purchased tonnage	14,500
(iii) Winch rating	4 ton
(iv) XIP wire rope	50 feet 3/8 inch
(v) One five-foot chain use in the winching system and must be a minimum of grade "7" chain with matching fittings.	
(vi) Car carrier (bed)	17 feet

Note: Bed may be shorter in a collapsed mode, but must be capable of telescoping to a minimum of seventeen feet.

(7) Class "S" tow/recovery trucks: Tow/recovery trucks that cannot meet the requirements of class "A," "B," "C," "D," or "E" and are not eligible for appropriate waiver as outlined in WAC 204-91A-070(4), may be approved as class "S" (special).

To have a truck designated as class "S" the tow operator must submit a request for approval through the district commander to the ((ESR)) section. The written request shall

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indicate why the truck is needed, what it will be used for, its size, purchased tonnage (if appropriate), capability, and the equipment carried or used with the truck. Gross vehicle weight rating of the class "S" truck will determine the appropriate equipment required.

If the district commander approves the request, ~~((he/she will forward))~~ the ~~((approved-written))~~ request will be forwarded with recommendations for equipment and/or operation instructions or limitations to the ~~((ESR))~~ patrol for review and final approval. If approval is granted, the equipment shall be inspected as outlined in WAC 204-91A-040 with reports forwarded in the normal manner.

Note: If the provisions of this section require a change in classification for a previously approved tow truck, such change may be made upon the next annual reinspection. In any case, all tow trucks shall be correctly classified within one year of adoption of these rules.

AMENDATORY SECTION (Amending WSR 89-21-044, filed 10/13/89, effective 11/13/89)

WAC 204-91A-180 Vehicle towing/operator qualifications, restrictions, and requirements. In addition to the requirements contained in WAC 204-91A-170, tow truck operators appointed pursuant to this chapter shall conform to all laws and administrative rules pertaining to the tow industry and shall observe the following practices and procedures:

(1) When called by the patrol, the tow truck operator will dispatch a tow truck, from within the assigned zone, within five minutes during normal business hours.

(2) Tow trucks dispatched at the request of the patrol after normal business hours will be on the move within the assigned zone within fifteen minutes after receiving the call.

(3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance, traffic, and weather conditions.

(4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time or if the dispatched truck will be delayed for any reason, the operator shall so advise the patrol stating the reason and estimated time of arrival. In the event the tow truck fails to arrive at the scene within a reasonable time, the patrol will contact another tow operator to respond to the scene and will cancel the original tow.

(5) A tow operator on rotation who is unable to dispatch or arrive within the times stated in subsections (1), (2), (3), and (4) of this section will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.

(6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services and/or to provide the requested services may result in the suspension or revocation of the tow operator's letter of appointment.

(7) The tow operator shall advise the appropriate patrol office when the tow company is temporarily unavailable to respond to rotational calls with a class "A," "B," or "C" tow truck. Unavailability may occur due to conditions such as, but not limited to, other tow truck commitments, tow truck disabled and/or under repair, unforeseen driver shortage due to illness, etc. The period of unavailability may last less than an hour or much longer. The tow operator will give the reason for unavailability and approximately when the company will be available to respond to calls.

The tow company will be removed from the rotational list and will not be called until the operator advises the patrol that the company is once again able to respond to calls with an "A," "B," or "C" class truck. In all such cases, the tow company will resume its normal position on the rotational list without regard to any missed calls or its position prior to being unavailable.

(8) The tow operator will advise the patrol whenever a private call is received for a tow with circumstances that indicate that the tow is for a vehicle which has been involved in an accident, incident, or equipment breakdown on the public roadway. The tow operator also will advise the patrol of all private calls to motor vehicle accidents on private property resulting in bodily injury or death.

(9) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in the motor vehicle code, Title 46 RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.

(10) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol, the driver/owner, or his agent.

(11) The tow operator shall be available, or will ensure that specific employees are available, twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and nonbusiness hours. A copy will also be sent to the ~~((ESR))~~ section and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the department, the ~~((ESR))~~ section, and the patrol district commander ten days before their effective date.

(12) The tow operator will notify the appropriate patrol office of the release of stored vehicles within five working days after the release of such vehicle. Notification to the patrol will be made in such a manner as prescribed by the ~~((ESR))~~ section commander.

(13) The operator shall post a current copy of tow and storage rates, on a form approved by the department and the patrol, in the following locations:

(a) At the entrance to the place of business, in a conspicuous location, plainly visible and readable by members of the public, whether the business is open or closed. If, in order to meet this requirement, the rate sheets must be placed in a location, exposed to the elements, they shall be protected so as to remain legible.

(b) Inside the business location, where business is commonly transacted. The rate sheets shall be posted in such manner as to be ~~((clearly))~~ clearly and plainly visible and readable at all times by customers of the business.

(c) A copy of the current rates will be sent to the department, the ~~((ESR))~~ section, and the patrol district commander of the district in which the tow operator has applied for a letter of appointment. Notice of any change(s) in service rates will be forwarded to the department, the ~~((ESR))~~ section, and the district commander of the area ten days before the effective date of the changes. Charges made for towing services arising from calls initiated by the patrol

shall be consistent with current posted towing rates and shall be based only upon services listed on the prescribed form.

(d) In the event that an operator has only a class "B" truck and utilizes it for class "A" and "B" type tows, the operator shall file a rate sheet that specifies the rates charged for the different types of tows.

Whenever any operator utilizes a larger truck than the towed vehicle warrants, the operator shall charge fees based on the size of the towed vehicle not the size of the truck used.

EXAMPLE: A class "C" truck is used, at the operator's discretion, to tow a class "B" size vehicle. The fees charged shall be those for a class "B" truck NOT a class "C."

(14) Charges made for towing services arising from calls initiated by the patrol shall not exceed the maximum rates established by the chief.

(15) Unless other arrangements are made with commissioned patrol personnel at the scene, all impounded vehicles shall be taken to the tow operators nearest approved storage location.

(16) The tow operator will maintain, for three years, records on towed and released vehicles which were towed at the request of the patrol. This record will include, but not be limited to:

(a) An itemized receipt of all charges for the services provided.

(b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the operator.

(c) All other records required by the department.

Such records will be available for inspection by the patrol during normal business hours at the operator's place of business.

(17) The tow operator will sign an inventory sheet made out by the patrol officer at the scene.

(18) Tow operators will obtain and maintain current registration as a licensed tow truck operator pursuant to RCW 46.55.020.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

(20) No tow operator, employee, or agent shall misappropriate, wrongfully convert to his/her own use, or abuse property belonging to another and entrusted to his/her care or storage.

(21) Tow truck operators will use emergency lights to warn other motorists only when at the scene of accidents, disabled vehicles, and/or recoveries. Such lighting shall not be used when traveling to or from the scene.

(22) Tow truck operators shall be responsible for cleaning accident/incident scenes of all vehicle glass and debris.

(23) Specific operating restrictions and/or requirements, by truck class, are as follows:

(a) The standard air brake release tools (caging stud assemblies) required to be carried in the class "B" and "C" trucks shall be used, whenever necessary, to preserve potential evidence involving brake equipment or adjustment settings. When an operator is attempting to move a vehicle equipped with locked spring parking brakes that cannot be released by external air supply, the caging assemblies shall

be used to release the brake tension. Under no circumstances shall the towed vehicle's brake assemblies or adjustments be moved or disturbed in any way that will prevent later determination of the preaccident or incident settings.

(b) Class "B" trucks in excess of twenty-three thousand pounds gross vehicle weight rating need not carry dollies when towing or recovering heavy vehicles.

(c) Class "D," "E," and "S" trucks shall not be used to respond to initial calls unless specifically authorized by patrol personnel at the scene or by local written policy approved by the district commander.

(d) Class "E" trucks shall:

(i) Have, when used for multiple vehicle towing/recovery (one on bed, one in tow) from the same location, all invoice charges evenly divided between the vehicles so transported;

(ii) Not be operated in excess of either gross vehicle weight rating or purchased tonnage weight limits;

(iii) Be required to carry its portable lights only when used in a towing mode.

(24) Whenever a "special event or overflow" storage lot is approved by the department, the patrol and appropriate city/county jurisdictions, the operator shall maintain personnel at the lot twenty-four hours per day for security and vehicle and/or personal property release. If necessary, reimbursement for such labor shall be part of the contract for the "special event" if appropriate or by amended storage rates with a waiver of the ten-day rate change notice requirement approved by the department and the patrol.

At the conclusion of a "special event or overflow" situation, all vehicles not reclaimed by the owner shall be towed to the operator's regular storage facility and processed in the normal fashion. No additional fee shall be charged for towing the vehicle from the overflow lot to the regular facility.

(25) All work performed by the operator and/or employee shall be in the most professional and expeditious manner. All invoices and other required forms shall be completed accurately and promptly.

(26) Tow operators shall, when required by the patrol or the department, cause to be displayed on each approved truck, decals indicating truck class, patrol district, and/or assigned tow zone.

WSR 94-18-108
PERMANENT RULES
DEPARTMENT OF HEALTH
[Filed September 6, 1994, 2:17 p.m.]

Date of Adoption: August 5, 1994.

Purpose: To create new chapter 246-295 WAC, Satellite system management agencies, to implement RCW 70.116.134. This new program sets up criteria for designating individuals or water purveyors as approved satellite system management agencies.

Statutory Authority for Adoption: RCW 70.116.134.

Pursuant to notice filed as WSR 94-13-085 on June 14, 1994.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-295-001 (1)(b), in line 2, change "approved SMAs" to read "approved SMA." This is to

correct a grammatical error; WAC 246-295-030 (1)(a), in line 1, change "within the designated future service area" to read "within a designated future service area." This is a clarification change; WAC 246-295-040 (1)(a), in line 1, change "Submit an application to the department" to read "Submit a notice of intent to become an approved SMA to the department." This change is intended to clarify what is needed as a first step in the SMA approval process; WAC 246-295-040 (1)(c), in line 1, change "Submit an SMA plan" to read "Submit a SMA application and plan." This change is intended to clarify what information needs to come into the department for review; WAC 246-295-050(9), in line 1, change "A current water system plan" to read "Current water system plan(s)." This change is intended to indicate that there may be more than one plan if the SMA applicant owns more than one public water system; WAC 246-295-060 (4)(c), in line 1, change "A copy of model contract" to read "A copy of the model contract." This is a needed grammatical correction; WAC 246-295-060(5), change two references in paragraph that appear in lines 1 and 5 and make the statement "operated by the potential SMA." Change these to read "managed and operated by the potential SMA." Change is needed to be consistent with title of section; WAC 246-295-070, in line 4, change "one or more qualified SMAs" to read "one or more approved SMAs." This change is needed to be more consistent with intent of chapter to come up with a list of SMAs that have successfully completed the department's review and approval process and have been approved as SMAs; WAC 246-295-100(3), in line 2, change "modify or deny a certification" to read "modify or deny their approval." This change is needed to add consistency for referencing the review and approval process conducted by the department; WAC 246-295-100(4), in line 1, change "A certified SMA" to read "An approved SMA." Also change "modify its certification under" in line 2 to read "modify its approval under." These changes are needed to make section more consistent with rest of chapter and the department's normal review and approval process; WAC 246-295-100(5), in line 2, change "submit a new request and follow" to read "submit a new notice of intent to become an approved SMA and follow." This change is needed to bring consistency to revised WAC 246-295-040 (1)(a); and WAC 246-295-110(2), change fourth line from "the SMA may be removed" to read "the SMA shall be removed." This change is needed to clarify the departments intent to follow through with the action of removal from the approved list if an agreed upon time frame for compliance has not been honored by the SMA.

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

September 6, 1994
Mimi Fields, MD, MPH
for Bruce Miyahara
Secretary

Chapter 246-295 WAC

SATELLITE SYSTEM MANAGEMENT AGENCIES

NEW SECTION

WAC 246-295-001 Purpose. (1) The purpose of these rules is to:

(a) Establish criteria for approving satellite system management agencies hereafter referred to as satellite management agencies (SMAs) pursuant to RCW 70.116.134;

(b) Delineate the process organizations and/or individuals must follow to be considered an approved SMA; and

(c) Outline procedures for coordination between water users, purveyors, SMAs, local government and the department.

(2) This chapter is specifically designed to ensure:

(a) The enhancement of public health through the use of SMAs;

(b) SMAs are capable of providing high quality drinking water in a reliable manner and in a quantity suitable for intended use;

(c) SMAs are capable of meeting the requirements of the federal Safe Drinking Water Act, P.L. 93-523 and P.L. 99-339; and

(d) Uniformity in the SMAs determination and compliance processes.

(3) Other statutes relating to this chapter are:

(a) Chapter 43.20 RCW, State board of health;

(b) RCW 43.20B.020 Fees for services—Department of health and department of social and health services;

(c) Chapter 43.70 RCW, Department of health;

(d) Chapter 70.116 RCW, Public Water System Coordination Act of 1977;

(e) Chapter 70.119 RCW, Public water supply systems—Certification and regulation of operators; and

(f) Chapter 70.119A, Public water systems—Penalties and compliance.

NEW SECTION

WAC 246-295-010 Definitions. Abbreviations:

"IOU" - Investor owned utility;

"SMA" - Satellite management agency;

"UTC" - Utilities and transportation commission; and

"WSP" - Water system plan.

"Certified operator" means a person certified in accordance with chapter 246-292 WAC.

"Contract" means a written agreement between a SMA and a public water system identifying the responsibilities of system operation and management.

"Department" means the Washington state department of health.

"Investor owned utility" means a corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any public water system for hire.

"Public water system" means any system, excluding a system serving only one single-family residence and a system with four or fewer connections all of which serve

residences on the same farm, providing piped water for human consumption, including any:

Collection, treatment, storage, or distribution facilities under control of the purveyor and used primarily in connection with such system; and

Collection or pretreatment storage facilities not under control of the purveyor primarily used in connection with such system.

"**Purveyor**" means an agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or other entity owning or operating a public water system. Purveyor also means the authorized agents of such entities.

"**Satellite management agency (SMA)**" means an individual, purveyor, or entity that is approved by the secretary to own or operate more than one public water system on a regional or county-wide basis, without the necessity for a physical connection between such systems.

"**Satellite management and operation services**" means all day-to-day responsibilities of a water system. Management responsibilities shall include planning and policy decision making. Operational responsibilities shall include normal day-to-day operations, preventative maintenance, water quality monitoring, troubleshooting, emergency response, response to complaints, public/press contact, and recordkeeping.

"**Secretary**" means the secretary of the department of health or their designee.

"**Service area**" means a specific area for which satellite management and operation services may be provided by a SMA.

"**Service area policies**" means pertinent policies that impact the provision of water and water system growth.

NEW SECTION

WAC 246-295-020 Applicability. The rules of this chapter shall apply to SMAs and all counties, and to public water system purveyors, individuals, or other entities requesting SMA approval.

NEW SECTION

WAC 246-295-030 Potential satellite management agencies (SMAs). (1) Pursuant to RCW 70.116.134(2), each county shall identify and submit a list of potential SMAs to the department by January 1, 1995, for areas within the county:

(a) Which are not within a designated future service area of any utility pursuant to the Water System Coordination Act; or

(b) Where an existing purveyor has agreed or where a legal determination has been made that an existing purveyor is unable or unwilling to provide service.

(2) After January 1, 1995, counties may submit names of additional potential SMAs to the department on an ongoing basis.

NEW SECTION

WAC 246-295-040 SMA submittal and approval process. (1) An individual, purveyor or other entity seeking approval as a SMA, shall:

(a) Submit a notice of intent to become an approved SMA to the department on a form provided by the department;

(b) Participate in a "presubmittal conference" to discuss the SMA plan content, and, if applicable, the water system plan;

(c) Submit a SMA application and plan which shall include all information required under WAC 246-295-050 or 246-295-060 at the level of detail agreed upon at the presubmittal conference.

(2) The department shall forward the SMA plan to affected counties for review and comment. To ensure consideration, the county must submit its comments to the department within sixty days.

(3) When all conditions listed in subsection (1) of this section have been completed, the secretary shall either approve or deny the proposed SMA based on the secretary's review and evaluation of information presented and comments received from the county.

(4) The secretary shall maintain a list of approved SMAs and make it available to counties, purveyors, individuals or other entities on request. A listing shall be distributed to each county at least annually and on approval of new SMAs by the secretary. The approved listing shall include a service area for each SMA and designate which SMAs are approved for:

(a) Ownership; and

(b) Management and operation only.

NEW SECTION

WAC 246-295-050 SMA plan content for ownership. The SMA plan shall address the following elements at a minimum in a manner acceptable to the department. A department guideline titled *Satellite Management Planning Handbook* is available to assist the potential SMA in adequately addressing these elements:

(1) SMA ownership, including at a minimum:

(a) A statement of intent to own public water systems;

(b) Current organizational structure of the SMA, legal authority, mailing address, responsible party, and contact person;

(c) Identification of existing public water systems the applicant currently owns, and/or manages and operates. The identification shall include the number of connections in each system, the department identification number and the system location.

(d) Documentation showing that at least one staff person has, at a minimum, three years of water utility ownership and/or management experience.

(2) SMA service area information, including at a minimum:

(a) A map of the SMA service area;

(b) A general written description of the SMA service area; and

(c) Future service area agreement(s) of systems owned by SMA if applicable.

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(3) Service area policies/conditions of service where applicable, including at a minimum:

(a) Annexation policies consistent with local comprehensive plans;

(b) Ownership versus management and operation decision criteria;

(c) Policies related to new and existing public water systems, including the method of determining financial feasibility of adding new or existing systems to the SMA;

(d) Ordinances, resolutions and agreements related to the provision of drinking water;

(e) Service request process overview flowchart, including time frames; and

(f) A list of available services.

(4) System design standards for new and existing systems;

(5) Financial viability, including at a minimum:

(a) A written description of available revenue sources;

(b) A budget; and

(c) General financial policies.

(6) Operation and maintenance program, including at a minimum:

(a) Documentation that at least one staff person will, at a minimum, be certified at a water distribution manager 2 level or above and meet any additional department required certified operator requirements;

(b) Overall SMA routine and preventive maintenance program, including an emergency response plan;

(c) A copy of model contract for operation and maintenance services, if applicable; and

(d) Two copies of all applicable operations contracts in effect.

(7) Documentation from affected counties that the SMA plan is consistent with their plans and policies;

(8) Documentation that all Group A systems owned by the potential SMA on the date of request have obtained their operating permit and are not classified in the red operating permit category pursuant to chapter 246-294 WAC. If Group B systems are also owned by the potential SMA, provide documentation that such systems are in compliance with chapter 246-291 WAC. A special provision pursuant to WAC 246-295-110 may be utilized in the determination of compliance.

(9) Current water system plan(s) or department approved plan development schedule, if applicable.

NEW SECTION

WAC 246-295-060 SMA plan content for management and operation only. The SMA plan shall address the following elements at a minimum in a manner acceptable to the department. A department guideline titled *Satellite Management Planning Handbook* is available to assist purveyors, individuals or other entities in adequately addressing these elements:

(1) SMA ownership, including at a minimum:

(a) A statement of intent to manage and operate public water systems;

(b) Current organizational structure of SMA, legal authority, mailing address, responsible party, and contact person;

(c) Documentation showing that at least one staff person has, at a minimum, three years of water utility ownership and/or management experience; and

(d) Identification of existing public water systems the applicant currently operates. The identification must include the number of connections in each system, the department identification number and the system location.

(2) SMA service area information, including at a minimum:

(a) A map of the SMA service area; and

(b) A general written description of the SMA service area.

(3) Conditions of service, including at a minimum:

(a) Operation decision criteria;

(b) Service request process overview flowchart including time frames; and

(c) A list of available services.

(4) Operation and maintenance program, including at a minimum:

(a) Documentation that at least one staff person will, at a minimum, be certified at a water distribution manager 2 level or above and meet any additional department required certified operator requirements;

(b) Overall SMA routine and preventive maintenance program, including an emergency response plan;

(c) A copy of the model contract for operation and maintenance services; and

(d) Two copies of all applicable operations contracts in effect.

(5) Documentation that all Group A systems managed and operated by the potential SMA on the date of request have obtained their operating permit and are not classified in the red operating permit category pursuant to chapter 246-294 WAC. If Group B systems are also managed and operated by the potential SMA, provide documentation that such systems are in compliance with chapter 246-291 WAC. A special provision pursuant to WAC 246-295-110 may be utilized in the determination of compliance.

NEW SECTION

WAC 246-295-070 Requests for water service. The county or city agency responsible for determining water availability shall direct an individual or other entity proposing a new system or requesting water service to contact one or more approved SMAs designated for the service area where the new system is proposed. Such contact shall take place prior to construction of a new public water system and shall be documented in writing to the appropriate county or city.

NEW SECTION

WAC 246-295-080 Management and operations agreements. (1) An SMA providing satellite management and operation services only shall have a written agreement with each public water system being served, which shall, at a minimum, address the necessary requirements to comply with applicable regulations regarding management and operation of a public water system; and

(2) The SMA shall submit two copies of all new and renewed agreements to the department within thirty days of the effective date of the contract.

NEW SECTION

WAC 246-295-090 Periodic review. The SMA shall ensure that a SMA plan is submitted to the department for review and approval every five years or more frequently as required by the secretary. The secretary shall review each approved SMA for compliance with the elements identified in WAC 246-295-050 and 246-295-060. The secretary may request that additional information be submitted to assist in the evaluation of the SMA.

NEW SECTION

WAC 246-295-100 SMA compliance. (1) A SMA:
 (a) Shall comply with all statutes and regulations governing public water systems including but not limited to chapters 70.116, 70.119 and 70.119A RCW and chapters 246-290, 246-291, 246-292, 246-293 and 246-294 WAC and the requirements of this chapter; and
 (b) Shall adhere to its SMA plan.
 (2) The department may revoke, suspend, modify or deny the certification or application of any SMA or applicant which:
 (a) Fails to timely submit required information;
 (b) Has been subject to departmental enforcement action for violation of statutes or regulations governing public water systems;
 (c) Violates or has violated statutes or regulations governing public water systems;
 (d) Fails to comply with its SMA plan;
 (e) Fails to have or maintain required staff;
 (f) Fails to comply with all applicable local ordinances, regulations, plans and policies;
 (g) Fails to demonstrate financial viability whether at the time of application or subsequently;
 (h) Fails to bring a noncomplying system into regulatory compliance within the time frame established under WAC 246-295-110; or
 (i) Operates in a manner that threatens public health.
 (3) Any SMA or applicant aggrieved by the department's decision to revoke, suspend, modify or deny their approval or application may appeal such decision in accordance with chapter 246-10 WAC and chapter 34.05 RCW.
 (4) An approved SMA that files a timely appeal of a decision to revoke, suspend or modify its approval under chapter 246-10 WAC and/or chapter 34.05 RCW may continue to operate until a final departmental decision is issued, unless protection of the public health, safety and welfare requires summary action.

(5) If a SMA is removed from the approved list and desires reinstatement, the SMA must submit a new notice of intent to become an approved SMA and follow the process outlined in WAC 246-295-040, provided that the reapplication shall be subject to any limitations imposed by final departmental order or if applicable, order on judicial review.

NEW SECTION

WAC 246-295-110 Special provisions. (1) SMAs willing to take ownership of systems which have not obtained their operating permit or are classified in the red operating permit category pursuant to chapter 246-294 WAC,

may be allowed a "special provision" whereby they are given time to bring the system into regulatory compliance. This "special provision" is subject to an agreement among the SMA, the department and, if applicable, the public water system that documents how and within what time frame the SMA will bring the noncomplying system into compliance.

(2) Extensions to the time frame may be granted if agreed upon between the SMA and the secretary. If the agreed upon time frame passes and no extension has been granted, the system at issue shall remain out of compliance and the SMA shall be removed from the approved SMA list.

NEW SECTION

WAC 246-295-120 Fees. The secretary is authorized to assess reasonable fees to process applications for initial approval and for periodic review of SMAs.

NEW SECTION

WAC 246-295-130 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances, shall not be affected.

**WSR 94-18-114
 PERMANENT RULES
 SPOKANE COUNTY AIR
 POLLUTION CONTROL AUTHORITY**
 [Filed September 6, 1994, 4:05 p.m.]

Date of Adoption: September 1, 1994.

Purpose: To amend existing notice of construction program.

Citation of Existing Rules Affected by this Order: Amending Spokane County Air pollution Control Authority Regulation I, Article V, Notice of Construction.

Statutory Authority for Adoption: RCW 70.94.141, [70.94.]152, and [70.94.]153.

Pursuant to notice filed as WSR 94-15-061 on July 18, 1994.

Effective Date of Rule: Thirty-one days after filing.
 September 1, 1994
 Kelle R. Vigeland
 Environmental Engineer

ARTICLE V

NOTICE OF CONSTRUCTION

ADOPTED: June 9, 1969

REVISED: ~~May 2, 1991~~

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

PERMANENT

NEW SECTION**SECTION 5.01 DEFINITIONS**

In addition to the definitions provided in Article I of this regulation and unless a different meaning is clearly required by context, words and phrases used in this Article shall have the following meaning:

A. Modification means any physical change in, or change in the method of operation of, an air contaminant source that increases the amount of any air contaminant emitted by such a source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definition of modification in Section 7411, Title 42, United States Code, and with the rules implementing that section.

B. New Air Contaminant Source means the construction or modification of an air contaminant source that increases the amount of any air contaminant emitted by such a source or that results in the emission of any air contaminant not previously emitted; and any other project that constitutes a new source under the Federal Clean Air Act.

C. Air Contaminant Source means any building, structure, facility, or installation, including any emission unit as defined in Section 1.04 of this regulation, that emits or may emit any air contaminant.

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

AMENDATORY SECTION**SECTION 5.01 5.02 NOTICE OF CONSTRUCTION - WHEN REQUIRED**

A. No person shall construct, install, or establish or modify a new air contaminant source, except as provided for in 5.02.E and 5.02.F of this section those sources that are excluded in Section 5.05 and Section 6.09 of this regulation unless a "Notice of Construction and Application for Approval;" has been filed and approved by the Authority or using forms prepared and furnished by the Agency Authority. New source review of a modification shall be limited to the emission unit or units proposed to be modified and the air contaminants whose emissions would increase as a result of the modification.

B. For the purpose of this Article, alterations or modifications shall be construed as construction, installation or establishment of a new air contaminant source. No person shall replace or substantially alter the emissions control equipment installed on an existing air contaminant source except as provided for in 5.02.D and 5.02.E of this section unless a Notice of Construction and Application for Approval has been filed and approved by the Authority using forms prepared and furnished by the Authority.

C. A separate Notice of Construction and Application for Approval shall be filed for each air contaminant source or emissions control system unless identical units are to be constructed, installed, or established and operated in an identical manner at the same facility; provided that, the owner has the option to file one application for an entire facility with a detailed inventory of contaminant sources and emissions related to that facility.

D. A Notice of Construction and Application for Approval shall not be required to commence an alteration, which would normally require a Notice of Construction and Application for Approval pursuant to 5.02.B of this section, in the event of a breakdown or if delaying the alteration may endanger life or have other serious consequences. The Authority shall be notified in writing of the alteration on the first working day after the alteration is commenced and a Notice of Construction and Application for Approval shall be filed within 14 days after the day that the alteration is commenced. For purposes of compliance with Section 5.02, the Control Officer shall determine whether an alteration, commenced before issuance of an order of approval, meets the requirements of this subsection.

E. Construction, installation, establishment, modification, or alteration of air contaminant sources comprised of equipment utilized exclusively in connection with any structure which is designed for and used exclusively as a residence with not more than four dwelling units shall not require a Notice of Construction and Application for Approval.

F. Construction, installation, establishment, or operation of a temporary portable air contaminant source which has met the requirements of Section 5.08 shall not require a Notice of Construction and Application for Approval.

G. A person seeking approval to construct, install, or modify an air contaminant source that requires an operating permit may elect to integrate review of the operating permit application or amendment required under RCW 70.94.161 and the Notice of Construction and Application for Approval required by this Article. A Notice of Construction and Application for Approval designated for integrated review shall be processed in accordance with operating permit program procedures and deadlines as found in Chapter 173-401 WAC.

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

NEW SECTION**SECTION 5.03 FEES**

A. The person filing the Notice of Construction and Application for Approval shall pay a filing fee and plan review and approval fee according to Article X, Fees and Charges, of this regulation.

B. Fees shall be paid without regard to whether a Notice of Construction and Application for Approval is approved or denied.

AMENDATORY SECTION**SECTION 5.02 5.04 INFORMATION REQUIRED**

Within thirty (30) days of the receipt of such notice, the Board or Control Officer may require, as a condition precedent to the construction, installation, or establishment of the air contaminant source or sources covered thereby, the submission of plans, specifications and such other information as it deems necessary in order to determine whether the proposed construction, installation or establishment will be in accord with applicable rules and regulations in force pursuant to this Article.

A. Each Notice of Construction and Application for Approval shall be accompanied by appropriate documentation that provides a detailed description of the following:

1. The air contaminant source, equipment and control apparatus subject to the Notice of Construction;

2. Any equipment connected to, serving, or served by the air contaminant source, equipment, and control apparatus subject to the Notice of Construction;

3. A plot plan, including the distance and height of buildings within a 200 feet or other distance specified by the Control Officer from the place where the air contaminant source is or will be installed;

4. The proposed means for the prevention or control of the emissions of air contaminants;

5. Estimated emissions resulting from the proposal and the basis for the estimates, or sufficient information for the authority to calculate the expected emissions;

6. Any additional information required by the Control Officer to show that the proposed air contaminant source will meet the applicable emissions standards.

B. Each Notice of Construction and Application for Approval shall be signed by the owner or operator of the air contaminant source.

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

AMENDATORY SECTION

SECTION 5.03 5.05 PUBLIC NOTICE MAY BE REQUIRED

~~A. Within fifteen (15) days of the receipt of the information required by Section 5.02, the Board or Control Officer shall make a preliminary determination and shall publish notice to the public of the opportunity to submit written comment during a thirty (30) day period under any of the following conditions:~~

A. The Control Officer shall publish or cause to be published a notice to the public of the opportunity to submit written comments on a preliminary determination for an application during a thirty (30) day period under any of the following conditions:

1. If otherwise required by the state or federal laws, or regulations; or

2. If the proposed source would cause an annual increase of ten (10) tons or more of any air contaminant or precursor for which ambient air quality standards have been established or toxic air pollutant as defined in Article X, Section 10.01 of this regulation; or

3. If the Board or Control Officer determines that such public opportunity for comment would be appropriate is in the public interest.

B. The cost of publishing any public notice required by Section 5.03 5.05 shall be paid by the owner or applicant to the Agency.

C. Such public notice shall be published in a newspaper of general circulation in the area of the proposal and shall contain the following information:

1. Name and address of the owner source, and the owner or operator of the source, if different.

2. Brief description of proposed construction.

3. The location at which a copy of the preliminary determination and a summary of information considered in making such preliminary determination are available to the public.

4. Announcement of a thirty day period for submitting written comment to the Authority stating the ending date of the comment period.

5. Announcement that a public hearing may be held if the Authority determines within a thirty day period that significant public interest exists.

6. Any other information required under state or federal laws or regulations.

D. A copy of the notice shall be sent to the Environmental Protection Agency regional administrator.

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

NEW SECTION

SECTION 5.06 APPLICATION COMPLETENESS DETERMINATION

Within 30 days of receipt of a Notice of Construction and Application for Approval, the Authority shall notify the applicant in writing that the application is complete or notify the applicant in writing of any additional information necessary, based on review of information already supplied, to complete the application. Determination of completeness shall be evaluated on the basis that the application contains all information required to determine that the proposal shall be in accord with Chapter 70.94 RCW, the rules adopted thereunder, and the Federal Clean Air Act (42 USC 7401 et seq). As a condition of completeness determination, the Control Officer may require payment of applicable fees or a portion thereof pursuant to Article X of this regulation.

AMENDATORY SECTION

SECTION 5.04 5.07 ISSUANCE OF APPROVAL OR ORDER

~~A. Within fifteen (15) days after the public comment period if Section 5.03 is applicable, otherwise within thirty (30) days of receipt of the information required by Section 5.02 the Board or Control Officer shall issue an Approval of Construction, or an Order that the construction, installation or establishment of a new air contaminant source will not be in accord with the applicable provisions of this Regulation as are in effect at the time of filing the Notice of Construction and Application for Approval.~~

~~B. No approval will be issued unless the information supplied as required by Section 5.02 evidences to the Board or the Control Officer that:~~

~~1. The equipment is designed and will be installed to operate without causing a violation of the emissions standard.~~

~~2. The equipment incorporates all known available and reasonable methods of emission control and will meet the requirements of all applicable Standards of Performance promulgated by the United States Environmental Protection Agency.~~

~~3. Operation of the source will not result in an ambient air standard being exceeded.~~

~~C. Failure of such order to issue within the time prescribed herein shall be deemed a determination that the construction, installation or establishment may proceed: PROVIDED THAT, it is in accordance with the plans, specifications or other information, if any, required to be submitted.~~

~~D. Nothing in this Article shall be construed to authorize the Board or Control Officer to require the use of emission control equipment or other equipment, machinery, or devices of any particular type from any particular supplier, or produced by any particular manufacturer.~~

A. For new sources as defined in Chapter 173-400 WAC:

1. Within 60 days of the completeness determination made pursuant to Section 5.06, the Authority shall either issue a final determination on the application or, for those proposals subject to public notice requirements, initiate notice and comment procedures under Section 5.05. If notice is required by state or federal regulations, the public notice shall occur in a manner that shall meet both Section 5.05 and those sections of the state or federal regulations that are applicable. As promptly as possible after the close of the comment period a final determination shall be issued by the Control Officer.

2. The final determination may include

a. an order of denial if it is found that the proposal is not in accord with Chapter 70.94 RCW, the rules adopted thereunder, and the Federal Clean Air Act (42 USC 7401 et seq); or

b. an order of approval which may provide conditions as are reasonably necessary to assure maintenance of compliance with Chapter 70.94 RCW, the rules adopted thereunder, and the Federal Clean Air Act (42 USC 7401 et seq).

3. Prior to issuance, the final determination shall be reviewed and signed by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the Authority.

4. If the new air contaminant source is a major stationary source as defined in Chapter 173-400 WAC or the change is a major modification as defined in Chapter 173-400 WAC, the Authority shall submit any control technology determination included in a final determination to the RACT/ BACT/LAER clearinghouse maintained by the United States Environmental Protection Agency.

5. Construction shall not commence until the application is approved by the Authority.

B. For replacement or substantial alteration of emission control equipment:

1. Within 30 days of the completeness determination made pursuant to Section 5.06, the Authority shall either issue an order of approval or a proposed RACT determination pursuant to Chapter 173-400 WAC.

2. The order of approval may prescribe reasonable operation and maintenance conditions for the control equipment.

3. Prior to issuance, the order of approval shall be reviewed and signed by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the Authority.

4. Replacement or substantial alteration shall not commence until the application is approved by the Authority.

However, any Notice of Construction and Application for Approval filed under Subsection 5.02.B. shall be deemed to be approved without conditions if the Authority takes no action within thirty days of receipt of a complete Notice of Construction and Application for Approval.

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.

AMENDATORY SECTION

SECTION 5-05 5.08 TEMPORARY PORTABLE SOURCES

A. For portable air contaminant sources which locate temporarily at particular specific sites, the owner or operator shall be allowed to operate at the temporary location without filing a ~~an~~ Notice of eConstruction and Application for Approval, providing that the owner or operator files a "Notice of Intent to Install and Operate a Temporary Source," on forms prepared and furnished by the Authority, notifies the Agency Authority of intent to operate at the new location at least 15 days prior to starting the operation and obtains permission to operate from the Agency Authority. Sufficient information ~~must~~ shall be supplied by the owner or operator to enable the Agency Authority to determine that the operation will be in accord with Chapter 70.94 RCW, the rules adopted thereunder, and the federal Clean Air Act (42 USC 7401 et seq) ~~comply with the emission standards for a new source, will not cause a violation of applicable ambient air quality standards and, if in a nonattainment area, will not interfere with scheduled attainment of ambient standards.~~ The owner or operator ~~must~~ shall also provide proof that ~~operating the temporary source at the proposed location complies with WAC the requirements of Chapter 197-11 WAC (State Environmental Policy Act) have been met.~~

B. The ~~P~~permission to operate shall be ~~may be~~ granted, subject to conditions as are reasonably necessary to assure compliance with Chapter 70.94, the rules adopted thereunder, and the Federal Clean Air Act (42 USC 7401 et seq). If any conditions listed in Subsection 5.05.A. are applicable to the proposal, a public comment period shall be held pursuant to Section 5.05.

C. Permission to operate may be granted for a limited time, but in no case longer than 180 consecutive days, ~~and the Agency may set specific conditions for operation during said period. A temporary source shall comply with all applicable emission standards.~~

D. The person filing a Notice of Intent to Install and Operate a Temporary Source shall pay a filing fee and plan review and approval fee according to Article X, Fees and Charges, of this regulation. Fees shall be paid without regard to whether permission is granted or denied.

E. The Authority may revoke, or suspend permission to operate if the Control Officer determines that the source is not constructed or operated as described in the Notice of Intent to Install and Operate a Temporary Source including plan, specification, or other information submitted therewith.

F. Permission to operate shall be invalid if:

1. Construction, installation, or operation does not begin within 180 days of receipt of permission;

2. Construction, installation, or operation is discontinued for a period of 180 days or more;

3. Construction, installation, or operation is not completed within a reasonable time as determined by the Control Officer.

H. Permission to operate, conditions of permission to operate, or denial of installation and operation of a temporary source may be appealed to the Pollution Control Hearings Board of Washington as provided in Chapter 43.21B RCW.

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.

AMENDATORY SECTION

SECTION 5.06 5.09 OPERATING REQUIREMENTS

A. Any features All equipment, machines, and devices, and other contrivance constituting parts of or called for by plans, specifications or other information submitted pursuant to Section 5.042 and Section 5.05, 5.04, and 5.08 hereof shall be maintained in good working order and operated at all times that air contaminant emissions may occur unless otherwise specified by the Authority.

B. All conditions of approval, established pursuant to Sections 5.07 and 5.08, shall be complied with.

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

NEW SECTION

SECTION 5.10 CHANGES TO AN ORDER OF APPROVAL

A. The Authority may revoke or suspend the order of approval if the Control Officer determines that the source is not constructed or operated as described in the Notice of Construction and Application for Approval including the plans, specifications, or other information submitted therewith.

B. The applicant may request, at any time, a change in conditions and the Control Officer may approve such a request provided the Control Officer finds that:

1. The change in conditions will not cause the air contaminant source to exceed an emissions standard; and
2. No ambient air quality standard will be exceeded as a result of the change; and
3. The change will not adversely impact the ability of the Authority to determine compliance with an emissions standard.

C. A fee as established in Section 10.07 of this regulation shall be assessed to and paid by the applicant for requests pursuant to Subsection 5.10.B.

NEW SECTION

SECTION 5.11 NOTICE OF COMPLETION

Within 7 days, or a shorter time if approved by the Authority, of the expected start-up date of the source, the owner or operator shall notify the Authority of the date upon which operation is expected to commence.

NEW SECTION

SECTION 5.12 WORK DONE WITHOUT AN APPROVAL

Where construction, installation, or operation, for which a Notice of Construction and Application for Approval is required, is commenced or performed prior to making application and receiving an order of approval except as provided for in Subsection 5.02.D, the Control Officer may conduct a compliance investigation as part of the Notice of Construction review. In such case, a compliance investigation fee as established in Section 10.07 of this regulation shall be assessed to and paid by the applicant in addition to the fees required in Section 5.03 of this regulation. Payment of the fees does not relieve any person from the requirement to comply with the regulations nor from any penalties for failure to comply.

NEW SECTION

SECTION 5.13 TIME LIMITS

A. An order of approval issued pursuant to Section 5.07 shall become invalid if:

1. Construction is not commenced within eighteen months after the receipt of the approval
2. Construction is discontinued for a period of eighteen months or more, or
3. Construction is not completed within a reasonable time as determined by the Control Officer.

B. The Authority may extend the 18 month period upon a satisfactory showing to the Control Officer that an extension is justified. The Control Officer may approve such a request provided that:

1. No new requirements, such as New Source Performance Standards (Title 40, Code of Federal Regulations, Part 60), National Emissions Standards for Hazardous Air Pollutants (Title 40, Code of Federal Regulations, Parts 61 and 63), or state and local regulations, have been adopted pursuant to Chapter 70.94 RCW or the Federal Clean Air Act (42 USC 7401 et seq) which would change the order of approval had it been issued at the time of the extension;
2. If there is a control technology requirement pursuant to sections WAC 173-400-112, WAC 173-400-113, or WAC 173-400-114 of Chapter 173-400 WAC, no technologies have been subsequently identified which would change the order of approval had it been issued at the time of the extension;
3. The information presented in the Notice of Construction and Application for Approval and associated documents and the assumptions that were made by the Authority during review of the application continue to accurately represent the design, configuration, equipment, and emissions of the proposed air contaminant source; and
4. The applicant certifies that the source will comply with all applicable requirements of Chapter 70.94 RCW, the rules adopted thereunder, and the Federal Clean Air Act (42 USC 7401 et seq).

C. Subsection 5.13.A. does not apply to the time period between construction of the approved phases of a phased construction project. Each phase must commence construc-

tion within 18 months of the projected and approved commencement date.

NEW SECTION

SECTION 5.14 APPEALS

An order of approval, conditions of an order of approval, or an order of denial of a Notice of Construction and Application for Approval may be appealed to the Pollution Control Hearings Board of Washington as provided in Chapter 43.21B RCW.

AMENDATORY SECTION

SECTION 5.07 5.15

The absence of an ordinance, resolution, rule or regulation, or the failure to issue an order pursuant to this Article shall not relieve any person from his the obligation to comply with this Regulation or with any other provision of law. (~~RCW 70.94.152~~)

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 94-18-115
PERMANENT RULES
SPOKANE COUNTY AIR
POLLUTION CONTROL AUTHORITY**

[Filed September 6, 1994, 4:06 p.m.]

Date of Adoption: September 1, 1994.

Purpose: To amend existing fee schedules for registered air pollution sources, operating permit sources, and notices of construction. To add new fee waiver provisions and new definitions. To amend existing definitions and fee requirements.

Citation of Existing Rules Affected by this Order: Amending Spokane County Air Pollution Control Authority Regulation I, Article X, Fees and Charges.

Statutory Authority for Adoption: RCW 70.94.141, [70.94.]151, [70.94.]152, and [70.94.]162.

Pursuant to notice filed as WSR 94-15-062 on July 18, 1994.

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

September 1, 1994

Eric Skelton
Director

ARTICLE X

FEEES AND CHARGES

ADOPTED: September 12, 1991

REVISION: ~~September 2, 1993~~

EFFECTIVE: ~~October 9, 1993~~

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

AMENDATORY SECTION

SECTION 10.01 DEFINITIONS

When used in Regulation I of the Spokane County Air Pollution Control Authority:

A. Criteria Pollutant means any one of the following: fine particulate matter (PM10), volatile organic compounds (VOC), nitrogen oxides, sulfur oxides, ozone, lead, or carbon monoxide.

B. Emission Fee means the component of a registration fee or operating permit fee which is based on actual emissions of criteria and toxic air pollutants. In the case of a new or modified source or a source being registered initially, the emission fee is based on projected emissions as presented in an approved Notice of Construction or registration form.

C. Emission Reduction Credit means a credit granted to a source for a voluntary reduction in actual emissions per 173-400-131 WAC.

D. Fiscal Year has the same meaning as the term in RCW 70.94.161.

E. Source means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement.

F. Significant Emissions means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, at a rate of emissions equal to or greater than any one of the following rates:

- increased emissions of 10 tons per year of any one toxic air pollutant; or,
- increased emissions of 25 tons per year of two or more toxic air pollutants; or,

<u>Pollutant</u>	<u>Tons/Year</u>
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Particulate Matter (PM)	25
Fine particulate matter (PM10)	15
Volatile organic compounds	40
Lead	0.6
Fluorides	3
Sulfuric Acid Mist	7
Hydrogen sulfide (H ₂ S)	10
Total reduced sulfur (including H ₂ S)	10
Reduced sulfur compounds (including (H ₂ S)	10
Municipal waste combustor organics (measured as total tetra-through-octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	0.0000035
Municipal waste combustor metals (measured as PM)15	
Municipal waste combustor acid gases (measured as SO ₂ and hydrogen chloride)	40

F. Stage I Vapor Recovery means the capture of gasoline vapors at gasoline dispensing facilities during the

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transfer of gasoline from a transport tank into a stationary storage tank.

G. Stage II Vapor Recovery means the capture of gasoline vapors at gasoline dispensing facilities during the transfer of gasoline from a stationary storage tank into a motor vehicle fuel tank.

FH. Toxic Air Pollutant means any toxic air pollutant (TAP) listed in WAC 173-460-150 and 173-460-160. Toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of substances.

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.

AMENDATORY SECTION

SECTION 10.02 FEES AND CHARGES REQUIRED

Any fee assessed pursuant to Article X shall be paid within ~~60~~ 30 days of assessment. Any person who is more than 90 days late with such payment shall pay a penalty equal to three times the amount of the ~~emissions fee component~~ original fee owed.

Revenues collected pursuant to RCW 70.94.161 shall be deposited in the operating permit program dedicated account and shall be used exclusively for the program.

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.

SECTION 10.03 FEES OTHERWISE PROVIDED

All fees and charges provided for in this Article X are in addition to fees otherwise provided for or required to be paid by Regulation I, PROVIDED the Control Officer shall waive payment of any fee or service charge hereby required if such fee is duplicative of a fee charged or required to be paid by another Article of this regulation.

AMENDATORY SECTION

SECTION 10.04 FEE WAIVER, ~~INDIGENCY~~

A. Except for sources subject to the operating permit program, pursuant to RCW 70.94.161, the Control Officer may waive payment of any fee or service charge required by this Article to be paid upon a showing deemed sufficient by the Control Officer that payment of the fee would cause financial hardship upon the applicant.

B. The Control Officer may identify categories of sources, or groups of sources within a category, in Section 10.04.C. with similar emissions units and processes where the Control Officer determines that any of the following conditions exist:

- 1. Facility-wide emission rates are less than 1 ton per year of air contaminants; or
- 2. There are no specific regulations on the control of air contaminants; or
- 3. Compliance with control requirements is readily accomplished through nontechnical self-inspection techniques; or
- 4. The primary purpose for registration, pursuant to Article IV, is to inventory air contaminant emissions.

As categories are so identified, the Control Officer may waive one-half of the annual registration fee for owners or operators of individual facilities who provide emission inventory data, and other required information relative to compliance with applicable regulations, within 30 days of the request by the Authority, in a format acceptable to the Authority. In so doing, the owner or operator shall certify to the best of his/her knowledge, on forms provided by the Authority, that the emission inventory data is accurate and the facility is in compliance with applicable regulations. Owners or operators who fail to return the information within 30 days of the request will not qualify for a fee waiver under this Section. Notwithstanding the provision of required data by the owner or operator, the Authority reserves the right to conduct inspections of the facility.

C. The following categories of sources are eligible for the fee waiver specified in Section 10.04.B. However individual sources are not eligible if one or more Notices of Violation have been issued by the Authority, pursuant to Section 2.04 of Regulation I, to the facility in the previous 36 month period:

<u>Source Category</u>	<u>Rating</u>
<u>Surface Coating Operations</u>	<u><1 ton/yr VOC emitted</u>
<u>Gasoline Dispensing Facilities</u>	<u>Exempt from stage II vapor recovery requirements</u>
<u>Boilers & Other Fuel Burning Equipment, With Air Contaminant Emissions Exclusively From Natural Gas Combustion</u>	<u><10⁷ BTU/hr heat input</u>
<u>Boilers & Other Fuel Burning Equipment, With Air Contaminant Emissions Exclusively From Other Fossil Fuel Combustion</u>	<u><10⁶ BTU/hr heat input</u>
<u>Dry Cleaning Plants</u>	<u><140 gal/yr solvent consumption</u>
<u>Waste Oil Burners</u>	<u><500,000 BTU/hr heat input</u>
<u>Tire Recapping Facilities</u>	<u>All units in the category</u>
<u>Grain Elevators</u>	<u>All units with no on-site processing capability</u>

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.

SECTION 10.05 GENERAL ADMINISTRATIVE FEES

- A. A fee of \$.25 per page for photocopies shall be charged for ten or fewer copies.
- B. A fee of \$.20 per page for photocopies shall be charged for more than ten copies.
- C. The actual cost of postage shall be charged for all material requested to be mailed.
- D. For other administrative services requested and performed by Authority staff which are not provided to the public generally the Control Officer shall determine such charge as reasonably reimburses the Authority for time and materials expended in providing the service.

AMENDATORY SECTION

SECTION 10.06 REGISTRATION AND OPERATING PERMIT FEES FOR AIR CONTAMINANT SOURCES

A. All sources required by Article IV, Section 4.01 to be registered, all sources subject to the operating permit program pursuant to RCW 70.94.161, and all sources

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required by Article V, Section 5.042 to obtain an approved Notice of Construction and Application for Approval shall pay an annual fee for each year, or portion of each year, during which it operates. Fees received pursuant to the registration program or the operating permit program shall not exceed the actual costs of program administration.

B. The annual fee for each source shall be determined as follows:

(1) For sources that are not subject to Section 10.06.B.(3), (4), (5) or (6) of this regulation and which emit less than 5 tons per year of criteria and toxic air pollutants:

(a) a flat fee of \$125; and

(b) a \$30 fee for each stack and other emission point, not to exceed \$600; and

(c) an emission fee of \$10 per ton of each criteria and toxic air pollutant.

(2) For sources that are not subject to Section 10.06.B.(3), (4), (5) or (6) of this regulation and which emit 5 tons or more per year of criteria and toxic air pollutants, but less than 100 tons per year of any one criteria pollutant, excluding carbon monoxide:

(a) a flat fee of \$125; and

(b) an emission fee of \$15 per ton of each criteria and toxic air pollutant, including carbon monoxide.

(3) For sources that are not subject to Section 10.06.B.(4), or (5), and which emit 100 tons or more per year of criteria and toxic air pollutants, excluding carbon monoxide, or 10 tons or more per year of a hazardous air pollutant or 25 tons or more per year of any combination of hazardous air pollutants listed pursuant to Section 112(b) of the Federal Clean Air Act (42 USC 7401 et seq):

(a) an emission fee of \$30 \$20 per ton, including carbon monoxide, half of which shall be applied in Fiscal Year 1994 to development of the operating permit program, pursuant to RCW 70.94.161; and

(b) an interim share of the assessment, as determined by the Department of Ecology, pursuant to RCW 70.94.161(3), which shall be remitted by the Authority to the Department of Ecology. Individual shares of the assessment shall be determined pursuant to Section 10.06.E of this regulation.

(4) Effective the latter of either July 1, 1994, or 90 days after receiving approval of delegation of the operating permit program from the U.S. Environmental Protection Agency, for sources subject to the operating permit program pursuant to RCW 70.94.161 for sources listed:

<u>a. Name Of Source</u>	<u>WEDS Number</u>	<u>a fee of:</u>
<u>Kaiser Trentwood</u>	<u>K-063-0023</u>	<u>\$15600</u>
<u>Waste-To-Energy</u>	<u>K-063-0097</u>	<u>\$15100</u>
<u>Fairchild AFB</u>	<u>K-063-0025</u>	<u>\$13200</u>
<u>Tosco Corporation</u>	<u>K-063-0006</u>	<u>\$ 8500</u>
<u>Exxon-Spokane Term</u>	<u>K-063-0002</u>	<u>\$ 8500</u>
<u>Columbia Lighting</u>	<u>K-063-0105</u>	<u>\$ 2700</u>
<u>Huntwood Industries</u>	<u>K-063-0106</u>	<u>\$ 2700</u>
<u>Crown Pacific</u>	<u>K-063-0019</u>	<u>\$ 1600</u>
<u>Pacific Gas Trans</u>	<u>K-063-0093</u>	<u>\$ 1600</u>
<u>Inland Empire Paper</u>	<u>K-063-0092</u>	<u>\$ 1600</u>
<u>Eastern Wash. Univ.</u>	<u>K-063-0065</u>	<u>\$ 1600</u>
<u>Wash. Water Power</u>	<u>K-063-0086</u>	<u>\$ 1600</u>
<u>U.S. Marine</u>	<u>K-063-0083</u>	<u>\$ 1500</u>
<u>Johnson Matthey Elc</u>	<u>K-063-0072</u>	<u>\$ 1000</u>
<u>Fiber-Tech Industries</u>	<u>K-063-0087</u>	<u>\$ 1000</u>

<u>Boeing</u>	<u>K-063-0095</u>	<u>\$ 1000</u>
<u>Alloy Trailers</u>	<u>K-063-0104</u>	<u>\$ 1000; and</u>

b. a share of the assessment by the Department of Ecology, pursuant to RCW 70.94.162(3), which shall be remitted by the Authority to the Department of Ecology. Individual shares of the assessment shall be determined pursuant to Section 10.06.E of this regulation.

(a) ~~except for affected units under Section 404 of the Federal Clean Air Act (42 USC 7401 et seq), an emission fee of \$44 per ton, including carbon monoxide. Any source subject to the fee schedule in Section 10.06.B.(4), is exempt from the fee schedules in Section 10.06.B.(1),(2), & (3). In the event the fee schedule in Section 10.06.B.(4), becomes effective after July 1, 1994, the source shall pay a prorated Fiscal Year 1994 fee, based on the respective portions of the fiscal year during which the source was subject to the two different fee schedules.~~

(5) ~~(b) f~~ For affected units under Section 404 of the Federal Clean Air Act (42 USC 7401 et seq):

(a) a fee of \$50 per hour of time expended in carrying out the fee eligible activities specified in RCW 70.94.; and

(b) ~~(e)~~ an share of the assessment, as determined by the Department of Ecology, pursuant to RCW 70.94.161(3), which shall be remitted by the Authority to the Department of Ecology. Individual shares of the assessment shall be determined pursuant to Section 10.06.E of this regulation.

(6) ~~(5)~~ For Gasoline dispensing facilities which are not subject to Section 10.06.B.(3) of this regulation, which are not subject to RCW 70.94.161 shall not be assessed the emission fee component of a registration fee a flat fee of \$150.

(6) After December 31, 1999, Section 10.06.B.(4)(b) of this regulation shall no longer be in effect, and affected units under Section 404 of the Federal Clean Air Act (42 USC 7401 et seq) shall be subject to the fee schedule in Section 10.06.B.(4)(a) of this regulation.

C. On or before April 7, 1994, and annually thereafter, the Board of Directors shall review the fee schedule established in Section 10.06.B.(4). for sources subject to the operating permit program pursuant to RCW 70.94.161 and projected costs to implement the requirements of RCW 70.94.161 and determine if the total projected fee revenue to be collected pursuant to this Section is sufficient to recover program costs. Such review shall include opportunity for public review and comment on the projected costs and any changes to the operating permit fee schedule. Accordingly, the Authority shall account for program costs, including employee costs and overhead. If the Board of Directors determines that the total projected fee revenue is either significantly excessive or deficient for this purpose, then the Board of Directors shall amend the fee schedule to more accurately recover program costs.

D. After June 30, 1995, Sections 10.06.B.(3) and (4) of this regulation shall no longer be in effect and the Board shall adopt an amended fee schedule pursuant to Section 10.06.C. of this regulation. In the event that an amended fee schedule is not adopted by July 6, 1995, then the fee for sources subject to the operating permit program pursuant to RCW 70.94.161 shall be \$50 per hour of time expended in carrying out the fee eligible activities specified in RCW 70.94.162 until such time as a new fee schedule is adopted.

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When a new fee schedule is adopted, the source shall pay a prorated fee for the year, based on the respective portions of the year during which the source was subject to the two different fee schedules.

E. Individual shares of the assessment pursuant to RCW 70.94.162(3) shall be determined by the following formula:

$$I = \frac{F_i \times A_E}{E_T}$$

Where,

I is the individual share of the assessment, and

F_i is the individual fee assessed pursuant to Section 10.06.B.(3), (4), or (5) of this regulation, and

A_E is the total assessment pursuant to RCW 70.94.162(3), and

E_T is the sum of all the individual fees assessed pursuant to Sections 10.06.B.(3), (4), and (5) of this regulation.

F. In the event that the Authority receives delegation of the operating permit program, pursuant to RCW 70.94.161 in Fiscal Year 1995, then half of the fees collected pursuant to Sections 10.06.B.(3), (4), and (5) of this regulation shall be applied to development and implementation of the operating permit program for Fiscal Year 1995.

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.

AMENDATORY SECTION

SECTION 10.07 APPLICATION AND PERMIT FEES FOR NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL AND FOR NOTICE OF INTENT TO INSTALL AND OPERATE A TEMPORARY SOURCE

A. For all construction required by Article V to file a Notice of Construction and Application for Approval (NOC), a filing fee of \$125 shall be paid at the time of filing the NOC.

B. IN ADDITION to the filing fee provided in "A" above, a plan review and approval fee shall be paid according to one of the following:

(1) Fuel Burning Equipment With or Without Air Pollution Control Equipment:

Design Input Size (Mbtu/hr)	Install Fee	Fuel Change Fee
.4 < 5	\$ 100	\$ 20
5 < 10	\$ 150	\$ 40
10 < 20	\$ 200	\$ 60
20 < 50	\$ 250	\$ 80
50 < 100	\$ 350	\$ 100
100 < 250	\$ 500	\$ 150
250 < 500	\$ 650	\$ 200
500 < UP	\$ 850	\$ 250

(2) Refuse Burning Equipment Including Air Pollution Control Equipment:

Capacity (ton/day)	Fee
0 < 12	\$ 500
12 < 250	\$1,000
250 < UP	\$2,500

(3) Process Equipment and/or Air Pollution Control Equipment or Uncontrolled Process Equipment:

Actual ft ³ /min	Fee
0 < 5,000	\$ 100
5,000 < 20,000	\$ 200
20,000 < 50,000	\$ 300
50,000 < 100,000	\$ 400
100,000 < 250,000	\$ 500
250,000 < 500,000	\$ 650
500,000 < UP	\$ 800

(4) Gasoline dispensing facilities: \$50

Equipment Being Installed	Fee
Stage I Vapor Recovery	\$ 50
Stage II Vapor Recovery	\$ 125
Stage I and Stage II	\$ 125

(5) For sources not included in (1), (2), (3), or (4) above, an hourly fee of \$50.00 per hour of time expended in plan review and approval.

C. For temporary portable sources required by Article V to notify the Agency of intent to operate at a new location, the filing fee shall be \$125 and the plan review and approval fee shall be one half (1/2) of the current fee for a Notice of Construction and Application for Approval.

D. For sources seeking a change in conditions of an order of approval pursuant to Section 5.10.B. of this regulation, the fee shall be one half the current fee for a Notice of Construction and Application for Approval for that type of source or \$250 which ever is less.

E. Where a compliance investigation is conducted pursuant to Section 5.12 of this regulation, the compliance investigation fee shall be equal to 2 times the fee required in Section 5.03 of this regulation.

~~D~~F. IN ADDITION to the other fees and costs herein above required any new source of air pollution to be constructed and anticipated to produce SIGNIFICANT EMISSIONS shall pay an additional fee of \$250.

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.

SECTION 10.08 MISCELLANEOUS FEES

A. A fee of \$50 per hour of time expended in review shall be paid for each of the following:

(1) Emission reduction credit request pursuant to Chapter 173-400-131 WAC.

(2) Paving waiver request pursuant to Spokane County Zoning Code, Section 14.802.080 or City of Deer Park Code, Chapter 18.74.050.

(3) Alternate opacity limit request pursuant to RCW 70.94.331 (2)(c).

(4) Reasonably Available Control Technology (RACT) determination pursuant to Chapter 173-400-040 WAC and/or RCW 70.94.161.

(5) Variance request pursuant to SCAPCA Regulation II; Article III or RCW 70.94.181. In addition, the applicant shall pay a filing fee of \$125.

SECTION 10.09 ASBESTOS

Any owner or operator of a demolition or renovation activity required by federal regulation or Regulation I to notify the Authority prior to removal or demolition, or

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required by Federal Regulation to be approved or inspected by the Authority, shall give required notice and pay a fee according to the following:

(a) If more than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) of asbestos is to be removed a \$150 fee is required.

(b) If less than 80 linear meters (260 linear feet), 15 square meters (160 square feet), or one cubic meter (35 cubic feet) but more than 3 linear meters (10 linear feet), one square meter (11 square feet), one cubic foot of asbestos is to be removed a \$75 fee is required.

(c) If less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed or if the activity is a demolition not requiring asbestos removal a \$40 fee is required.

(d) If more than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot of asbestos is to be removed from a private residence a \$40 fee is required.

(e) No notice or fee is required for private residences if the amount of asbestos to be removed is less than 3 linear meters (10 linear feet), one square meter (11 square feet), or one cubic foot.

(f) Registered sources may elect to submit an annual notice, for work conducted in their own facility by their own employees rather than individual notifications. A fee of \$150 shall accompany the annual notice.

SECTION 10.10 SOLID FUEL BURNING DEVICE EXEMPTIONS

An initial fee of \$25 shall be paid for review of any exemption request to use solid fuel combustion device during periods of impaired air quality. An annual renewal fee of \$10 will be required each year thereafter. Payment of the fee shall not guarantee the applicant that the request will be approved. These fees may be waived per Section 10.04 or for emergency situations.

SECTION 10.11 OXYGENATED GASOLINE

Pursuant to Chapter 173-492 WAC, the following annual fees shall be paid by blenders of oxygenated gasoline for sale in the Spokane Control Area.

Small Volume	(<100,000 Gallons/Month)	\$500
Medium Volume	(100,000 to <1,000,000 Gallons/Month)	\$1,000
Large Volume	(1,000,000 to <15,000,000 Gallons/Month)	\$6,200
Very Large Volume	(>15,000,000 Gallons/Month)	\$15,500

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 94-18-129
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3781—Filed September 7, 1994, 11:36 a.m.]

Date of Adoption: September 7, 1994.

Purpose: Requires the department to advise the food stamp household of their of their right to select an adult parent of children living in the household or an adult who has parental control over children living in the household as the household employment representative.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-100 Rights and responsibilities.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: Public Law 101-624 Section 1725 and Administrative Notice Memo 92-34.

Pursuant to notice filed as WSR 94-16-014 on July 21, 1994.

Effective Date of Rule: Thirty-one days after filing.
September 7, 1994
Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-100 Rights and responsibilities. The department shall advise the household of the following:

- (1) The right to:
 - (a) Receive an application upon request;
 - (b) File an application the day of receipt;
 - (c) If eligible, receive food stamps within thirty days after the application is filed;
 - (d) If eligible, receive expedited services;
 - (e) Have a fair hearing;
 - (f) Have information remain confidential; (~~and~~)
 - (g) Be treated without discrimination because of age, handicap, color, sex, religion, race, national origin, or political beliefs; and

(h) Select an adult parent of children living in the household or an adult who has parental control over children living in the household as the household employment representative.

- (2) The responsibility to:
 - (a) Report certain changes, and
 - (b) Submit a food stamp monthly report each month if applicable.

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**WSR 94-18-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-85—Filed August 25, 1994, 4:45 p.m., effective August 29, 1994, 12:01 a.m.]

Date of Adoption: August 25, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-509.

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: Openings in Areas 7 and 7A are regulated by the Washington Department of Fish and Wildlife as per provisions of the United States Section of the Fraser Panel, Pacific Salmon Commission. Openings provide opportunity to harvest the nontreaty share of the United States allocation of Fraser River origin sockeye salmon. Requirements for reef net release of coho and chinook salmon provide additional protection for depressed stocks of those species. Openings in Areas 7B and 7C provide opportunity to harvest non-Indian allocation of chinook destined for the Nooksack-Samish region of origin. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: August 29, 1994, 12:01 a.m.
August 25, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-47-510 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Monday August 29th, 1994 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 7 - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.
- * Area 7A - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.
- * Areas 7B and 7C - Gill nets using 7-inch minimum mesh may fish from 7:00 p.m. to 7:00 a.m. nightly, Monday and Tuesday nights August 29 and 30.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F,

13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. August 29, 1994:

WAC 220-47-509 Puget Sound all citizen commercial salmon fishery. (94-83)

**WSR 94-18-022
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES**

[Order 625—Filed August 26, 1994, 3:22 p.m.]

Date of Adoption: August 26, 1994.

Purpose: Suspending rule burn privileges on department protected land.

Citation of Existing Rules Affected by this Order:
Repealing WAC 332-26-900.

Statutory Authority for Adoption: RCW 76.04.315.

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: Weather conditions continue to create high fire danger across much of the state but in certain Western Washington counties precipitation and higher humidity has resulted in a reduced fire hazard.

Effective Date of Rule: Immediately.
August 26, 1994
Kaleen Cottingham
Supervisor

NEW SECTION

WAC 332-26-901 Outdoor burning restrictions. Effective midnight Friday, August 26, 1994 to midnight Monday, October 31, 1994, privileges to have an outdoor fire without a written burning permit as allowed by WAC 332-24-211, on land protected by the department in Chelan, Kittitas, Yakima, Klickitat, Walla Walla, Garfield, Columbia, Asotin, Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Wahkiakum, Cowlitz, Clark, Skamania, King, Pierce, Kitsap, Mason, Whatcom, Skagit, Island, Snohomish, and San Juan counties, continue suspended. Fires contained in approved campfire pits in established campsites on lands protected by the department, and the use of barbecues or camp stoves in such established sites, are exempt from these restrictions in the following counties: Wahkiakum, Cowlitz, Clark, Skamania, King, Pierce, Kitsap, Mason, Whatcom, Skagit, Island, and Snohomish counties.

EMERGENCY

REPEALER

Effective midnight Friday, August 26, 1994, the following section of the Washington Administrative Code is repealed:

WAC 332-26-900

WSR 94-18-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 94-86—Filed August 26, 1994, 4:49 p.m.]

Date of Adoption: August 26, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-32-051.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of fall chinook are available in the area between Bonneville and McNary Dam. This rule is consistent with the decision of the August 16, 1994, meeting of the Columbia River Compact.

Effective Date of Rule: Immediately.

August 26, 1994
E. Manary
for Robert Turner
Director

NEW SECTION

WAC 220-32-05100F Columbia River salmon seasons above Bonneville. (1) Notwithstanding the provisions of WAC 220-32-051, and 220-32-052, 220-32-053, 220-32-056, 220-32-057, and 220-32-058, effective immediately, it is unlawful for a person to take or possess salmon, shad or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla or Nez Perce treaties may fish or possess salmon, sturgeon and shad under the following provisions:

(a) Open for salmon and shad: 6:00 a.m. August 29, 1994 to 6:00 p.m. September 3, 1994. Sturgeon may be retained only for subsistence purposes.

(b) Open Area: SMCRA 1F, 1G, and 1H

(c) Mesh: No mesh restriction

(2) Notwithstanding the provisions of WAC 220-32-058, closed areas at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between markers located approximately 0.85 miles downriver from the west

bank at the end of the breakwall at the west end of the port of Hood River and 1/2 mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between point one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located one-half mile downstream from the west bank upstream to light "35".

(f) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 1/4 miles downstream from the west bank and 1/2 mile upstream from the east bank.

(g) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between the downstream margin of Lyle Landing downstream to a marker located near the railroad tunnel approximately 1 1/8 miles downstream from the west bank.

(h) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia river between Light "27" upstream to a marker located approximately one-half mile upstream from the eastern shoreline.

(i) Spring Creek is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline of the hatchery fishway to one and one-half mile downstream from the western shoreline of the hatchery fishway.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) includes those waters of the Columbia River upstream from the Bridge of Gods, and downstream from the west end of the 3 mile rapids located approximately 1.8 miles below the Dalles Dam.

(b) Area 1G includes those waters of the Columbia River upstream from a line drawn between deadline marker on the Oregon shore located approximately 3/4 mile above the Dalles Dam fishway exit, thence at a right angle to the thread of the river to a point in midriver, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H includes those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in midriver, then downstream to a fishing boundary marker on the Washington shore approximately opposite the

mouth of the John Day River, and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

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 94-18-030
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-87—Filed August 29, 1994, 4:55 p.m., effective August 30, 1994, 8:00 a.m.]

Date of Adoption: August 29, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-510.

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: Openings in Areas 7 and 7A are regulated by the Washington Department of Fish and Wildlife as per provisions of the United States Section of the Fraser Panel, Pacific Salmon Commission. Openings provide opportunity to harvest the nontreaty share of the United States allocation of Fraser River origin sockeye salmon. Requirements for reef net release of coho and chinook salmon provide additional protection for depressed stocks of those species. Openings in Areas 7B and 7C provide opportunity to harvest non-Indian allocation of chinook destined for the Nooksack-Samish region of origin. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: August 30, 1994, 8:00 a.m.

August 29, 1994
Bruce A. Crawford
for Robert Turner
Director

NEW SECTION

WAC 220-47-511 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 8:00 a.m. Tuesday August 30th, 1994 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 7 - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.

- * Area 7A - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook. Gill nets may fish from 8:00 p.m. Tuesday August 30 to 7:00 a.m. Wednesday August 31 and from 7:00 p.m. Wednesday August 31 to 7:00 a.m. Thursday September 1. Purse seines may fish from 7:00 a.m. to 7:00 p.m. Wednesday August 31 and from 7:00 a.m. to 8:00 p.m. Thursday September 1.
- * Areas 7B and 7C - Gill nets using 7-inch minimum mesh may fish from 7:00 p.m. Tuesday August 30 to 7:00 a.m. Wednesday September 1.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. Tuesday August 30, 1994:

WAC 220-47-510 Puget Sound all citizen commercial salmon fishery. (94-85)

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

**WSR 94-18-050
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3779—Filed August 31, 1994, 1:50 p.m., effective September 1, 1994]

Date of Adoption: August 31, 1994.

Purpose: Updates the 185% of need standard. This standard is used to determine eligibility for public assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-250-1300 Standards of assistance—One hundred eighty-five percent of need standards.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: 45 CFR 233.20 (a)(1) and (2).

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: Each year the department annually updates need standards. These standards are used to determine eligibility for public assistance.

Effective Date of Rule: September 1, 1994.

August 31, 1994
Dewey Brock, Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3729, filed 4/6/94, effective 5/7/94)

WAC 388-250-1300 Standards of assistance—One hundred eighty-five percent of need standards. (1) Effective September 1, ((1993)) 1994, the department shall determine one hundred eighty-five percent of the statewide monthly need standard for basic requirements for a household with an obligation to pay shelter costs to be:

Recipients in Household	185% of Need Standard
1	\$ ((1,367)) <u>1,391</u>
2	((1,730)) <u>1,759</u>
3	((2,142)) <u>2,179</u>
4	((2,518)) <u>2,562</u>
5	((2,903)) <u>2,953</u>
6	((3,295)) <u>3,350</u>
7	((3,804)) <u>3,870</u>
8	((4,211)) <u>4,283</u>
9	((4,625)) <u>4,705</u>
10 or more	((5,025)) <u>5,112</u>

(2) Effective September 1, ((1993)) 1994, the department shall determine one hundred eighty-five percent of the statewide monthly need standard for basic requirements for a household with shelter provided at no cost to be:

Recipients in Household	185% of Need Standard
1	\$ ((830)) <u>849</u>
2	((1,052)) <u>1,074</u>
3	((1,304)) <u>1,332</u>
4	((1,531)) <u>1,565</u>
5	((1,766)) <u>1,803</u>
6	((2,005)) <u>2,047</u>
7	((2,314)) <u>2,364</u>
8	((2,562)) <u>2,617</u>
9	((2,815)) <u>2,874</u>
10 or more	((3,058)) <u>3,124</u>

**WSR 94-18-060
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION**
[Filed August 31, 1994, 4:22 p.m.]

Date of Adoption: August 23, 1994.

Purpose: Adopting new WAC 390-16-313 Independent expenditure—Definition and application, 390-16-314 Independent expenditure—Disclosure and 390-05-245 Officer of a candidate's committee or political committee—Definition; amending WAC 390-05-190 Agent—Definition, 390-05-210 Definition—Contribution and 390-16-038 Definition—Aggregate; and repealing WAC 390-17-050 Independent expenditure—Definition and 390-17-052 Independent expenditure—Disclosure.

Citation of Existing Rules Affected by this Order: Repealing WAC 390-17-050 and 390-17-052; and amending WAC 390-05-210, 390-16-038, and 390-05-190.

Statutory Authority for Adoption: RCW 42.17.390.

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

Reasons for this Finding: To implement Initiative 134.
Effective Date of Rule: Immediately.

August 31, 1994
Melissa Warheit
Executive Director

NEW SECTION

WAC 390-16-313 Independent expenditure—Definition and application. (1) "Independent expenditure," as that term is used in chapter 42.17 RCW, except RCW 42.17.100, means an "expenditure" as defined in RCW 42.17.020(14) that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for any public office, except federal elective office or precinct committee officer, by a person who is not (i) a candidate for that office, (ii) an authorized committee of that candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) The expenditure pays in whole or in part for any political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of five hundred dollars or more. A series of expenditures, each of which is under five hundred dollars, constitutes one independent expenditure if their cumulative value is five hundred dollars or more.

(2) An expenditure in support of a candidate or in opposition to one or more of that candidate's opponents is a contribution to that candidate and is subject to the applicable limits found in RCW 42.17.105(8) and RCW 42.17.640 if it is made by, through or in cooperation, consultation, concert or collaboration with one or more of the following persons or their agent: a bona fide political party, a national committee or federal committee of a political party organization, a caucus of the state legislature, or a political committee financed, maintained or controlled by one or more members of the legislature, one or more employees or agents of a caucus of the legislature, one or more officers, employees or agents of a bona fide political party or a combination thereof.

(3) An expenditure not qualifying under this section as an independent expenditure that is in support of a candidate

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or in opposition to one or more of the candidate's opponents or that qualifies as a contribution pursuant to RCW 42.17.630 (5)(e) or (f) or WAC 390-05-210 shall be an in-kind contribution to the candidate and subject to the provisions of RCW 42.17, including RCW 42.17.105(8) and 42.17.640 as applicable.

(4) The following activities are not considered independent expenditures for purposes of RCW 42.17.100, .180, .510 or .550:

(a) News, feature, or editorial comment in a broadcast media program or in a regularly scheduled issue of a printed periodical to communicate ratings, evaluations, endorsements, or recommendations for or against a candidate or ballot proposition; PROVIDED, that the medium is controlled by a person whose primary business is broadcasting or publishing and this person is not a candidate or political committee;

(b) Internal publications or other communications containing political comment of (i) a corporation or similar enterprise for its officers, management staff, and stockholders, (ii) of a union, association, or other membership organization for its members, or (iii) of a political party organization or political committee for its contributors;

(c) Messages in the form of reader boards, banners, yard, or window signs displayed on a person's own property or property occupied by a person: PROVIDED, That any facility used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution and shall count towards the contribution limit of the person providing the facility.

NEW SECTION

WAC 390-16-314 Independent expenditure—Disclosure. For purposes of the disclosure requirement in RCW 42.17.550, the county of residence for an out-of-state person making an independent expenditure in support of or opposition to a ballot proposition shall be either:

(1) Thurston county if the independent expenditure is for a statewide ballot proposition; or

(2) For local ballot propositions, the county or counties where the ballot proposition will appear on the election ballot.

NEW SECTION

WAC 390-05-245 Officer of a candidate's committee or political committee—Definition. For purposes of chapter 42.17 RCW and chapter 390 WAC, "officer of a candidate's authorized committee," or "officer of a candidate's committee" or "officer of a political committee" includes the following persons: the treasurer, any person designated by the committee as an officer and any person who alone or in conjunction with other persons makes contribution or expenditure decisions on behalf of the committee.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93, effective 8/30/93)

WAC 390-05-210 Definition—Contribution. (1) The term "contribution" as defined in RCW 42.17.020(10) and RCW 42.17.630(5) shall be deemed to include, among other

things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value as defined in WAC 390-05-235, for the purpose of assisting any candidate or political committee. When such in-kind contribution of goods or services is provided, it shall be reported at its fair market value, per WAC 390-05-235 and pursuant to RCW 42.17.640, the fair market value is the amount of the contribution to be allocated to the contributor in determining compliance with the contributor's contribution limit.

(2) Pursuant to RCW 42.17.630 (5)(f), the financing by a person of the dissemination, distribution, republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or its authorized agent, is a contribution to the candidate or political committee.

(3) Pursuant to RCW 42.17.630 (5)(e), an expenditure made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent is a contribution to such candidate. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a candidate, the candidate's authorized committee or agent when:

(a) any arrangement, coordination or direction by the candidate, the candidate's authorized committee or agent is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or prior to an expenditure being made by that person supporting that candidate or opposing one or more of that candidate's opponents; or

(b) an expenditure is made based on information about the candidate's plans, projects or needs provided to the expending person by the candidate, the candidate's authorized committee or agent with a view toward having an expenditure made; or

(c) an expenditure is made by, through or in consultation with any person who, during the current election cycle, (i) is or has been authorized to raise or spend over \$500 per election on behalf of the candidate, or (ii) is or has been an officer of the candidate's authorized committee; or

(d) the expenditure is made by or in consultation with any person who, during the current election cycle, is or has been receiving any form of campaign-related compensation or reimbursement from the candidate, the candidate's authorized committee or agent.

(4) Pursuant to RCW 42.17.630 (5)(e), an expenditure, that does not qualify as a contribution to a candidate under subsection (3) of this section or WAC 390-16-313(2), made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a caucus of the legislature or its agent is a contribution to such caucus of the legislature. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a caucus of the legislature or its agent when:

(a) any arrangement, coordination or direction by the caucus, its agent or a political committee financed, maintained or controlled by the caucus is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or prior to an expenditure

being made by that person supporting that caucus or one or more of the candidates supported by it or one or more of those candidates' opponents; or

(b) an expenditure is made based on information about the caucus's plans, projects or needs provided to the expending person by the caucus, its agent or a political committee established, maintained or controlled by it with a view toward having an expenditure made; or

(c) an expenditure is made by, through or in consultation with any person who, during the current election cycle, (i) is or has been authorized to raise or spend over \$500 per year on behalf of the caucus, or (ii) is or has been an officer of a political committee financed, maintained or controlled by the caucus; or

(d) the expenditure is made by or in consultation with any person who, during the current election cycle, is or has been receiving any form of campaign-related compensation or reimbursement from the caucus, its agent or a political committee financed, maintained or controlled by the caucus.

(5) Pursuant to RCW 42.17.630 (5)(e), an expenditure, that does not qualify as a contribution to a candidate under subsection (3) of this section or WAC 390-16-313(2), made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a bona fide political party or its agent is a contribution to such bona fide political party. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a bona fide political party when:

(a) any arrangement, coordination or direction by the bona fide political party, its agent or a political committee financed, maintained or controlled by the party is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or prior to an expenditure being made by that person supporting that bona fide political party or one or more of the candidates supported by it or opposing one or more of those candidates' opponents; or

(b) an expenditure is made based on information about the bona fide political party's plans, projects or needs provided to the expending person by the bona fide political party or its agent with a view toward having an expenditure made; or

(c) an expenditure is made by, through or in consultation with any person who, during the current election cycle, (i) is or has been authorized to raise or spend over \$2,500 per year in non-exempt funds on behalf of the bona fide political party, or (ii) is or has been an officer of a political committee financed, maintained or controlled by the bona fide political party; or

(d) the expenditure is made by or in consultation with any person who, during the current election cycle, is or has been receiving any form of campaign-related compensation or reimbursement from the bona fide political party, its agent or a political committee financed, maintained or controlled by the bona fide political party.

(6) Pursuant to RCW 42.17.630 (5)(e), an expenditure made by a person in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a political committee is a contribution to such political committee. An expenditure is presumed to be made in cooperation, consultation, concert or collaboration with, or at the request or suggestion of a political committee when:

(a) any arrangement, coordination or direction by the political committee, its agent or another political committee financed, maintained or controlled by the committee is given to the expending person prior to the publication, distribution, display or broadcast of political advertising or prior to an expenditure being made by that person supporting that political committee; or

(b) an expenditure is made based on information about the political committee's plans, projects or needs provided to the expending person by the political committee or its agent with a view toward having an expenditure made; or

(c) an expenditure is made by, through or in consultation with any person who, during the current election cycle, (i) is or has been authorized to raise or spend funds on behalf of the political committee or another political committee financed, maintained or controlled by the committee, or (ii) is or has been an officer of a political committee or another political committee financed, maintained or controlled by the committee; or

(d) an expenditure is made by or in consultation with any person who, during the current election cycle, is or has been receiving any form of campaign-related compensation or reimbursement from the political committee, its agent or another political committee financed, maintained or controlled by the committee.

(7) The following activities are not considered to be contributions reportable under RCW 42.17.090 ((~~RCW 42.17.100~~)):

(a) News, feature, or editorial comment in a broadcast media program or in a regularly scheduled issue of a printed periodical to communicate ratings, evaluations, endorsements, or recommendations for or against a candidate or ballot proposition: *Provided*, That the medium is controlled by a person whose primary business is broadcasting or publishing and this person is not a candidate or political committee;

(b) Internal publications or other communications containing political comment of (i) a corporation or similar enterprise for its officers, management staff, and stockholders, (ii) of a union, association, or other membership organization for its members, or (iii) of a political party organization or political committee for its contributors;

(c) Messages in the form of reader boards, banners, yard, or window signs displayed on a person's own property or property occupied by a person: *Provided*, That any facility used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution and shall count towards the contribution limit of the person providing the facility.

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.

AMENDATORY SECTION (Amending WSR 93-22-002, filed 10/20/93, effective 11/20/93)

WAC 390-16-038 Definition—Aggregate. The term "aggregate" means, for purposes of:

(1) A candidate for state office, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the election cycle;

(2) A candidate for local or judicial office, the total amount of contributions received by the candidate, an agent of the candidate and any political committee affiliated with the candidate from the beginning of the candidate's campaign;

(3) A bona fide political party or legislative caucus committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(4) A political committee, the total amount of contributions received by the committee from the date of organization;

(5) A continuing political committee, the total amount of contributions received by the committee from January 1 of the current calendar year;

(6) A contributor, the total amount of all contributions from a person, and any person affiliated with the person, to any one candidate or political committee;

(7) A person making independent campaign expenditures (~~(, the total amount of expenditures made to a person or vendor during the period for which the report is submitted))~~ and the \$500 threshold in RCW 42.17.630(10) and the reporting and disclosure provisions of RCW 42.17.100, .180, .510 and .550, an expenditure made by a person in support of a candidate shall be aggregated with an expenditure by the same person in opposition to one or more of the candidate's opponents;

(8) The special reports required by RCW 42.17.105 and 42.17.175, the total amount of contributions received or expenditures made by a single person or entity during the special reporting period;

(9) An employer of a registered lobbyist, the total amount of all contributions made to a political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a state-wide ballot proposition during the preceding calendar year;

(10) The sponsor of a grass roots lobbying campaign, the total amount of contributions received since the beginning of the campaign and the total amount of expenditures made during the time frames specified in RCW 42.17.200(1);

(11) RCW 42.17.245, the total amount of all time and demand deposits in each financial institution on December 31;

(12) RCW 42.17.395(4), the total amount of monetary penalty that the commission may impose for multiple violations of the act.

AMENDATORY SECTION (Amending WSR 93-22-002, filed 10/20/93, effective 11/20/93)

WAC 390-05-190 Agent—Definition. "Agent", as that term is used in chapter 42.17 RCW and chapter 390 WAC, means a person, whether the authority or consent is direct or indirect, express or implied, oral or written, who:

- (1) Is authorized by another to act on his or her behalf; or
- (2) Represents and acts for another with the authority or consent of the person represented; or
- (3) Acts for or in place of another by authority from him or her.

REPEALER

The following rules are hereby repealed:

- WAC 390-17-050 Independent expenditure—
Definition
- WAC 390-17-052 Independent expenditure—
Disclosure

**WSR 94-18-062
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-89—Filed August 31, 1994, 4:56 p.m.]

Date of Adoption: August 31, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-511.

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: Openings in Areas 7 and 7A are regulated by the Washington Department of Fish and Wildlife as per provisions of the United States Section of the Fraser Panel, Pacific Salmon Commission. Openings provide opportunity to harvest the nontreaty share of the United States allocation of Fraser River origin sockeye salmon. Requirements for reef net release of coho and chinook salmon provide additional protection for depressed stocks of those species. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: Immediately.

August 31, 1994

Robert Turner
Director

NEW SECTION

WAC 220-47-512 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 7:00 p.m. Wednesday August 31st, 1994 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:

EMERGENCY

September 1, 1994

Judith Freeman

Deputy

for Robert Turner

Director

- * Area 7 - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.
- * Area 7A - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook. Gill nets may fish from 7:00 p.m. Wednesday August 31 to 7:00 a.m. Thursday September 1, from 7:00 p.m. Friday September 2 to 7:00 a.m. Saturday September 3, and from 7:00 p.m. Sunday September 4 to 7:00 a.m. Monday September 5. Purse seines may fish from 7:00 a.m. to 7:00 p.m. Friday September 2 and from 7:00 a.m. to 7:00 p.m. Sunday September 4.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7B, 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 7:00 p.m. Wednesday August 31, 1994.

WAC 220-47-511 Puget Sound all citizen commercial salmon fishery. (94-87)

**WSR 94-18-071
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-90—Filed September 1, 1994, 4:57 p.m.]

Date of Adoption: September 1, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-512.

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: Openings in Areas 7 and 7A are regulated by the Washington Department of Fish and Wildlife as per provisions of the United States Section of the Fraser Panel, Pacific Salmon Commission. Openings provide opportunity to harvest the nontreaty share of the United States allocation of Fraser River origin sockeye salmon. Requirements for reef net release of coho and chinook salmon provide additional protection for depressed stocks of those species. Openings in Areas 7B and 7C provide opportunity to harvest the non-Indian allocation of chinook salmon destined for the Nooksack-Samish region of origin. Modification of announced fishing hours allows for later sunrise. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: Immediately.

Emergency

NEW SECTION

WAC 220-47-513 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

- * Area 7 - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.
- * Area 7A - Reef nets may fish from 6:00 a.m. to 9:00 p.m. daily until further notice, and are required to release all coho and chinook.
- * Areas 7B and 7C - Gill nets using 7-inch minimum mesh may fish from 7:00 p.m. Tuesday September 6 to 8:00 a.m. Wednesday September 7.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative code is repealed effective immediately until further notice.

WAC 220-47-512 Puget Sound all citizen commercial salmon fishery. (94-89)

**WSR 94-18-074
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94/91—Filed September 2, 1994, 12:15 p.m.]

Date of Adoption: September 1, 1994.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
WAC 220-12-02000C, 220-56-11500B, 220-57-23500F, 220-57-41000C, 220-57A-14500A, 220-57A-17500B, and 220-57A-18000B.

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: Clam classification reduces angler uncertainty and prevents overharvest. The one rod

rule and river and lake changes are part of the salmon conservation measures for 1994. These rules are interim until adopted permanently.

Effective Date of Rule: Immediately.

September 1, 1994
 Judith Freeman
 Deputy
 for Robert Turner
 Director

NEW SECTION

WAC 220-12-02000C Shellfish—Classification. Notwithstanding the provisions of WAC 220-12-020, effective immediately until further notice, the following species are classified as shellfish under RCW 75.08.080 and are subject to the provisions of this title:

All native clams (Eulamellibranchia)

NEW SECTION

WAC 220-56-11500B Angling—Lawful and unlawful acts. Notwithstanding the provisions of WAC 220-56-115, effective immediately until further notice it is unlawful for any fisher to use more than one rod with one line to fish for food fish in Catch Record Card Areas 10, 11, and 13, but it is lawful to use a second line using baitfish jigger gear in these waters.

NEW SECTION

WAC 220-57-23500F Elochoman River. Notwithstanding the provisions of WAC 220-57-235, effectively immediately until further notice it is unlawful to fish for salmon in the Elochoman River except as provided for in this section:

Bag Limit A - October 16 until further notice: Downstream from the mouth of the west fork. Upstream of the Foster Road Bridge all chinook salmon greater than 28 inches in length must be released. Those waters closed by permanent rule remain closed.

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

NEW SECTION

WAC 220-57-41000C Sammamish River (Slough). Notwithstanding the provisions of WAC 220-57-410, effective immediately until further notice it is unlawful to fish for salmon in the waters of the Sammamish River except as provided for in this section:

Bag limit A - October 16 until further notice: Upstream from the 68th Avenue Bridge. All sockeye salmon must be released immediately.

NEW SECTION

WAC 220-57A-14500A Sammamish Lake. Notwithstanding the provisions of WAC 220-57A-145, effective immediately until further notice it is unlawful to fish for

salmon in the waters of Sammamish Lake except as provided for in this section:

Bag limit A - October 16 until further notice: Waters within 1/4 mile of the mouth of Issaquah Creek are closed to salmon angling at all times. Closed to the taking of sockeye salmon.

NEW SECTION

WAC 220-57A-17500B Lake Washington. Notwithstanding the provisions of WAC 220-57A-175, effective immediately until further notice it is unlawful to fish for salmon in the waters of Lake Washington except as provided for in this section:

Bag limit A - October 16 until further notice. Waters within a 1,000-foot radius of the mouth of the Cedar River are closed to salmon angling at all times. Closed to the taking of sockeye salmon.

NEW SECTION

WAC 220-57A-18000B Washington Ship Canal, Lake. Notwithstanding the provisions of WAC 220-57A-180, effective immediately until further notice it is unlawful to fish for salmon in the waters of the Lake Washington Ship Canal except as provided for in this section:

Bag limit A - October 16 until further notice: West of the University Bridge to a north-south line located 400 feet east of the eastern end of the north wingwall of the Chittendon Locks. Sockeye salmon must be released immediately. Waters between the University Bridge and the concrete abutment ends east of the Montlake Bridge are closed to salmon angling at all times.

**WSR 94-18-097
 EMERGENCY RULES
 DEPARTMENT OF ECOLOGY**
 [Filed September 2, 1994, 4:26 p.m.]

Date of Adoption: September 2, 1994.

Purpose: To amend the city of Westport shoreline master program.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-2208.

Statutory Authority for Adoption: RCW 90.58.120 and 90.58.200.

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 state shorelines hearings board's recent holding that the portion of the city of Westport in question is not covered by the city's shoreline master program and thus lacks an environmental designation and standards to govern its development.

Effective Date of Rule: Immediately.

EMERGENCY

September 2, 1994
Mary Riveland
Director

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.

AMENDATORY SECTION (Amending Order DE 88-52, filed 9/8/88)

WAC 173-19-2208 Westport, city of. City of Westport master program approved November 7, 1974. Revision approved October 6, 1983. Revision approved September 6, 1988. Revision approved September 2, 1994.

REPEALER

The following section of the Washington Administrative Code is repealed effective 9:01 p.m. Saturday September 3, 1994.

WAC 220-47-513 Puget Sound all citizen commercial salmon fishery. (94-90)

**WSR 94-18-098
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-92—Filed September 2, 1994, 4:57 p.m.]

Date of Adoption: September 2, 1994.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-513.

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: Openings in Areas 7 and 7A are regulated by the Washington Department of Fish and Wildlife as per provisions of the United States Section of the Fraser Panel, Pacific Salmon Commission. Openings in Areas 7B and 7C provide opportunity to harvest the non-Indian allocation of chinook salmon destined for the Nooksack-Samish region of origin. Modification of announced fishing hours allows for later sunrise. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: Immediately.

September 2, 1994
Robert Turner
Director

**WSR 94-18-099
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-93—Filed September 2, 1994, 5:15 p.m.]

Date of Adoption: September 2, 1994.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-57-170, 220-57-175, 220-57-250, 220-57-255, 220-57-310, 220-57-319, 220-57-395, 220-57-427, 220-57-480, and 220-57-495.

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: Exceptionally poor returns of fall chinook and early coho are expected in 1994. These closures protect these fish.

Effective Date of Rule: Immediately.

September 2, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-47-514 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 9:01 p.m. Saturday September 3rd, 1994 until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

- * Areas 7B and 7C - Gill nets using 7-inch minimum mesh may fish from 7:00 p.m. Tuesday September 6 to 8:00 a.m. Wednesday September 7.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A,

NEW SECTION

WAC 220-57-17000A Coweeman River. Notwithstanding the provisions of WAC 220-57-170, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Coweeman River.

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

NEW SECTION

WAC 220-57-17500Z Cowlitz River. Notwithstanding the provisions of WAC 220-57-175, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken from the waters of the Cowlitz River.

EMERGENCY

NEW SECTION

WAC 220-57-25000A Grays River. Notwithstanding the provisions of WAC 220-57-250, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Grays River.

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

NEW SECTION

WAC 220-57-25500A Green River (Cowlitz County). Notwithstanding the provisions of WAC 220-57-255, effective immediately until further notice it is unlawful to fish for or possess salmon taken for personal use from the Green River

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

NEW SECTION

WAC 220-57-31000A Kalama River. Notwithstanding the provisions of WAC 220-57-310, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken from the waters of the Kalama River.

NEW SECTION

WAC 220-57-31900A Lewis River. Notwithstanding the provisions of WAC 220-57-319, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken from the waters of the Lewis River.

NEW SECTION

WAC 220-57-39500A Salmon Creek (Clark County) Notwithstanding the provisions of WAC 220-57-395, effective immediately until further notice it is unlawful to fish for or possess salmon taken from the waters of the Salmon Creek.

NEW SECTION

WAC 220-57-42700A Skamokawa Creek Notwithstanding the provisions of WAC 220-57-427, effective immediately until further notice it is unlawful to fish for or possess salmon taken from the waters of the Skamokawa Creek.

NEW SECTION

WAC 220-57-48000A Toutle River. Notwithstanding the provisions of WAC 220-57-480, effective immediately until further notice it is unlawful to fish for or possess salmon taken from the waters of the Toutle River.

NEW SECTION

WAC 220-57-49500A Washougal River Notwithstanding the provisions of WAC 220-57-495, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken from the waters of the Washougal River.

WSR 94-18-109
EMERGENCY RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Filed September 6, 1994, 3:02 p.m.]

Date of Adoption: September 6, 1994.

Purpose: To correct administrative procedure.

Citation of Existing Rules Affected by this Order:
 Amending WAC 326-02-030(4).

Statutory Authority for Adoption: RCW 39.19.030(7).

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: The current rule is inconsistent with the intent of chapter 39.19 RCW. It creates a barrier to increased opportunities for certain businesses that would be eligible but for the operation of this rule.

Effective Date of Rule: Immediately.

September 6, 1994
 James A. Medina
 Director

AMENDATORY SECTION (Amending WSR 92-24-107 [94-11-116], filed 12/2/92 [5/18/94], effective 1/3/93 [6/18/94])

WAC 326-02-030 Definitions. Words and terms used in this title shall have the same meaning as each has under chapter 120, Laws of 1983, unless otherwise specifically provided in this title, or the context in which they are used clearly indicates that they should be given some other meaning.

(1) "Advisory committee" means the advisory committee on minority and women's business enterprises.

(2) "Certified business" or "certified" means a business or the status of a business that has been examined by the Washington state office of minority and women's business enterprises and deemed to be a minority business enterprise (MBE), a women's business enterprise (WBE), a minority woman's business enterprise (MWBE), or a combination business enterprise (CBE).

(3) "Class of contract basis" means an entire group of contracts having a common characteristic. Examples include, but are not limited to, personal service contracts, public works contracts, leases, purchasing contracts, and contracts for specific types of goods and/or services.

(4) "Combination business enterprise" or "CBE" means a small business concern organized for profit, performing a commercially useful function, that is ~~((fifty percent))~~ legitimately-owned and controlled by ((one or more minority men)) any combination of individual minorities and/or women, ((or MBEs certified by the office and fifty percent owned and controlled by one or more nonminority women)) or firms ((WBEs)) certified by the office which do not otherwise qualify as an MBE, WBE, or MWBE. ((The)) Individual owners must be United States citizens or lawful permanent residents. The combined ownership interests of minorities and/or women must be at least fifty-one percent.

(5) "Commercially useful function" means the performance of real and actual services which are integral and necessary in the discharge of any contractual endeavor, and

not solely for the purpose of obtaining certification or obtaining credit for participation goal attainment.

(6) "Common industry practices" means those usages, customs, or practices which are ordinary, normal, or prevalent among businesses, trades, or industries of similar types engaged in similar work in similar situations in the community.

(7) "Conduit" means a certified business which agrees to be named as a subcontractor on a contract in which such certified business does not perform the work but, rather, the work is performed by the prime contractor, prime consultant, material supplier, purchasing contractor, or any other (~~noncertified~~) business.

(8) "Contract" means a mutually binding legal relationship (including a purchase order, lease, or any modification thereof), which obligates the seller to furnish goods or services (including construction), and the buyer to pay for them.

(9) "Contract by contract basis" means a single contract within a specific class of contracts.

(10) "Contractor" means a party who enters into a contract directly with a state agency or educational institution.

(11) "Corporate-sponsored dealership" means a business that does not meet the requirements for certification but is participating in a program specifically developed by a national or regional corporation to address the present-day issue of lack of opportunities for minorities or women in the dealership industry.

(12) "Director" means the director of the office of minority and women's business enterprises.

(13) "Educational institutions" means the state universities, the regional universities, The Evergreen State College, and the community colleges.

(14) "Front" means a business which purports to be eligible for certification but is not in fact legitimately owned and controlled by minorities, women, or a combination thereof.

(15) "Goods and/or services" means all goods and services, including professional services.

(16) "Heavy construction" means construction other than building construction; e.g., highway or street, sewer and pipeline, railroad, communication and power line, flood control, irrigation, marine, etc.

(17) "Joint venture" means a partnership of two or more persons or businesses created to carry out a single business enterprise for profit, for which purpose they combine their capital, efforts, skills, knowledge or property and in which they exercise control and share in profits and losses in proportion to their contribution to the enterprise.

(18) "Legitimately owned and controlled" means that minorities, women, or a combination thereof, own at least fifty-one percent interest in the business (unless the business qualifies as a corporate sponsored dealership under the provisions of subsection (11) of this section and WAC 326-20-050(4)); and the minorities, women, or combination thereof, possess and exercise sufficient expertise specifically in the firm's field of operation to make decisions governing the long-term direction and the day-to-day operations of the firm.

(19) "Manufacturer" means a business which owns, operates, or maintains a factory or establishment that

produces or creates goods from raw materials or substantially alters goods before reselling them.

(20) "Minority" means a person who is a citizen or lawful permanent resident of the United States and who is:

(a) Black: Having origins in any of the black racial groups of Africa;

(b) Hispanic: Of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;

(c) Asian American: Having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or

(d) American Indian or Alaskan Native: Having origins in any of the original peoples of North America.

(21) "Minority business enterprise," "minority-owned business enterprise," or "MBE" means a small business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more minority individuals or minority business enterprises certified by the office. The minority owners must be United States citizens or lawful permanent residents.

(22) "Minority women's business enterprise" or "MWBE" means a small-business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more minority women and is certified by the office. The owners must be United States citizens or lawful permanent residents.

(23) "Office" means the office of minority and women's business enterprises of the state of Washington.

(24) "Pass-through" means a certified business which buys goods (~~from a noncertified business~~) and simply resells those goods to the state, state contractors or other persons doing business with the state for the purpose of allowing those goods to be counted towards fulfillment of WBE or MBE goals.

(25) "Person" means one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons.

(26) "Procurement" means the purchase, lease, or rental of any goods or services.

(27) "Public works" means all work, including construction, highway and ferry construction, alteration, repair, or improvement other than ordinary maintenance, which a state agency or educational institution is authorized or required by law to undertake.

(28) "Regular dealer" means a certified business that owns, operates, or maintains a store, warehouse or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business.

(29) "Services," in the context of "goods and/or services," means all services including, but not limited to, client services, personal services, and purchased services as defined in RCW 39.29.006.

(30) "State agency" includes the state of Washington and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions. "State agency" does not include the judicial or legislative branches of government except to the extent that procure-

ment or public works for these branches is performed by a state agency.

(31) "Subcontractor" means a party that indirectly provides goods or services, including but not limited to construction, to a state agency or educational institution through a contractor.

(32) "Supplier" means a manufacturer, regular dealer, broker, or packager that:

- (a) provides or furnishes goods or materials;
- (b) performs a commercially useful function; and
- (c) is not considered a conduit, front, or pass-through.

(33) "Switch business" means a business which was previously owned and controlled by a man, men or nonminorities, which has made technical changes to its business structure so that it is now purportedly owned and controlled by a woman or women or by a minority person or persons, but continues to operate in substantially the same manner as it did prior to the written revisions of the business structure.

(34) "Women's business enterprise," "women-owned business enterprise," or "WBE" means a small business concern, organized for profit, performing a commercially useful function, which is legitimately owned and controlled by one or more women or women's business enterprises certified by the office. The women owners must be United States citizens or lawful permanent residents.

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

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

**WSR 94-18-117
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-94—Filed September 6, 1994, 4:47 p.m.]

Date of Adoption: September 6, 1994.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-17500Z, 220-57-31000A and 220-57-31900A; and amending WAC 220-57-175, 220-57-310 and 220-57-319.

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: Exceptionally poor returns of fall chinook and early coho are expected in 1994. These closures protect these fish.

Effective Date of Rule: Immediately.

September 6, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-57-17500A Cowlitz River. Notwithstanding the provisions of WAC 220-57-175, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Cowlitz River downstream from the Barrier Dam.

NEW SECTION

WAC 220-57-31000L Kalama River. Notwithstanding the provisions of WAC 220-57-310, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Kalama River downstream from the upper salmon hatchery.

NEW SECTION

WAC 220-57-31900H Lewis River. Notwithstanding the provisions of WAC 220-57-310, effective immediately through October 15, 1994, it is unlawful to fish for or possess salmon taken for personal use from all waters of the Lewis River, including main stem, north fork and east fork.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 220-57-17500A Cowlitz River. (94-93)
- WAC 220-57-31000A Kalama River. (94-93)
- WAC 220-57-31900A Lewis River. (94-93)

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

**WSR 94-18-118
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 94-95—Filed September 6, 1994, 4:50 p.m., effective September 16, 1994, 12:01 a.m.]

Date of Adoption: September 6, 1994.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-285.

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: Sturgeon harvest guideline has been reached and will be exceeded if the fishery is

allowed to continue. Catch and release of sturgeon during this period is anticipated to have no adverse impact on stock status.

Effective Date of Rule: September 16, 1994, 12:01 a.m.
September 6, 1994
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-56-28500C Sturgeon—Seasons and areas. Notwithstanding the provisions of WAC 220-56-285, effective September 16, 1994 through December 31, 1994, it is unlawful to retain sturgeon taken for personal use from the waters of the Columbia River and its tributaries between McNary and Bonneville Dams. All sturgeon caught from these waters must be immediately returned to the water unharmed.

WSR 94-18-123
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Filed September 7, 1994, 10:09 a.m.]

Purpose: Proposed amendment to WAC 332-30-166 will increase the proprietary fees for disposal of dredged material to open water sites in Puget Sound and the Strait of Juan De Fuca.

Citation of Existing Rules Affected by this Order: Amending WAC 332-30-166 Open water disposal sites.

Statutory Authority for Adoption: RCW 79.90.560, 43.30.150.

Other Authority: RCW 79.90.550, 79.90.555, and 79.90.560.

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

Reasons for this Finding: Detailed explanation provided in staff report to Board of Natural Resources, May 27, 1994. The proprietary fee increase replaces funds suddenly lost by an EPA action outside of the Department of Natural Resources' control. Without the fee increase, the Department of Natural Resources will be forced to close the dredged material disposal sites in October 1994 and dredging projects will have to stop. People associated with water-dependent activities may lose jobs as a result of lost navigational access.

Effective Date of Rule: Immediately.

September 6, 1994
Jennifer M. Belcher, Chair
Board of Natural Resources

AMENDATORY SECTION (Amending Order ^C [WSR 90-02-085], Resolution No. ^C, filed ^C [1/3/90])

WAC 332-30-166 Open water disposal sites. (1) Open water disposal sites are established primarily for the disposal of dredged material obtained from marine or fresh waters. These sites are generally not available for disposal of material derived from upland or dryland excavation except when such materials would enhance the aquatic habitat.

(2) Material may be disposed of on state-owned aquatic land only at approved open water disposal sites and only after authorization has been obtained from the department. Applications for use of any area other than an established site shall be rejected. However, the applicant may appeal to the interagency open water disposal site evaluation committee for establishment of a new site.

(3) Application for use of an established site must be for dredged material that meets the approval of federal and state agencies and for which there is no practical alternative upland disposal site or beneficial use such as beach enhancement.

(4) The department will only issue authorization for use of the site after:

(a) The environmental protection agency and department of ecology notify the department that, in accordance with Sections 404 and 401, respectively, of the Federal Clean Water Act, the dredged materials are suitable for in-water disposal and do not appear to create a threat to human health, welfare, or the environment; and

(b) All necessary federal, state, and local permits are acquired.

(5) Any use authorization granted by the department shall be subject to the terms and conditions of any required federal, state, or local permits.

(6) The department shall suspend or terminate any authorization to use a site upon the expiration of any required permit.

(7) All leases for use of a designated site must require notification to DNR in Olympia twenty-four hours prior to each use. DNR Olympia must be notified five working days prior to the first use to permit an on-site visit to confirm with dump operator the site location.

(8) Pipeline disposal of material to an established disposal site will require special consideration.

(9) Fees will be charged at rates sufficient to cover all departmental costs associated with management of the sites. Fees will be reviewed and adjusted annually or more often as needed. A penalty fee may be charged for unauthorized dumping or dumping beyond the lease site. Army Corps of Engineers navigation channel maintenance projects [where there is no local sponsor] are exempt from this fee schedule.

FEES

(a) Puget Sound and Strait of Juan De Fuca:
(i) All disposal sites ~~\$0.40~~ \$0.45 per cubic yard (c.y[.]), \$2,000 minimum[;][.]

(b) Grays Harbor/Willapa Harbor: Minimum fee \$300.00

(c) Damage fee - \$5.00/cubic yard

(10) Open water disposal site selection. Sites are selected and managed by the department with the advice of the interagency open water disposal site evaluation commit-

tee (a technical committee of the aquatic resources advisory committee). The committee is composed of representatives of the state departments of ecology, fisheries, game, and natural resources as well as the Federal Army Corps of Engineers, National Marine Fisheries Service, Environmental Protection Agency, and Fish and Wildlife Service. The department chairs the committee. Meetings are irregular. The committee has developed a series of guidelines to be used in selecting disposal sites. The objectives of the site selection guidelines are to reduce damage to living resources known to utilize the area, and to minimize the disruption of normal human activity that is known to occur in the area. The guidelines are as follows:

- (a) Select areas of common or usual natural characteristics. Avoid areas with uncommon or unusual characteristics.
- (b) Select areas, where possible, of minimal dispersal of material rather than maximum widespread dispersal.
- (c) Sites subject to high velocity currents will be limited to sandy or coarse material whenever feasible.
- (d) When possible, use disposal sites that have substrate similar to the material being dumped.
- (e) Select areas close to dredge sources to insure use of the sites.
- (f) Protect known fish nursery, fishery harvest areas, fish migration routes, and aquaculture installations.
- (g) Areas proposed for dredged material disposal may require an investigation of the biological and physical systems which exist in the area.
- (h) Current velocity, particle size, bottom slope and method of disposal must be considered.
- (i) Projects transporting dredged material by pipeline will require individual review.
- (j) Placement of temporary site marking buoys may be required.
- (k) The department will assure disposal occurs in accordance with permit conditions. Compliance measures may include, but are not limited to, visual or electronic surveillance, marking of sites with buoys, requiring submittal of operator reports and bottom sampling or inspection.
- (l) Special consideration should be given to placing material at a site where it will enhance the habitat for living resources.
- (m) Locate sites where surveillance is effective and can easily be found by tugboat operators.
- (11) The department shall conduct such subtidal surveys as are necessary for siting and managing the disposal sites.

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

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

Reviser's note: 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 94-18-002
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
 [Memorandum—August 24, 1994]

The regular public monthly meeting of the Commission on Judicial Conduct will commence at 9:00 a.m. on Thursday, October 6, 1994, at the SeaTac Holiday Inn, 17338 Pacific Highway South, Seattle, WA 98188. After completion of business on October 6, 1994, the regular public meeting will be continued at 11:00 a.m. on Friday, October 7, 1994, at the same location.

WSR 94-18-007
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
 [Memorandum—August 22, 1994]

In compliance with RCW 42.30.075, Bellingham Technical College hereby gives notice that the regular meetings of the board of trustees of the college will be held in the new College Services Building Board Room, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225, for the months of October, November, and December 1994. The meetings are held on the third Thursday of each month at 9 a.m.

WSR 94-18-008
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
WATER QUALITY AUTHORITY
 [Memorandum—August 24, 1994]

Please note and publish the following changes of location for the September, October and November 1994 board meetings. The meetings will be held at:

September 21, 1994

John L. O'Brien Building
 Hearing Room E
 Capitol Campus
 Olympia

October 19, 1994

Weyerhaeuser Corporate Headquarters
 33663 Weyerhaeuser Way South
 4th Floor "Assembly Room"
 Federal Way, 98003

November 16, 1994

City of Bellingham, Council Chambers
 City Hall, 2nd Floor
 210 Lottie Street
 Bellingham

The meetings generally start at 9:30 a.m., any variation from this starting time will be announced in advance. Persons interested in more information about the meetings are invited to call Duane Fagergren at 407-7303 (in Lacey), or 1-800-54-SOUND.

WSR 94-18-011
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed August 25, 1994, 9:43 a.m.]

Please publish in the Washington State Register the following list of the Department of Social and Health Services (DSHS) annual fiscal year agenda for significant rules under development. We will submit this list to the Office of Financial Management and to any other state agency which may reasonably be expected to have an interest in the subject of rules which will be developed.

Division of Developmental Disabilities: Chapter 275-27 WAC, Program options; and chapter 275-38 WAC, ICF/MR reimbursement.

Nursing Home Services: Chapter 388-98 WAC, Nursing home licensure program administration. Will rewrite Medicare/Medicaid nursing home requirements if federal government develops regulations regarding the enforcement of same.

Administrative Services—Office of Appeals: Chapter 388-08 WAC, Practice and procedure—Fair hearing.

Medical Assistance Administration: Chapter 388-86 WAC, Medical care—Services provided; chapter 388-87 WAC, Medical care—Payment; chapter 388-91 WAC, Medical care—Drugs; chapter 388-500 WAC, Medical definitions; chapter 388-501 WAC, Administration of medical programs—General; chapter 388-502 WAC, Administration of medical programs—Providers; chapter 388-503 WAC, Persons eligible for medical assistance; chapter 388-504 WAC, Filing a medical application; chapter 388-505 WAC, Eligibility factors common to medical programs; chapter 388-506 WAC, Medical financial responsibility; chapter 388-507 WAC, AFDC-Related medical eligibility; chapter 388-508 WAC, Pregnant women medical eligibility; chapter 388-509 WAC, Children's medical eligibility; chapter 388-510 WAC, Alien medical eligibility; chapter 388-511 WAC, SSI-related medical eligibility; chapter 388-512 WAC, SSI-related grandfathered recipients; chapter 388-513 WAC, Client not in own home—Institutional medical; chapter 388-515 WAC, Alternate living—Institutional medical; chapter 388-517 WAC, Medicare-related medical eligibility; chapter 388-518 WAC, Limited casualty program—Medically indigent; chapter 388-519 WAC, Spenddown; chapter 388-521 WAC, Medical effective dates; chapter 388-522 WAC, Medical eligibility changes; chapter 388-523 WAC, Medical extensions; chapter 388-524 WAC, Medical terminations; chapter 388-525 WAC, Medical notices; chapter 388-526 WAC, Medical fair hearings; chapter 388-527 WAC, Medical overpayment/repayment; chapter 388-528 WAC, Receipt of resources without giving adequate consideration; chapter 388-529 WAC, Scope of medical services; chapter 388-538 WAC, Managed care; chapter 388-539 WAC, AIDS insurance program; and chapter 388-540 WAC, Kidney Centers.

Division of Child Support: Chapter 388-11 WAC, Child support—Obligations; and chapter 388-14 WAC, Support enforcement.

Division of Alcohol and Substance Abuse: Chapter 440-22 WAC, Certification requirements for chemical dependency treatment service providers.

Division of Vocational Rehabilitation: Chapter 490-500 WAC, Vocational rehabilitation and services for persons with a disability.

Juvenile Rehabilitation Administration: Chapter 275-30 WAC, Juvenile parole revocation; and chapter 275-47 WAC, Collection of costs of support, treatment and confinement of juveniles under RCW 13.40.220.

Pursuant to section 516, chapter 7, Laws of 1994, develop a formal system for inmate classification and establish effective disciplinary policies to maintain order within institutions.

Pursuant to section 532, chapter 7, Laws of 1994, develop rules for the safe and effective operation of the juvenile offender basic training camp program, standards for an offender's successful completion, and for the continued after care supervision of an offender who successfully completed the program.

Aging and Adult Services Administration: Chapter 388-15 WAC, Social services for families, children and adults, assisted living will be a new section, personal care services amendments will affect caseload and budget, chore services may be repealed when complying with I-601 and COPES may be restructured when complying with I-601; and chapter 388-513 WAC, Client not in own home—Institutional medical (limiting guardianship fees following SB 6604).

Division of Income Assistance: Title 388 WAC, DSHS public assistance (welfare reform); chapter 388-31 WAC, Washington telephone assistance program (WTAP); chapter 388-49 WAC, Food assistance programs (food stamps); WAC 388-49-510 Income eligibility standards (food stamps); WAC 388-49-550 Monthly allotments (food stamps); WAC 388-49-590 Monthly reporting (food stamps); WAC 388-200-1050 General provisions for public/medical assistance; WAC 388-214-1100 AFDC for child in temporary foster care; chapter 388-250 WAC, Grant standards; and develop a new chapter to Title 388 WAC related to clients needing special assistance (NSA), and general assistance for families with children in temporary foster care.

Birth to Six State Planning Project: Following chapter 70.195 RCW, we will review Department of Health, DSHS divisions including developmental disabilities, and Office of Superintendent of Public Instruction rules to include consistent wording by agencies within their specific authority line. Possible changes are eligibility and individualized plans for infants and toddlers with disabilities.

Division of Employment and Social Services: WAC 388-47-140 JOBS program—Work supplementation program (amending employment partnership programs/work supplementation program); WAC 388-49-360 Work registration and employment and training (E&T) program services (change in household member affected); WAC 388-49-380 Voluntary quit (change in allowable dependent care maximum for E&T participants); WAC 388-51-210 Other supportive services; WAC 388-51-250 Transitional supportive services; and future development of a rule for change in counties affected by E&T.

If you have questions or need assistance, please contact Sharon Staley, DSHS Reviewer/Rules Coordinator at 902-7540.

Dewey Brock, Chief
Office of Vendor Services

WSR 94-18-021
DEPARTMENT OF LICENSING

[Filed August 26, 1994, 10:40 a.m.]

Significant Rule-making Agenda for Fiscal Year 1995

The following information represents the fiscal year 1995 rule-making agenda for the Department of Licensing and is provided under the requirement of Executive Order (EO 94-07) signed on June 6, 1994.

WAC 308-12-025 Application for examination.

Purpose: To provide information and instructions to apply for the architect examination.

Reason: For clarification. The national examination will become a computerized examination in 1996 and this amendment will explain the process.

Contact Person and Telephone Number: James D. Hanson,
(206) 753-6967.

Planned CR-102 Filing Date: To be decided.

Planned Hearing Date: To be decided.

Planned CR-103 Filing Date: To be decided.

Planned effective Date: To be decided.

WAC 308-12-031 Registration examination.

Purpose: To describe the examinations required for architect registration.

Reason: For clarification. The examination is changed from a paper and pencil test to a computerized test and this amendment provides for any type of examination that is offered by NCARB.

Contact Person and Telephone Number: James D. Hanson,
(206) 753-6967.

Planned CR-102 Filing Date: To be decided.

Planned Hearing Date: To be decided.

Planned CR-103 Filing date: To be decided.

Planned Effective Date: To be decided.

WAC 308-12-050 Registration by reciprocity.

Purpose: To provide information on obtaining registration by reciprocity.

Reason: Housekeeping. Minor editing is necessary to insert current terms used by the program.

Contact Person and telephone number: James D. Hanson,
(206) 753-6967.

Planned CR-102 Filing Date: To be decided.

Planned Hearing Date: To be decided.

Planned CR-103 Filing Date: To be decided.

Planned Effective Date: To be decided.

WAC 308-12-083 Identification of registrant.

Purpose: To require architectural firms to identify the architect responsible for the activities of the firm.

Reason: To rescind this rule as unnecessary.

Contact Person and Telephone Number: James D. Hanson,
(206) 753-6967.

Planned CR-102 Filing Date: To be decided.
 Planned Hearing Date: To be decided.
 Planned CR-103 filing date: To be decided.
 Planned Effective Date: To be decided.

WAC 308-12-324 Compliance with laws.

Purpose: To affirm that architects will comply with state and federal laws governing the professional practice of architecture.

Reason: The jurisdictions recognized by NCARB extend beyond the United States and this amendment would be expanded to include any jurisdiction recognized by NCARB.

Contact Person and Telephone Number: James D. Hanson,
 (206) 753-6967.

Planned CR-102 Filing Date: To be decided.
 Planned Hearing Date: To be decided.
 Planned CR-103 Filing Date: To be decided.
 Planned Effective Date: To be decided.

WAC 308-12-326 Architect fees.

Purpose: To state the fees for architect examination and registration.

Reason: Housekeeping. To eliminate the fees for the examination once it becomes computerized and administered by a testing service.

Contact Person and Telephone Number: James D. Hanson,
 (206) 753-6967.

Planned CR-102 Filing Date: To be decided.
 Planned Hearing Date: To be decided.
 Planned CR-103 Filing Date: To be decided.
 Planned Effective Date: To be decided.

WAC Number: New chapter in Title 196 WAC, On-site septic system designs.

Purpose: The rules will define the scope of engineering practice as it relates to the design of on-site sewage disposal systems. This will be done through negotiated rule making involving Department of Health, Local Health District Officials, Puget Sound Water Quality and other affected groups.

Reason: In June of 1993 a civil lawsuit reached a settlement that specified that the board of registration would develop rules defining the scope of engineering practice in this area of design.

Contact Person and Telephone Number: Alan E. Rathbun,
 PE, Executive
 Director, (206)
 586-3361.

Planned CR-102 Filing Date: February/March 1995.
 Planned Hearing Date: May 1995.
 Planned CR-103 Filing Date: June 1995.
 Planned Effective Date: July 1995.

WAC Number: New chapter in Title 196 WAC, Small water system design.

Purpose: To define the scope of engineering practice, as currently defined in chapter 18.43 RCW, as it pertains to the design of community water systems of fewer than fifteen service connections. This will be done through negotiated rule making involving Department of Health, Local Health District Officials, Puget Sound Water Quality and other affected groups.

Reason: The Department of Health recently adopted rules (chapter 246-291 WAC) concerning the requirements for the design of water systems that are for fifteen or fewer services. These rules set forth requirements for those persons who are deemed qualified to prepare the designs. The requirements set forth by the Department of Health are due to expire on the date that the board adopts rules defining the scope of engineering practice on these designs.

Contact Person and Telephone Number: Alan E. Rathbun,
 PE, Executive
 Director, (206)
 586-3361.

Planned CR-102 Filing Date: February/March 1995.
 Planned Hearing Date: May 1995.
 Planned CR-103 Filing Date: June 1995.
 Planned Effective Date: July 1995.

WAC 196-26-020 Licensing application fees.

Purpose: To restructure the fee schedule.

Reason: Currently, the application fees are a composite amount that includes portions related to applications, examinations and certificates. The board is working toward revising the way fees are received to separate those portions that are not revenue generating fees. This rule would restructure the fee schedule to itemize the respective portions in those areas. This will not result in a fee increase.

Contact Person and Telephone Number: Alan E. Rathbun,
 PE, Executive
 Director, (206)
 586-3361.

Planned CR-102 Filing Date: March 1995.
 Planned Hearing Date: May 1995.
 Planned CR-103 Filing Date: June 1995.
 Planned Effective Date: July 1995.

WAC 196-26-020 Engineering/land surveying/corporation/partnership renewal fees.

Purpose: To revise the amounts of the fees for renewals.
 Reason: Contrary to past revenue forecasts, the revenue base of renewals being paid to the board has increased at a faster rate than anticipated. This resulting increase in revenue, with recent mandated cuts in expenditures, has created a growing fund balance. The rule would realign the fee amounts as needed to conform to projected expenditure levels.

Contact Person and Telephone Number: Alan E. Rathbun,
 PE, Executive
 Director, (206)
 586-3361.

Planned CR-102 Filing Date: March 1995.

Planned Hearing Date: May 1995.
 Planned CR-103 Filing Date: June 1995.
 Planned Effective Date: July 1995.

WAC 196-12-050 Evaluation of candidates for engineering licenses.

Purpose: This is an existing rule in which the board plans to change the requirements for waiving the fundamentals of engineering examination. This rule will specify various conditions for licensure as an engineer.

Reason: To add further clarification to existing RCW and WAC language on the subject.

Contact Person and Telephone Number: Rick Notestine, PLS, Assistant Registrar, (206) 586-7298.

Planned CR-102 Filing Date: March 1995.
 Planned Hearing Date: May 1995.
 Planned CR-103 Filing Date: June 1995.
 Planned Effective Date: July 1995.

WAC 308-300-020 through 308-300-280 inclusively.

Purpose: To provide information and instruction to apply for a master license. To describe who is required to apply, what state agencies are required to participate, and the issuance and renewal of master licenses.

Reason: To clean up the language of the rule. Business license service recently merged with the professional licensing division and changed its name to business and professions division. This rule was filed in 1977 and needs to reflect how business is currently being conducted. This amendment will explain the changes.

Contact Person and Telephone Number: Nell Benzschawel, (206) 586-5372.

Planned CR-102 Filing Date: To be decided.
 Planned Hearing Date: To be decided.
 Planned CR-103 Filing Date: To be decided.
 Planned Effective Date: To be decided.

Additionally, the real estate program will be amending and adding new rules to implement legislation which increased the programs education requirements.

Special Needs: For special accommodations or to request an auxiliary aid, please contact the TIB office at (206) 705-7300 by September 8, 1994.

The next scheduled meeting is October 28, 1994, in Spokane. A notice with further detail of the October meeting will be mailed October 7, 1994.

WSR 94-18-031

EMPLOYMENT SECURITY DEPARTMENT

[Filed August 30, 1994, 10:40 a.m.]

Subject: Work incentive program.
 Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-10-320.

Description of Intended Rule-making Activity: Repeal of the last remaining section of the chapter. The program no longer exists and the section is no longer applicable.

Expected Public Participation: No expected participation of members of the public based upon the response to the 1993 repeal of the chapter except for this section.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	July 1994
Proposed Rule-Making (CR-102)	August 1994
Public Hearings	September 1994
Order Rule Adoption (CR-103)	September 1994
Effective Date	October 1994

Subject: Sharable extended or additional benefits.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-23-320, 192-16-036, 192-16-040, 192-16-042, 192-16-045, and 192-16-047.

Description of Intended Rule-making Activity: Delete verbatim quotes of statutory language and update and clarify rule language to conform to current legislative requirements.

Expected Public Participation: Minimal or no public participation based upon previous housekeeping rule actions.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	July 1994
Proposed Rule-Making (CR-102)	August 1994
Public Hearings	September 1994
Order Rule Adoption (CR-103)	September 1994
Effective Date	October 1994

Subject: Recipients of personal services, reports required.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-030.

Description of Intended Rule-making Activity: Delete verbatim quotes of statutory language and update and clarify rule language to conform to current legislative requirements.

Expected Public Participation: Minimal or no public participation based upon previous housekeeping rule actions.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	July 1994
Proposed Rule-Making (CR-102)	August 1994
Public Hearings	September 1994
Order Rule Adoption (CR-103)	September 1994
Effective Date	October 1994

WSR 94-18-027
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD

[Memorandum—August 26, 1994]

MEETING NOTICE FOR SEPTEMBER 1994
 TRANSPORTATION IMPROVEMENT BOARD
 OLYMPIA, WASHINGTON 98504-0901

Increase subcommittee, 3:00 p.m. Wednesday, September 14, 1994, in Ellensburg at the Best Western Ellensburg Inn, 1700 Canyon Road.

Work session, 9:00 a.m. - Thursday, September 15, 1994, at the Best Western Ellensburg Inn.

Board meeting, 1:30 p.m., Thursday, September 15, 1994, at the Best Western Ellensburg Inn.

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Subject: Payment of benefits to partially unemployed.
 Division or Office Initiating Rule-making Activity:
 Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-150.

Description of Intended Rule-making Activity: Delete verbatim quotes of statutory language and update and clarify rule language to conform to current legislative requirements.

Expected Public Participation: Minimal or no public participation based upon previous housekeeping rule actions.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	July 1994
Proposed Rule-Making (CR-102)	August 1994
Public Hearings	September 1994
Order Rule Adoption (CR-103)	September 1994
Effective Date	October 1994

Subject: Family independence program.

Division or Office Initiating Rule-making Activity:
 Employment and Training Division.

WAC Sections Affected: WAC 192-42-005, 192-16-005, 192-16-010, 192-16-021, 192-16-030, 192-16-056, 192-16-057, 192-16-058, 192-16-060, and 192-16-081.

Description of Intended Rule-making Activity: Repeal of the chapter. The program no longer exists within the agency and the chapter is no longer applicable.

Expected Public Participation: No expected public participation in this rule-making action. The program is discontinued with the department and transferred to JOBS, which is currently regulated by DSHS.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	August 1994
Proposed Rule-Making (CR-102)	September 1994
Public Hearings	October 1994
Order Rule Adoption (CR-103)	October 1994
Effective Date	November 1994

Subject: Public disclosure and privacy.

Division or Office Initiating Rule-making Activity:
 Administrative Services Division.

WAC Sections Affected: WAC 192-15-020, 192-15-030, and 192-15-040.

Description of Intended Rule-making Activity: Amend to comply with current Washington state law.

Expected Public Participation: Unknown. A work group will be formed in June to gather input.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	December 1994
Public Hearings	January 1995
Order Rule Adoption (CR-103)	February 1995
Effective Date	March 1995

Subject: Format for appeal documents.

Division or Office Initiating Rule-making Activity:
 Office of Management Review.

WAC Sections Affected: WAC 192-04-090, 192-04-060, 192-04-063, 192-04-170, and 192-04-175.

Description of Intended Rule-making Activity: Prescribe limitations and uniform format for appeals. Implement court settlement agreement regarding excusability of late filing.

Expected Public Participation: Unknown. This will be a pilot rule process to provide interested persons opportunity

to study the effects of the proposed rule-making recommendations.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	August 1994
Proposed Rule-Making (CR-102)	May 1995
Public Hearings	June 1995
Order Rule Adoption (CR-103)	June 1995
Effective Date	July 1995

Subject: In-person filing requirements for UI benefits.

Division or Office Initiating Rule-making Activity:
 Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-141 (2), (4)(a), (5)(b), (11), and 192-23-018.

Description of Intended Rule-making Activity: Remove the requirement that initial claims, claims for waiting period credit, continued claims, and additional or reopened claims be filed in-person. Authorize the use of the mail or electronic medium to file claims, as the department deems appropriate.

Expected Public Participation: These amendments will be filed as a pilot rule in Pierce County for one year. Interested parties will be asked to participate in the evaluation of the impact of these changes on claimants, office workload, error rate, etc.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	September 1994
Proposed Rule-Making (CR-102)	July 1995
Public Hearings	August 1995
Order Rule Adoption (CR-103)	October 1995
Effective Date	November 1995

Subject: Timeliness of continued claims filings.

Division or Office Initiating Rule-making Activity:
 Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-141 (5)(c).

Description of Intended Rule-making Activity: Amend the timeliness calculations for filing continued unemployment insurance claims from one week to four weeks following completion of the week claimed.

Expected Public Participation: Input from interested parties, including employers and claimants, will be sought during the preproposal comment period.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	September 1994
Proposed Rule-Making (CR-102)	November 1994
Public Hearings	December 1994
Order Rule Adoption (CR-103)	January 1995
Effective Date	February 1995

Subject: In-person filing requirements for UI benefits.

Division or Office Initiating Rule-making Activity:
 Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-141 (2), (4)(a), (5)(b), (11), and 192-23-018.

Description of Intended Rule-making Activity: Remove the requirement that initial claims, claims for waiting period credit, continued claims, and additional or reopened claims be filed in-person. Authorize claims to be filed by telephone.

Expected Public Participation: These amendments will be filed as a pilot rule in the Tri-Cities area for one year. Interested parties will be asked to participate in the evalua-

MISCELLANEOUS

tion of the impact of these changes on claimants, office workload, error rate, etc.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	July 1995
Public Hearings	August 1995
Order Rule Adoption (CR-103)	October 1995
Effective Date	November 1995

Subject: Payment of benefits to interstate claimants.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-130(5).

Description of Intended Rule-making Activity: Amend the regulation to authorize filing of interstate claims by telephone or by electronic media (such as facsimile machines).

Expected Public Participation: Minimal public participation is anticipated.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	November 1995
Public Hearings	December 1995
Order Rule Adoption (CR-103)	January 1996
Effective Date	February 1996

Subject: Benefit overpayment interest charges.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-28-150.

Description of Intended Rule-making Activity: Amend the regulation to charge interest only on the balance of the assessed overpayment, not on interest and court costs.

Expected Public Participation: Minimal public participation is anticipated. This change will not result in any significant reduction in monies.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	November 1994
Public Hearings	December 1994
Order Rule Adoption (CR-103)	January 1995
Effective Date	February 1995

Subject: Substantive and interpretive rules-UI benefits.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: Chapters 192-12 and 192-16 WAC.

Description of Intended Rule-making Activity: House-keeping changes. Review all regulations to eliminate redundant language, simplify terminology, and divide chapters by topic.

Expected Public Participation: Minimal public participation is anticipated.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	December 1994
Public Hearings	January 1995
Order Rule Adoption (CR-103)	February 1995
Effective Date	March 1995

Subject: Unemployment compensation.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-130, 192-12-141, 192-12-156, 192-12-173, 192-12-184, 192-12-190, 192-12-310, 192-12-320, 192-12-330, 192-12-340, 192-16-007, 192-16-017, 192-16-019, 192-16-021, 192-16-025, 192-16-050, 192-16-065, 192-28-100, 192-28-110, 192-28-120, and chapter 192-32 WAC.

Description of Intended Rule-making Activity: House-keeping changes. Update regulations to reflect current statutory language and current agency practice.

Expected Public Participation: Minimal public participation is anticipated.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	October 1994
Proposed Rule-Making (CR-102)	December 1994
Public Hearings	January 1995
Order Rule Adoption (CR-103)	February 1995
Effective Date	March 1995

Subject: Suitable work factors.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-16-021.

Description of Intended Rule-making Activity: Amend definition of "suitable work" to include part-time employment for claimants with disabilities that limit availability to part-time work.

Expected Public Participation: Minimal public participation is anticipated. This amendment will bring the regulation into conformity with the Americans with Disabilities Act.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	November 1994
Proposed Rule-Making (CR-102)	January 1995
Public Hearings	February 1995
Order Rule Adoption (CR-103)	March 1995
Effective Date	April 1995

Subject: Recovery of benefit overpayments.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-28-115 and 192-28-120.

Description of Intended Rule-making Activity: Amend regulations to clarify the circumstances under which Offers in Compromise can be made.

Expected Public Participation: Minimal public participation is anticipated. This amendment will clarify agency procedures.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	November 1994
Proposed Rule-Making (CR-102)	January 1995
Public Hearings	February 1995
Order Rule Adoption (CR-103)	March 1995
Effective Date	April 1995

Subject: Shared work program.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: New chapter.

Description of Intended Rule-making Activity: Adopt regulations to provide for clear and consistent administration of the program, pursuant to chapter 50.60 RCW.

MISCELLANEOUS

Expected Public Participation: Input will be solicited from interested parties during the preproposal comment period.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	November 1994
Proposed Rule-Making (CR-102)	January 1995
Public Hearings	February 1995
Order Rule Adoption (CR-103)	March 1995
Effective Date	April 1995

Subject: Profiling of unemployment compensation claimants.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: New chapter.

Description of Intended Rule-making Activity: Adopt interpretive regulations to implement the profiling legislation passed by Congress in 1993.

Expected Public Participation: Input will be solicited from interested parties during the preproposal comment period.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	November 1994
Proposed Rule-Making (CR-102)	January 1995
Public Hearings	March 1995
Order Rule Adoption (CR-103)	May 1995
Effective Date	June 1995

Subject: Reporting holiday and vacation hours.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-12-141 (5)(a)(vi).

Description of Intended Rule-making Activity: Eliminate the requirement that the majority of claimants report hours worked for holiday and vacation pay. (Shared work claimants will still need to report.)

Expected Public Participation: Minimal public participation anticipated. Although the information is currently reported, it does not impact benefits (except for shared work claimants).

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	January 1995
Proposed Rule-Making (CR-102)	March 1995
Public Hearings	April 1995
Order Rule Adoption (CR-103)	May 1995
Effective Date	June 1995

Subject: Timber retraining benefits.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: WAC 192-32-050.

Description of Intended Rule-making Activity: Amend the definition of "enrolled in training" so that the definition does not relieve the claimant of the duty to seek temporary employment during the period before school begins. Makes the rule consistent with WAC 192-12-184.

Expected Public Participation: Input from interested parties will be solicited during the preproposal comment period.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	January 1995
Proposed Rule-Making (CR-102)	March 1995
Public Hearings	April 1995

Order Rule Adoption (CR-103)	May 1995
Effective Date	June 1995

Subject: Temporary total disability.

Division or Office Initiating Rule-making Activity: Unemployment Insurance Division.

WAC Sections Affected: Chapter 192-34 WAC.

Description of Intended Rule-making Activity: Chapter 192-34 WAC was filed under the pilot rule process. At the conclusion of the first year of study, the rules will be modified as needed.

Expected Public Participation: These pilot rules are being evaluated by the Unemployment Insurance Advisory Committee, which will make recommendations on amendments.

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	January 1995
Proposed Rule-Making (CR-102)	March 1995
Public Hearings	April 1995
Order Rule Adoption (CR-103)	May 1995
Effective Date	June 1995

Subject: Employee conflict of interest.

Division or Office Initiating Rule-making Activity: Administrative Services Division.

WAC Sections Affected: Chapter 192-18 WAC.

Description of Intended Rule-making Activity: Amend to comply with current Washington state law.

Expected Public Participation: [No information supplied by agency.]

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	January 1995
Proposed Rule-Making (CR-102)	February 1995
Public Hearings	March 1995
Order Rule Adoption (CR-103)	March 1995
Effective Date	April 1995

Subject: Hearing and procedures under the JTPA.

Division or Office Initiating Rule-making Activity: Employment and Training Division.

WAC Sections Affected: Chapter 192-40 WAC

Description of Intended Rule-making Activity: Amend to comply with pending United States Department of Labor regulations.

Expected Public Participation: [No information supplied by agency.]

Tentative Schedule of Rule-making Activity:

Preproposal Notice of Intent (CR-101)	March 1995
Proposed Rule-Making (CR-102)	May 1995
Public Hearings	June 1995
Order Rule Adoption (CR-103)	June 1995
Effective Date	July 1995

WSR 94-18-032
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Beef Commission)

[Memorandum—August 26, 1994]

The previously scheduled Washington State Beef Commission budget meeting scheduled for September 1, 1994, has been changed to September 15. The location has been

MISCELLANEOUS

changed to the Sievers Cattle Company, Moses Lake, Washington.

WSR 94-18-033
UNIVERSITY OF WASHINGTON

[Filed August 30, 1994, 11:02 a.m.]

The University of Washington currently has no rules scheduled for revision during the 1994-95 fiscal year. However, internal agency studies continue on the following chapters of the Washington Administrative Code, which may be scheduled later during the 1994-95 fiscal year*: Chapter 478-116 WAC, Parking and traffic regulations of the University of Washington; chapter 478-120 WAC, Student conduct code for the University of Washington; chapter 478-168 WAC, Regulations for the University of Washington libraries; chapter 478-250 WAC, Governing indexing of public records; and chapter 478-276 WAC, Governing access to public records.

*It should be noted that most activity for the development and review of University of Washington rules is tied to the academic calendar, and is deliberately inactive during summer months when a significant portion of the faculty, student, and staff population is absent from the campus.

Rebecca Goodwin Dearthoff
Administrative Procedures Officer
Reference Stations Management Office

WSR 94-18-039
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed August 30, 1994, 3:12 p.m.]

Department of Financial Institutions
Annual Fiscal Year Agenda of
Significant Rules Under Development
July 1, 1994 - June 30, 1995

DIVISION OF BANKS

Contact Person: G. R. Zachary, (206) 753-6520.

Purpose of, and other pertinent information regarding, rule(s) under development: To specify information which must be provided in connection with a branch application by a savings bank headquartered in another state; to provide criteria for approval and establishment of a bank messenger (courier) service; to establish criteria for admissions and withdrawals, and valuation of assets, in regard to bank and trust company collective investment funds; amends WAC 50-36-060(4); and to clarify director's authority concerning out-of-state corporations under 1994 amendments to RCW 30.04.020.

DIVISION OF CONSUMER SERVICES

Contact Person: Mark Thomson, (206) 664-8613.

Purpose of, and other pertinent information regarding, rule(s) under development: To provide a regulatory framework for licensing and regulation of mortgage brokers, and to implement 1994 amendments to chapter 19.146 RCW. Affects rules in the following areas: Definitions, application

procedures, education and testing requirements, fees, surety bonds, trust account administration, registered agents and agents' offices, recordkeeping, and violations, penalties and fines, amends chapter 50-60 WAC, statement of intent filed August 19, 1994, see WSR 94-17-125; and to clarify provisions relating to consumer loan companies, amends chapter 50-20 WAC.

DIVISION OF CREDIT UNIONS

Contact Person: B. Anne Pulitano, (206) 664-3671.

Purpose of, and other pertinent information regarding, rule(s) under development: To clarify common bond definition, amends chapter 419-70 WAC, proposed rule filed on June 7, 1994, see WSR 94-13-043; to clarify field of membership expansion requirements, amends chapter 419-72 WAC, proposed rule filed on June 7, 1994, see WSR 94-13-044; to provide for periodic examination and investigation of the affairs of out-of-state credit unions operating in Washington state; to clarify permissible investments under RCW 31.12.425; to establish guidelines on loans granted for consumer, family or household purposes under RCW 31.12.406; to establish guidelines addressing the issue of unsafe and unsound concentrations of credit and other related safety and soundness issues; to identify confidential sections of examination reports under RCW 31.12.565(5); and to clarify limits on loans to one member for business, investment, commercial or agricultural purposes.

SECURITIES DIVISION

Contact Person: As noted below.

Purpose of, and other pertinent information regarding, rule(s) under development: To reflect adoption of or amendments to NASAA statements of policy, amends WAC 460-16A-205; to reflect recognition of fraternal organizations as exempt under RCW 21.20.310(11), amends WAC 460-52A-010; to update the uniform franchise offering circular format to comply with changes by the Federal Trade Commission, amends WAC 460-80-315; to clarify what constitutes "assistance" in finding locations for business opportunity purchasers in RCW 19.110.020 (1)(a); to establish an earnings claims format for estimated or projected sales or earnings as set forth in RCW 19.110.070(8); and to expand recognized securities exchanges, amends WAC 460-42A-081. Contact Person for above: Brad Ferber, (206) 753-6928.

To reduce the share price requirement of the uniform limited offering registration (ULOR) and to conform to other NASAA policy changes, amends chapter 460-17A WAC. Contact Person: Bill Beatty, (206) 753-6928.

To revise rules relating to the registration and examination of broker-dealers, salespersons, investment advisers, and investment adviser representatives, amends WAC 460-33A-080 and 460-33A-085 and replaces the current chapter 460-20A WAC, preproposal comment filed July 26, 1993, see WSR 93-16-025; and to revise the net capital requirements for investment advisers, amends WAC 460-24A-170, preproposal comment filed July 26, 1993, see WSR 93-16-024. Contact Person for above: Suzanne Sarason, (206) 753-6928.

John L. Bley
Director

WSR 94-18-044
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
 [Memorandum—August 29, 1994]

Following is a revised 1994 meeting schedule(s) for regular meetings to be held by the University of Washington's Graduate School of Public Affairs; American Ethnic Studies Department; Faculty Senate; and Biochemistry Department.

Graduate School of Public Affairs

Meetings will be held in the Forum until such time as we move into new temporary quarters. When the logistics of the move are known, you will be notified of the new meeting place, to commence in Summer 1995. Times are the same as previous years, that is, 11:30 a.m. - 1:30 p.m., first Wednesdays of the month, as follows:

- 1994
- October 5
- November 2
- December 7
- 1995
- January 4
- February 1
- March 1
- April 5
- May 3
- June 7
- October 4
- November 1
- December 6

American Ethnic Studies
1994 Faculty Meetings

Meeting Dates	Location	Time
September 21	A-520 Padelford	3-5 p.m.
October 5	A-520 Padelford	3-5 p.m.
November 2	A-520 Padelford	3-5 p.m.
December 7	A-520 Padelford	3-5 p.m.

FACULTY SENATE
Schedule of Senate and
Executive Committee Meetings 1994-95

Autumn Quarter, 1994

Executive Committee Agenda Deadline	September 21
Executive Committee Meeting	October 3*
SENATE Meeting	October 20
Executive Committee Agenda Deadline	October 26
Executive Committee Meeting	November 7*
SENATE Meeting	December 1

Winter Quarter, 1995

Executive Committee Agenda Deadline	December 7
Executive Committee Meeting	January 9**
SENATE Meeting	January 26
Executive Committee Agenda Deadline	February 1
Executive Committee Meeting	February 13**
SENATE Meeting	March 2

Spring Quarter, 1995

Executive Committee Agenda Deadline	March 8
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Executive Committee Meeting	March 27*
SENATE Meeting	April 13
(Senate elections begin)	April 17
Executive Committee Meeting - Nominations	April 17*
Executive Committee Agenda Deadline	April 19
Executive Committee Meeting	May 1*
SENATE Meeting	May 25

* Continuation meetings may be held the following Monday.

** Continuation meeting may be held on the Tuesday in the following week.

Senate meetings will be held at 2:30 p.m. in the Savery Hall Auditorium (Room 239).

Executive committee meetings will be held at 2:30 p.m. in 142 Administration Building.

1994
Biochemistry Faculty Meeting

Meeting Dates	Location	Time
September 13, 1994	HSB J-412	1:00 p.m.
October 18, 1994	HSB J-412	1:00 p.m.
November 15, 1994	HSB J-412	1:00 p.m.
December 13, 1994	HSB J-412	1:00 p.m.

WSR 94-18-045
WESTERN WASHINGTON UNIVERSITY

[Filed August 31, 1994, 11:07 a.m.]

Western Washington University is not planning to make major changes to its Washington Administrative Code rules during the coming fiscal year.

Gloria A. McDonald
 Rules Coordinator

WSR 94-18-046
PUBLIC DISCLOSURE COMMISSION

[Filed August 31, 1994, 11:08 a.m.]

The Public Disclosure Commission (PDC) submits this Annual Fiscal Year Agenda for significant rules under development pursuant to Part II of Executive Order 94-07.

The Public Disclosure Commission will either be developing a new form or amending the current L-3 form in order to accommodate Initiative 134's (I-134) amendment to RCW 42.17.180. All Public Disclosure Commission forms are promulgated by rule and therefore, any change to the current L-3 or the addition of a new form will be done through the rulemaking process.

In order to implement and clarify I-134's provisions regarding independent expenditures, the Public Disclosure Commission is currently developing new rules and amendments to existing rules regarding independent expenditures and contributions.

This is the first campaign cycle in which I-134 and the rules enacted to implement I-134 will be in force and effect.

Although there are no other significant rules under development, new rules or amendments to current rules may become necessary after an assessment is made of the campaign cycle.

No other significant rules are under development at this time. This is, of course, subject to change if facts, statutes or subsequent case law require action.

Melissa Warheit
Executive Director

WSR 94-18-051
DEPARTMENT OF REVENUE

[Filed August 31, 1994, 2:22 p.m.]

Executive Order 94-07 requires each state agency to prepare an annual fiscal year agenda for significant rules under development. This agenda is to be published in the state register. The following agenda lists the Washington Administrative Code (WAC) citations and the titles for those existing rules which the Department of Revenue has begun or proposes to begin rule-making action prior to June 30, 1995.

The department will conduct a public meeting for each of these rules to solicit comments and suggestions for proposed changes. These meetings will be announced through the state register and through mailings to interested persons. The department uses a modified negotiated rule making process in which comments and suggestions can be made by interested persons with those comments being fully considered by the department during the drafting process. Suggestions will be included within a rule if appropriate under the language of the specific statute which is being implemented and explained by the rule.

Persons who wish to be placed on the department's mailing list for purposes of becoming involved at the drafting stage of rule development should contact Roseanna Hodson at (206) 586-4281, or by FAX at (206) 664-0972, or by writing to her at Department of Revenue, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467. If making such a request, you should indicate the specific rule or rules of interest to you by citing the WAC reference and title.

EXCISE TAX DIVISION: WAC 458-20-new rule, department's rule-making process; WAC 458-20-100XX/100XX, new rules on adjudicative proceedings for revocation of certificate of registrations and revocation of right to sell cigarettes and log export actions; WAC 458-20-new rule, Credit bureau services; WAC 458-20-new rule, Accountants (93 legislation); WAC 458-20-new rule, Selected business services (93 legislation); WAC 458-20-new rule, Massage services (93 legislation); WAC 458-20-101 Tax registration (94 legislation); WAC 458-20-103 Time and place of sale; WAC 458-20-104 Exemptions—Volume of business (94 legislation); WAC 458-20-114 Nonbusiness income—Bona fide initiation fees, dues, contributions, tuition fees and endowment funds; WAC 458-20-127 Magazines and periodicals (93 and 94 legislation); WAC 458-20-138 Personal services rendered to others (93 legislation); WAC 458-20-143 Publishers of newspapers, magazines, and periodicals (93 and 94 legislation); WAC 458-20-170 Constructing, and repairing of new or existing buildings or other structures upon real property

(93 legislation); WAC 458-20-171 Building, repairing or improving streets, roads, etc., which are owned by a municipal corporation or political subdivision of the state or by the United States and which are used primarily for foot or vehicular traffic (93 legislation); WAC 458-20-180 Motor transportation, urban transportation (93 legislation); WAC 458-20-183 Amusement and recreation activities and businesses (93 legislation); WAC 458-20-189 Sales to and by the state of Washington, counties, cities, school districts and other municipal subdivisions; WAC 458-20-192 Indians—Indian reservations and new rules dealing specifically with Indian business activities; WAC 458-20-207 Attorneys (93 legislation); WAC 458-20-211 Lease or rentals of tangible personal property, bailments (93 legislation); WAC 458-20-218 Advertising agencies (93 legislation); WAC 458-20-224 Service and other business activities (93 legislation); WAC 458-20-226 Landscape and horticultural services (93 legislation); WAC 458-20-228 Returns, remittances, penalties, extensions, interest, stay of collection (93 legislation); WAC 458-20-233 Tax liability of medical and hospital service bureaus and associations and similar health care organizations (93 legislation); WAC 458-20-238 Sales to nonresidents of watercraft requiring Coast Guard registration or documentation (93 legislation); WAC 458-20-240/24001/24002 and new rule, Tax deferral rules including high tech deferral (93 and 94 legislation); WAC 458-20-258 Travel agents, tour operators, guided tours and guided charters (93 legislation); and WAC 458-20-261 Ticket sellers (93 legislation). Leasehold excise tax rules, new rules to be included as a new chapter in Title 458 WAC: Definition of leasehold interest; taxable rent; treatment of improvements; exemptions; allowable credits to be deducted from tax due; when and how economic rent is established; relating to the administration of the tax (who collects tax, when is it collected, lessor is responsible to collect, amount of tax . . .); intent and scope behind leasehold excise tax; right of lessees and/or sublessees to appeal to the Board of Equalization when the Department of Revenue has asked the county to revalue the land; and senior citizens exemption.

PROPERTY TAX DIVISION - COUNTY BOARDS OF EQUALIZATION: WAC 458-14-005 Definitions (94 legislation); WAC 458-14-015 Jurisdiction of county boards of equalization (94 legislation); WAC 458-14-056 Petitions—Time limits—Waiver of filing deadline for good cause (94 legislation); WAC 458-14-066 Requests for valuation information—Duty to exchange information—Time limits (94 legislation); WAC 458-14-116 Orders of the board—Notice of value adjustment—Effective date (94 legislation); WAC 458-14-127 Reconvened boards—Authority (94 legislation); WAC 458-14-146 Conflicts of interest; WAC 458-14-160 Continuances—Ex parte contact (94 legislation); WAC 458-14-170 Appeals to the state board of tax appeals (94 legislation); and WAC 458-14-171 Direct appeals to board of tax appeals (94 legislation).

PROPERTY TAX DIVISION - PROPERTY TAX EXEMPTIONS: New rules to be placed in new chapter 458-16A WAC: WAC 458-16A-010 Nonprofit homes for the aging (legislation); and WAC 458-16A-020 Nonprofit homes for the aging—Initial application and annual renewal (legislation).

PROPERTY TAX DIVISION - PROPERTY TAX EXEMPTIONS: WAC 458-16-080 Improvements to single family dwellings—Definitions; WAC 458-16-081 Improvements to single family dwellings—Exemption—Filing—Amount—Limits (repealing); WAC 458-16-110 Applications—Who must file, initial applications, annual renewal; WAC 458-16-111 Filing fees, penalties and refunds (legislation); and WAC 458-16-265 Nonprofit homes for the aging (repealing).

PROPERTY TAX DIVISION - OPEN SPACE TAXATION: WAC 458-30-200 Definitions (92 legislation); WAC 458-30-205 Department of Revenue—Duties; WAC 458-30-210 Classified lands (92 legislation); WAC 458-30-215 Application process; WAC 458-30-220 Application fee; WAC 458-30-225 Assessor to respond to farm and agricultural classification applications; WAC 458-30-230 Legislative authority to act on open space and timber land applications (92 legislation); WAC 458-30-240 Agreement execution; WAC 458-30-245 Recording of documents; WAC 458-30-250 Denial and appeal; WAC 458-30-255 Determination of value; WAC 458-30-260 Valuation procedures and standards (92 legislation); WAC 458-30-265 Valuation cycle; WAC 458-30-270 Income and expense data; WAC 458-30-275 Continuing classification—Sale or transfer of ownership of classified land (92 legislation); WAC 458-30-280 Notice to withdraw from classification; WAC 458-30-285 Withdrawal from classification; WAC 458-30-295 Removal of classification (92 legislation); WAC 458-30-300 Additional tax—Removal (92 legislation); WAC 458-30-305 Additional tax—Date due; WAC 458-30-310 County recording authority—Duties; WAC 458-30-315 County financial authority—Duties; WAC 458-30-320 Assessment and tax rolls; WAC 458-30-325 Transfers between classifications (92 legislation); WAC 458-30-330 Rating system; WAC 458-30-335 Rating system—Establishment; WAC 458-30-340 Rating system—Loss of qualification; WAC 458-30-345 Advisory committee; WAC 458-30-350 Reclassification; WAC 458-30-355 Agreement may be abrogated by legislature; WAC 458-30-500 Definitions; WAC 458-30-510 Creation of district—Protest—Final assessment roll; WAC 458-30-520 Notification of district—Certification by assessor—Estimate by district; WAC 458-30-530 Notification of owner; WAC 458-30-540 Waiver; WAC 458-30-550 Exemption—Removal; WAC 458-30-560 Partial assessment—Computation; WAC 458-30-570 Connection subsequent to final assessment roll—Interest—Connection charge; and WAC 458-30-580 Rate of inflation—When published—Calculation. Proposed new sections of chapter 458-30 WAC: WAC 458-30-232 Application for timber land classification; WAC 458-30-242 Application for farm and agricultural conservation land classification (92 legislation); WAC 458-30-267 Valuation procedures for open space and timber land; WAC 458-30-317 Principal residence of operator or housing for employees on farm and agricultural land (92 legislation); and WAC 458-30-360 Correction of erroneous classification or reclassification (92 legislation). Sections of chapter 458-30 WAC to be repealed: WAC 458-30-235 Granting authority response; WAC 458-30-290 Additional tax—Withdrawal; and WAC 458-30-590 Rates of inflation (annual update).

PROPERTY TAX DIVISION - PROPERTY TAX LEVIES, RATES, AND LIMITS: WAC 458-19-050 Port district levies (legislation).

PROPERTY TAX DIVISION - INTERCOUNTY UTILITIES AND TRANSPORTATION: WAC 458-50-070 Annual assessment—Procedure; and WAC 458-50-new rule, annual assessment and appeal rights relating to the assessment of private car companies.

PROPERTY TAX DIVISION - ANNUAL RATIO STUDY: WAC 458-53-010 Declaration of purpose; WAC 458-53-020 Definitions; WAC 458-53-030 Stratification of assessment rolls—Real property; WAC 458-53-040 Land use code—Ratio study; WAC 458-53-050 Land use code—Abstract report; WAC 458-53-051 Ratio determination by land use class; WAC 458-53-070 Sales studies; WAC 458-53-080 Sales samples; WAC 458-53-090 Sales samples—Assessed valuation; WAC 458-53-100 Use of county sales studies; WAC 458-53-110 Property values used in the ratio study; WAC 458-53-120 Review procedures for county studies; WAC 458-53-130 Real property appraisal studies; WAC 458-53-140 Personal property audit studies; WAC 458-53-141 Personal property audit selection; WAC 458-53-142 Personal property audit studies—Date of valuation; WAC 458-53-150 Indicated real property ratio—Computation; WAC 458-53-160 Indicated personal property ratio—Computation; WAC 458-53-163 Mobile homes—Use in study; WAC 458-53-165 Property not properly valued—Use in study; WAC 458-53-180 Use of indicated ratios; WAC 458-53-200 Certification of county preliminary and indicted ratios—Review; and WAC 458-53-210 Appeals. Appraiser accreditation rules - new rules for new chapter in Title 458 WAC: Introduction - function of accreditation of real property appraisers; definitions of terms used throughout chapter; experience requirements; examination or waiver required; accreditation examination; education and examination prerequisites; exemption from examination; fee; certificates; waiver of accreditation requirements; renewal of certificate; continuing education requirement for renewal of certificate; standards of practice; and revocation, suspension, or denial of accreditation.

FOREST TAX DIVISION: WAC 458-40-520 Property tax, forest land—Classification, designation, removal by assessor, compensating taxes; WAC 458-40-540 Property tax, forest land—Forest land values—1994; WAC 458-40-610 Timber excise tax—Definitions; WAC 458-40-615 Timber excise tax—Stumpage values—Reporting of private stumpage and log purchase sales and applicable logging costs to the department (94 legislation); WAC 458-40-620 Timber excise tax—Tax liability—Harvester as taxpayer, harvester defined; WAC 458-40-624 Timber excise tax—Tax liability—Reclassified reforestation lands (94 legislation); WAC 458-40-626 Timber excise tax—Tax liability—Private timber, tax due when timber harvested; WAC 458-40-628 Timber excise tax—Tax liability—Public timber lump sum vs. scale sales; WAC 458-40-640 Timber excise tax—Stumpage value area (map); WAC 458-40-660 Timber excise tax—Stumpage value tables; WAC 458-40-670 Timber excise tax—Stumpage value adjustments; WAC 458-40-680 Timber excise tax—Volume harvested—Approved scaling and grading methods; WAC 458-40-684 Timber excise tax—Volume harvested—Conversions to Scribner Decimal C Scale for Western Washington; and WAC 458-40-690 Timber excise tax—Credit for property tax.

Les Jaster
Rules Coordinator

WSR 94-18-053
BOARD OF ACCOUNTANCY
[Filed August 31, 1994, 3:23 p.m.]

Pursuant to Executive Order 94-07, the Washington State Board of Accountancy submits this 1995 fiscal year agenda for significant rules under development. Please publish this listing in the Washington State Register.

Fiscal Year 1995 Rules Agenda

WAC 4-25-530 (amend) Fees.

WAC 4-25-662 (new) Use of CPA title.

WAC 4-25-710 (amend) CPA certificate—Education requirements.

* Information gathering hearing scheduled for November 17, 1994.

WAC 4-25-750 (amend) Firm license.

WAC 4-25-770 (new) Interstate reciprocity.

WAC 4-25-410 (new) Definitions.

* Rules hearing conducted August 25, 1994—Comment period open through October 28, 1994.

WAC 4-25-610 (new) Commissions and referral fees.

* Rules hearing conducted August 25, 1994—Comment period open through October 28, 1994.

WAC 4-25-627 (new) Contingent fees.

* Rules hearing conducted August 25, 1994—Comment period open through October 28, 1994.

WAC 4-25-910 (new) Bases for imposing discipline.

* Rules hearing conducted August 25, 1994—Comment period open through October 28, 1994.

Questions or concerns may be directed to the board's rules coordinator, Cheryl Sexton at (206) 664-9194.

Carey L. Rader, CPA
Executive Director

WSR 94-18-054
DEPARTMENT OF PERSONNEL
[Filed August 31, 1994, 3:53 p.m.]

In accordance with Executive Order 94-07, the following is a description of the rule development activity the Department of Personnel will consider over the next fiscal year (July 1, 1994 - June 30, 1995).

Chapter 356-56 WAC (Washington management service rules): As the rules are fully implemented, it is the director's intent to consider rule proposals which may clarify and/or adjust provisions for the Washington management service. Rule proposals may be necessary when it is determined that the current rules do not adequately or appropriately address surfacing issues related to the Washington management service.

Title 359 WAC (merger rules from Title 356 and 251 WAC): As a result of ESHB 2054, both higher education and general government employees are covered by chapter 41.06 RCW and are under the Washington Personnel

Resources Board's jurisdiction. Therefore, the Department of Personnel is working to consolidate the two existing civil service rules books, Titles 251 and 356 WAC, to create a new set of civil service rules, Title 359 WAC. Title 359 WAC will govern both general government and higher education employees. As part of the consolidation process, the Department of Personnel will consider the development of rules relating to a variety of personnel issues.

Titles 356 and 251 WAC (revisions to existing rules): The Department of Personnel will consider proposals to revise Titles 356 and 251 WAC to address issues resulting from legislation, or at the request of the board, state agencies, institutions of higher education, or other interested parties.

Dennis Karras
Director

WSR 94-18-063
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—August 31, 1994]

The Seattle Community College District board of trustees will hold a work session, to begin at 5:00 p.m., prior to their regularly scheduled meeting at 6:00 p.m., on Tuesday, September 6, 1994. This meeting will be held at the Siegal Center, 1500 Harvard, Seattle, WA 98122.

WSR 94-18-064
WHATCOM COMMUNITY COLLEGE
[Filed September 1, 1994, 9:36 a.m.]

Whatcom Community College is not planning to make major changes to its Washington Administrative Code rules during the coming fiscal year.

Clifford M. Baacke
Rules Coordinator

WSR 94-18-065
BELLINGHAM TECHNICAL COLLEGE
[Filed September 1, 1994, 9:37 a.m.]

Bellingham Technical College is not planning to make major changes to its Washington Administrative Code rules during the coming fiscal year.

Jody McBee
Rules Coordinator

WSR 94-18-084
RULES COORDINATOR
DEPARTMENT OF
GENERAL ADMINISTRATION
[Filed September 2, 1994, 2:25 p.m.]

The Department of General Administration has recently changed rules coordinators. The new rules coordinator is Victoria W. Sheldon, Department of General Administration,

Comptroller's Office, P.O. Box 41018, Olympia, WA 98504-1018, (206) 753-4243.

Julie Boyer
Deputy Director

5929 West Metaline
Kennewick
(8:30 a.m. - 3:00 p.m.)

The meeting site is barrier free. People needing special accommodations should contact the council office at (206) 753-3715.

WSR 94-18-085
DEPARTMENT OF
GENERAL ADMINISTRATION

[Filed September 2, 1994, 2:26 p.m.]

In accordance with the Governor's Executive Order on Regulatory Reform, EO 94-07, I have adopted the following as the Department of General Administration's agenda for significant rules under development for fiscal year 1994-1995:

- Chapter 236-10 WAC Compliance with State Environmental Protection Act (repeal).
 - Chapter 236-11 WAC Compliance with State Environmental Policy Act (general revision).
 - Chapter 236-15 WAC Parking (new).
 - WAC 236-20-030 State vehicle markings (house-keeping).
 - Chapter 236-24 WAC Water projects bidding waiver (repeal).
 - Chapter 236-28 WAC Small works roster (general revision).
 - WAC 236-48-096 and 236-49-055 Correctional industries preference (new).
 - WAC 236-48-190 and 236-48-1902 Surplus property disposal priorities (revision).
 - Chapters 236-48 and 236-49 WAC State purchasing (general revision).
 - Chapter 236-56 WAC Public records (general revision).
 - Chapter 236-60 WAC Standards for curb cuts for handicapped persons (repeal).
 - Chapter 236-70 WAC Private investment in energy conservation (general revision).
- John Franklin
Director

WSR 94-18-095
DEPARTMENT OF ECOLOGY

[Filed September 2, 1994, 4:20 p.m.]

Shown below is ecology's annual rule plan for July 1994 through June 1995. This plan includes rules that are being amended (improved by making changes to an existing rule), rules that are being adopted (new rules that do not yet exist), and rules that are being repealed (removed from the books).

The rules are listed by subject matter under the following headings: State law requires; federal law requires; regulatory reform measures; and other.

This document is an estimation of rule activity in the Department of Ecology in fiscal year 1995. Timelines are approximated. All rules listed in this plan should have some activity during the fiscal year. However, rule development for some of the rules began in 1993 or before.

The following definitions will help you better understand the enclosed information:

- Estimated Initiation Date - refers to the month or year the rule development plan was begun or will begin
- Estimated Proposal - refers to formal rule proposal filed with the code reviser
- Estimated Adoption - refers to adoption of the rule by the agency director and filing of the rule with the code reviser

For up-to-date information regarding a particular rule, please contact the person listed. For general information regarding rule development in the Department of Ecology, please contact the rules coordinator at (206) 407-6161.

WSR 94-18-086
NOTICE OF PUBLIC MEETINGS
COUNCIL ON
VOCATIONAL-TECHNICAL EDUCATION

[Memorandum—Filed September 2, 1994]

Thursday
September 15
Vineyard Room
Red Lion
(509) 547-0701
2525 North 20th
Pasco
(3:00 p.m. - 5:00 p.m.)

Friday
September 16
Tri-Tech Skills Center
(509) 736-2500

Department of Ecology
ANNUAL RULE PLAN
July 1994 through June 1995

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
STATE LAW REQUIRES					
Oil Spills					
Amend Compensation Table and Pre-Damage Assessment Screening Chapter 173-183 WAC (AO# 93-33)	Incorporate flexibility into process of carrying out damage assessments as required by statute	December 1993			Paul Heimowitz 407-6972
Sediments					
Amend Sediment Management Standards Chapter 173-204 WAC (AO# 93-22)	Triennial rule review per federal/state requirement. Components: -Human health criteria -Freshwater standards	1993	July 1995	December 1995	Laura Weiss 407-7446
Amend Sediment Management Standards Chapter 173-204 WAC (AO# 94-12)	Adopt sediment quality standards for net pens as mandated by legislature	1993	December 1994	February 1995	Pam Sparks-McConkey 407-6491
Shorelands					
Amend Shoreline Management Act Guidance for Development of Master Programs Chapter 173-16 WAC	Develop uniform content and scheduling guidelines for coastal erosion standards for use by local governments	1995		1996	Doug Canning 407-6781

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
Solid and Hazardous Waste					
Amend Model Toxics Control Act Cleanup Regulations Chapter 173-340 WAC	Broaden use of agreed orders and definition of industrial cleanup levels	September 1994			Curtis Dahlgren 407-7187
Adopt Used Oil Chapter 173-354 WAC (AO# 93-16)	Provide clear direction and incentives to aid in the management of used oil as required by the Used Oil Recycling Act and federal regulations	1993	1994	1995	Bill Green 407-6109
Water Quality					
Amend Wastewater Discharge Standards and Effluent Limitations Chapter 173-221A WAC (AO# 93-26)	Develop discharge standards for net pens as required by statute	1994	February 1995		Bill Moore 407-6444
Amend Wastewater Discharge Permit Fees Chapter 173-224 WAC (AO# 94-21)	Improve fee-setting consistency, develop and implement fee-setting rationale, incorporate pollution reduction and prevention	1994	December 1995	March 1996	Dan Wrye 407-6459
Adopt rule on performance security for metals mining	Joint rule with DNR to determine amount of performance security and other requirements. Required by ESHB 2521	Fall 1994		Early 1996	Bob Barwin 407-7107

MISCELLANEOUS

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
Well Drilling					
Amend Minimum Standards of Well Construction Maintenance of Water Wells Chapter 173-160 WAC	Review and update construction standards as directed by legislature	1994		Mid 1996	Dick Szymarek 407-6648
Amend Regulation and Licensing of Water Well Contractors and Operators Chapter 173-162 WAC (AO# 91-56)	Review and update licensing standards as directed by legislature	1994	Late 1994	Mid 1995	Dick Szymarek 407-6648
FEDERAL LAW REQUIRES					
Air					
Amend Motor Vehicle Emission Inspection Chapter 173-422 WAC (AO# 93-35)	Upgrade program design to meet Federal Clean Air Act requirements	1994	October 1994	January 1995	John Raymond 407-6856
Amend Conformity of Transportation Activities Chapter 173-420 (AO# 94-31)	Meet requirements for reviewing conformity projects as required by Clean Air Act	1994	November 1994	February 1995	Paul Carr 407-6863
Amend Operating Permit Program Chapter 173-401 WAC (AO# 94-20)	Incorporate federal requirements & revisions	May 1995			Tony Warfield 407-6892

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
Amend General Regulation for Air Pollution Chapter 173-400 WAC (AO# 93-40)	Clarify registration program's components, identify additional source categories, and develop fee structure	1994	October 1994	January 1995	Judy Geier 407-6850
Amend General Regulation for Air Pollution Chapter 173-400 WAC (AO# 94-11)	Incorporate federal dry cleaner MACT requirements and state RACT requirements	1994	September 1994	March 1995	Tony Warfield 407-6892
Amend General Regulation for Air Pollution Chapter 173-400 WAC (AO# 94-35)	Incorporate federal programs and revise state only provisions for broadly applicable requirements	1994	September 1994	March 1995	Tony Warfield 407-6892
Solid and Hazardous Waste					
Adopt Biosolids Management Chapter 173-308 WAC (AO# 93-23)	Update current program to meet federal requirements and stakeholder concerns, establish more efficient system of regulation, and avoid redundancies	1993	January 1995	November 1995	Kyle Dorsey 407-6107
Water Quality					
Amend Surface Water Quality Standards Chapter 173-201A WAC (AO# 93-11)	Adopt numeric limits for protection of public health as required by the Clean Water Act	1993		1995	Cheryl Niemi 407-6440
Amend Surface Water Quality Standards Chapter 173-201A WAC (AO# 93-11)	Federal rule requires the state to update water quality standards at least once every three years	1994	April 1996	October 1996	Mark Hicks 407-6477

MISCELLANEOUS

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
REGULATORY REFORM MEASURES					
Sediments					
Adopt Dredged Material Sediment Standards Chapter 173-227 WAC	Puget Sound Plan requirement. Consolidate existing rules, codify Puget Sound dredging program, adopt contaminated sediment requirements. (May consolidate this rule with Chapter 173-204 WAC, Sediment Management Standards)	1994	July 1995	December 1995	Rick Vining 407-6927
SEPA					
Amend State Environmental Policy Act Chapter 197-11 (AO# 94-22)	Provide policy guidance for early integration of SEPA requirements into GMA planning process. Establish SEPA procedures for MTCA cleanup actions and forest practice conversion	1994	September 1994	December 1994	Marvin Vialle 407-6928
Solid and Hazardous Waste					
Amend Dangerous Waste Regulations Chapter 173-303 WAC (AO# 94-30)	Comprehensive evaluation of state only dangerous waste criteria in response to stakeholder concerns and to comply with federal RCRA requirements to update the state program	1995			Patricia Hervieux 407-6756

MISCELLANEOUS

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
Amend Underground Storage Tanks Chapter 173-360 WAC (AO# 92-59)	Eliminate Ecology's role in licensing underground storage tank service providers and provide a substitute program whereby individuals can demonstrate competency	1993	September 1994	December 1994	Wendy Bolender 407-7211
Water Quality					
Amend State Waste Discharge Permit Program Chapter 173-216 WAC and National Pollutant Discharge Elimination System Chapter 173-220 WAC (AO# 93-29)	Consolidate rules, exempt certain categories of dischargers from permits, and establish other permits	Spring 1994	Fall 1995	March 1996	Bill Moore 407-6444
Water Resources					
Amend Water Resources Planning Chapter 173-500 WAC (AO# 93-36)	Consolidate and update comprehensive rules. Set flows in streams in response to Chelan Agreement	1994	Late 1994 or early 1995	November 1995	Brian Walsh 407-6646
Adopt Water Right Administration Chapter 173-151 WAC (incl. changes to 173-150, 173-154, 508-12, 508-64)	Consolidate and update water management and water right administration rules	1994	Late 1994 or early 1995	Late 1995	Brian Walsh 407-6646
Adopt Grants Chapter 173-171 WAC (incl. changes to 173-166, 173-170)	Changes for funding trust water rights, agricultural water supply facilities, and drought relief	1994	1995	1995	Cynthia Nelson 407-6637

ANTICIPATED RULE DEVELOPMENT	PURPOSE/MANDATE	ESTIMATED INITIATION DATE	ESTIMATED PROPOSAL	ESTIMATED ADOPTION	CONTACT
OTHERS					
Shorelands and Floodplain Management					
Amend Shoreline Management Act of 1971 - State Master Program Chapter 173-19 WAC	Amend rule in response to local Shoreline Master Program changes. Local plans for jurisdictions along the ocean coast will also incorporate ocean use guidelines		1994 & 1995	1994 & 1995	Linda Whitcher 407-6523
Water Resources					
Amend Water Resources Program in the Methow River Basin Chapter 173-548 WAC	Manage water resources of the area in response to Chelan Agreement and Water Resources Forum	1994	1994	1995	Doug Rushton 407-6642
Adopt a rule regarding water resource management in the Dungeness-Quilcene Basin	Manage water resources of the area in response to Chelan Agreement and Water Resources Forum	1994			Doug Rushton 407-6642

MISCELLANEOUS

WSR 94-18-112
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—September 2, 1994]

At their September 1, 1994, meeting, the board of trustees of Community College District 24, rescheduled their October board meeting to Wednesday, October 12, 1994, beginning at 3:00 p.m. in the boardroom of Building 25 on our campus.

WSR 94-18-113
DEPARTMENT OF ECOLOGY
 [Filed September 6, 1994, 4:02 p.m.]

The Washington State Department of Ecology will be conducting a public hearing on October 18, 1994, at the Department of Ecology, 300 Desmond Drive, Conference Room R1S-16, Lacey, WA, at 1:00 p.m. The purpose of this hearing is to solicit public comment on the recodification of the state implementation plan's (SIP) table of contents. Also open for public comment is the repeals of chapter 173-402 WAC, Civil sanctions under Washington Clean Air Act and chapter 173-440 WAC, Sensitive areas, from the SIP. These state regulations were recently repealed and need to be removed from the SIP since they are no longer in effect.

Interested persons are encouraged to provide oral comments at the hearing. Written comments will be considered if postmarked no later than October 19, 1994. Comments should be addressed to Lydia L. Blalock, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600. For more information, or for a copy of the draft document prior to the hearing, please contact Lydia Blalock at (206) 407-6860.

* Ecology is an equal opportunity and affirmative action employer. If you have special accommodation needs, call (206) 407-6860 (voice) or (206) 407-6006 (TDD).

WSR 94-18-116
ATTORNEY GENERAL OPINION
 [Filed September 6, 1994, 4:40 p.m.]

NOTICE OF REQUEST
FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by September 21, 1994. This is not the due date by which comments must be received. However, if you do not notify

the Attorney General's Office of your interest in commenting on an opinion request by September 21, 1994, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (206) 753-4114, or by writing to the Solicitor General, Office of the Attorney General, 905 Plum Street, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion requests:

94-8-6 James Jesernig, Dir., Department of Agriculture

Questions regarding the authority of the Department of Agriculture and/or the Department of Health to embargo or interdict all food leaving a Food Control Area if they have been subjected to hazardous substances produced during an accident or emergency at a nuclear power plant or radioactive waste storage facility; and questions regarding the authority of state/local law enforcement to stop and inspect vehicles leaving a Food Control Area.

WSR 94-18-119
DEPARTMENT OF ECOLOGY
 [Filed September 7, 1994, 8:10 a.m.]

Comment Period Opens for Ecology's Toxics Control Account Report

Ecology is accepting public comment on its report to the legislature, the toxics control accounts appropriations recommendations for the 1995-97 biennium. The report describes upcoming biennium spending proposals for the state and local toxics control accounts, hazardous waste management activities, and cleanup activities concerning the Department of Ecology and related programs in the Departments of Agriculture, Community Trade and Economic Development, Health, Marine Safety, Natural Resources, and Revenue. The report may be obtained on or after September 21 by phoning 1-800-826-7716, or ecology's telecommunications device for the deaf (TDD) (206) 407-7155. Written comments will be accepted September 21 through October 21 and should be submitted to Rob Kirkwood, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

Public Hearings

Spokane: October 6
 7:00 p.m. Thursday
 Department of Ecology
 Eastern Regional Office
 1st Floor Conference Room
 Front Entrance
 4601 North Monroe

Bellevue: October 13
7:00 p.m. Thursday
Department of Ecology
Northwest Regional Office
Conference Room 1A & B
3190 160th Avenue S.E.

Comment Period: September 21, 1994, to October 21, 1994.

MISCELLANEOUS

Table of WAC Sections Affected

KEY TO TABLE

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.

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

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 identify the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-21-010	AMD-P	94-09-045	16-125	PREP	94-16-100	16-223-005	REP	94-03-023
1-21-010	AMD	94-12-075	16-200-805	AMD-P	94-05-060	16-223-010	REP	94-03-023
1-21-170	AMD-P	94-09-045	16-200-805	AMD	94-08-034	16-223-020	REP	94-03-023
1-21-170	AMD	94-12-075	16-212-020	AMD-P	94-06-058	16-223-030	REP	94-03-023
4-25-020	REP-P	94-13-060	16-212-020	AMD	94-10-002	16-223-040	REP	94-03-023
4-25-030	REP-P	94-13-060	16-212-030	AMD-P	94-06-058	16-223-050	REP	94-03-023
4-25-080	REP-P	94-13-060	16-212-030	AMD	94-10-002	16-223-060	REP	94-03-023
4-25-185	REP	94-02-070	16-212-060	AMD-P	94-06-058	16-223-070	REP	94-03-023
4-25-186	REP	94-02-070	16-212-060	AMD	94-10-002	16-228-235	REP-P	94-09-017
4-25-187	REP	94-02-070	16-212-070	AMD-P	94-06-058	16-228-235	REP	94-13-195
4-25-188	REP	94-02-070	16-212-070	AMD	94-10-002	16-228-245	REP-P	94-09-017
4-25-270	REP-P	94-13-060	16-212-080	AMD-P	94-06-058	16-228-245	REP	94-13-195
4-25-280	REP	94-02-070	16-212-080	AMD	94-10-002	16-228-250	REP-P	94-09-017
4-25-300	REP	94-02-070	16-212-082	AMD-P	94-06-058	16-228-250	REP	94-13-195
4-25-320	REP	94-02-070	16-212-082	AMD	94-10-002	16-228-255	REP-P	94-09-017
4-25-410	NEW-P	94-13-059	16-219	AMD-C	94-08-033	16-228-255	REP	94-13-195
4-25-521	NEW	94-02-068	16-219-015	AMD-P	94-05-092	16-228-260	REP-P	94-09-017
4-25-522	NEW	94-02-068	16-219-015	AMD	94-09-028	16-228-260	REP	94-13-195
4-25-625	NEW-P	94-13-062	16-219-017	NEW-P	94-05-092	16-228-265	REP-P	94-09-017
4-25-627	NEW-P	94-13-062	16-219-017	NEW	94-09-028	16-228-265	REP	94-13-195
4-25-710	PREP	94-18-052	16-219-017	AMD-E	94-15-050	16-228-275	REP-P	94-09-017
4-25-780	NEW	94-10-039	16-219-018	NEW-P	94-05-092	16-228-275	REP	94-13-195
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4-25-811	NEW	94-02-072	16-219-020	AMD-P	94-05-092	16-304-040	AMD-P	94-09-046
4-25-812	NEW	94-02-072	16-219-020	AMD	94-09-028	16-304-040	AMD	94-12-046
4-25-813	NEW	94-02-072	16-219-022	NEW-P	94-05-092	16-304-050	AMD-P	94-09-046
4-25-820	NEW	94-02-071	16-219-022	NEW	94-09-028	16-304-050	AMD	94-12-046
4-25-910	NEW-P	94-13-061	16-219-025	AMD-P	94-05-092	16-304-110	AMD-P	94-09-046
4-25-920	NEW	94-02-069	16-219-025	AMD	94-09-028	16-304-110	AMD	94-12-046
16-32-009	NEW-P	94-09-072	16-219-027	NEW-P	94-05-092	16-304-130	AMD-P	94-09-046
16-32-009	NEW	94-12-053	16-219-027	NEW	94-09-028	16-304-130	AMD	94-12-046
16-32-010	REP-P	94-09-072	16-219-027	AMD-E	94-15-050	16-313-015	AMD-P	94-09-046
16-32-010	REP	94-12-053	16-219-029	NEW-P	94-05-092	16-313-015	AMD	94-12-046
16-32-011	NEW-P	94-09-072	16-219-029	NEW	94-09-028	16-313-035	AMD-P	94-09-046
16-32-011	NEW	94-12-053	16-219-030	REP-P	94-05-092	16-313-035	AMD	94-12-046
16-38-001	REP	94-05-009	16-219-030	REP	94-09-028	16-316-0901	AMD-P	94-09-046
16-38-010	REP	94-05-009	16-219-031	NEW-P	94-05-092	16-316-0901	AMD	94-12-046
16-38-020	REP	94-05-009	16-219-031	NEW	94-09-028	16-316-105	AMD-P	94-09-046
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16-86-015	AMD	94-05-008	16-219-100	NEW-P	94-05-061	16-316-230	AMD-P	94-09-046
16-103-001	AMD	94-05-040	16-219-100	NEW	94-08-035	16-316-230	AMD	94-12-046
16-103-010	NEW-E	94-13-074	16-219-105	NEW-P	94-05-061	16-316-350	AMD-P	94-09-046
16-103-010	NEW-P	94-14-034	16-219-105	NEW	94-08-035	16-316-350	AMD	94-12-046
16-103-010	NEW-W	94-14-060	16-219-105	NEW	94-08-035	16-316-440	AMD-P	94-09-046
16-103-010	NEW-P	94-15-056	16-221-001	REP	94-03-024	16-316-440	AMD	94-12-046
16-103-020	NEW-E	94-13-074	16-221-010	REP	94-03-024	16-316-440	AMD	94-12-046
16-103-020	NEW-P	94-14-034	16-221-020	REP	94-03-024	16-316-474	AMD-P	94-09-046
16-103-020	NEW-W	94-14-060	16-221-030	REP	94-03-024	16-316-474	AMD	94-12-046
16-103-020	NEW-P	94-15-056	16-221-040	REP	94-03-024	16-316-717	AMD-P	94-09-046
16-108-010	AMD-P	94-05-074	16-223-001	REP	94-03-023	16-316-717	AMD	94-12-046
16-108-010	AMD-W	94-07-038	16-223-002	REP	94-03-023	16-316-727	AMD-P	94-09-046
			16-223-004	REP	94-03-023	16-316-727	AMD	94-12-046

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-316-800	AMD-P	94-09-046	16-620-270	REP-P	94-10-075	50-60-070	NEW	94-03-009
16-316-800	AMD	94-12-046	16-620-270	REP	94-13-070	50-60-080	NEW	94-03-009
16-316-820	AMD-P	94-09-046	16-620-280	AMD-P	94-10-075	50-60-080	AMD-E	94-17-054
16-316-820	AMD	94-12-046	16-620-280	AMD	94-13-070	50-60-085	NEW-E	94-17-054
16-316-830	AMD-P	94-09-046	16-620-290	AMD-P	94-10-075	50-60-090	NEW	94-03-009
16-316-830	AMD	94-12-046	16-620-290	AMD	94-13-070	50-60-100	NEW	94-03-009
16-324-640	REP-P	94-01-110	16-620-340	AMD-P	94-10-075	50-60-110	NEW	94-03-009
16-324-640	REP	94-11-070	16-620-340	AMD	94-13-070	50-60-120	NEW	94-03-009
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16-400-210	AMD-P	94-13-041	16-620-380	AMD	94-13-070	50-60-140	NEW	94-03-009
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16-403-145	AMD-P	94-05-050	16-620-400	NEW	94-13-070	50-60-160	NEW	94-03-009
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16-403-150	AMD	94-07-133	16-675-010	AMD-P	94-09-054	50-60-170	AMD-E	94-17-054
16-403-290	AMD-P	94-05-050	16-675-010	AMD	94-12-035	50-60-180	NEW	94-03-009
16-403-290	AMD	94-07-133	16-675-029	NEW-P	94-09-054	51-04-015	AMD	94-05-058
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16-470-92035	NEW-W	94-06-051	44-06-080	AMD	94-13-039	51-11-0629	AMD-P	94-16-116
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132F-08-100	REP-P	94-05-097A	132F-108-040	NEW	94-18-070	132J-116-240	AMD	94-04-052
132F-08-100	REP	94-18-070	132F-108-050	NEW-P	94-05-097A	132J-128-010	REP	94-04-053
132F-08-110	REP-P	94-05-097A	132F-108-050	NEW	94-18-070	132J-128-020	REP	94-04-053
132F-08-110	REP	94-18-070	132F-108-060	NEW-P	94-05-097A	132J-128-030	REP	94-04-053
132F-08-120	REP-P	94-05-097A	132F-108-060	NEW	94-18-070	132J-128-040	REP	94-04-053
132F-08-120	REP	94-18-070	132F-108-070	NEW-P	94-05-097A	132J-128-050	REP	94-04-053
132F-08-130	REP-P	94-05-097A	132F-108-070	NEW	94-18-070	132J-128-060	REP	94-04-053
132F-08-130	REP	94-18-070	132F-108-080	NEW-P	94-05-097A	132J-128-070	REP	94-04-053
132F-08-140	REP-P	94-05-097A	132F-108-080	NEW	94-18-070	132J-128-080	REP	94-04-053
132F-08-140	REP	94-18-070	132F-108-090	NEW-P	94-05-097A	132J-128-090	REP	94-04-053
132F-08-230	REP-P	94-05-097A	132F-108-090	NEW	94-18-070	132J-128-100	REP	94-04-053
132F-08-230	REP	94-18-070	132F-108-100	NEW-P	94-05-097A	132J-128-110	REP	94-04-053
132F-08-240	REP-P	94-05-097A	132F-108-100	NEW	94-18-070	132J-128-120	REP	94-04-053
132F-08-240	REP	94-18-070	132F-108-110	NEW-P	94-05-097A	132J-128-130	REP	94-04-053
132F-08-250	REP-P	94-05-097A	132F-108-110	NEW	94-18-070	132J-128-140	REP	94-04-053
132F-08-250	REP	94-18-070	132F-108-120	NEW-P	94-05-097A	132J-128-200	NEW	94-04-053
132F-08-260	REP-P	94-05-097A	132F-108-120	NEW	94-18-070	132J-128-210	NEW	94-04-053
132F-08-260	REP	94-18-070	132F-108-130	NEW-P	94-05-097A	132J-136-020	REP	94-04-054
132F-08-270	REP-P	94-05-097A	132F-108-130	NEW	94-18-070	132J-136-025	REP	94-04-054
132F-08-270	REP	94-18-070	132F-108-140	NEW-P	94-05-097A	132J-136-030	REP	94-04-054
132F-08-280	REP-P	94-05-097A	132F-108-140	NEW	94-18-070	132J-136-040	REP	94-04-054
132F-08-280	REP	94-18-070	132H-160-040	REP	94-04-098	132J-136-050	REP	94-04-054
132F-08-290	REP-P	94-05-097A	132H-160-050	REP	94-04-098	132P-33	PREP	94-17-135B
132F-08-290	REP	94-18-070	132H-160-056	REP	94-04-098	132P-116	PREP	94-17-135A

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Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132Q-04-061	NEW-P	94-18-087	136-165-050	NEW	94-16-109	162-12-150	AMD-W	94-04-087
132Q-04-081	NEW-P	94-18-092	136-167-010	NEW-P	94-13-183	162-12-160	AMD-W	94-04-087
132Q-04-082	NEW-P	94-18-091	136-167-010	NEW	94-16-110	162-12-170	AMD-W	94-04-087
132Q-04-083	NEW-P	94-18-090	136-167-020	NEW-P	94-13-183	162-12-180	AMD-W	94-04-087
132Q-04-094	NEW-P	94-18-089	136-167-020	NEW	94-16-110	162-18-010	REP-W	94-04-087
132Q-04-097	NEW-P	94-18-088	136-167-030	NEW-P	94-13-183	162-18-020	REP-W	94-04-087
132R-190-010	AMD	94-07-019	136-167-030	NEW	94-16-110	162-18-030	REP-W	94-04-087
132R-190-020	AMD	94-07-019	136-167-040	NEW-P	94-13-183	162-18-040	REP-W	94-04-087
132R-190-030	AMD	94-07-019	136-167-040	NEW	94-16-110	162-18-050	REP-W	94-04-087
132R-190-035	AMD	94-07-019	136-170-010	AMD-P	94-13-185	162-18-060	REP-W	94-04-087
132R-190-040	AMD	94-07-019	136-170-010	AMD	94-16-112	162-18-070	REP-W	94-04-087
132R-190-050	AMD	94-07-019	136-170-030	AMD-P	94-13-185	162-18-080	REP-W	94-04-087
132R-190-060	AMD	94-07-019	136-170-030	AMD	94-16-112	162-18-090	REP-W	94-04-087
132R-190-070	AMD	94-07-019	136-170-040	NEW-P	94-13-185	162-18-100	REP-W	94-04-087
132R-190-080	AMD	94-07-019	136-170-040	NEW	94-16-112	162-22-010	AMD-W	94-04-087
132R-190-090	AMD	94-07-019	136-180-040	AMD-P	94-06-031	162-22-020	AMD-W	94-04-087
132R-190-100	AMD	94-07-019	136-180-040	AMD	94-10-021	162-22-030	REP-W	94-04-087
132R-190-110	AMD	94-07-019	137-56-010	AMD	94-07-065	162-22-040	REP-W	94-04-087
132V-300-020	AMD-W	94-03-082	137-56-015	AMD	94-07-065	162-22-050	AMD-W	94-04-087
132Y-125-004	AMD	94-03-010	137-56-030	AMD	94-07-065	162-22-060	AMD-W	94-04-087
136-130-040	AMD-P	94-06-028	137-56-040	AMD	94-07-065	162-22-070	AMD-W	94-04-087
136-130-040	AMD	94-10-022	137-56-050	AMD	94-07-065	162-22-080	AMD-W	94-04-087
136-130-060	AMD-P	94-06-029	137-56-060	AMD	94-07-065	162-22-090	AMD-W	94-04-087
136-130-060	AMD	94-10-020	137-56-070	AMD	94-07-065	162-22-100	AMD-W	94-04-087
136-160-010	REP-P	94-13-182	137-56-080	AMD	94-07-065	162-26-010	AMD-W	94-04-087
136-160-010	REP	94-16-111	137-56-090	AMD	94-07-065	162-26-020	AMD-W	94-04-087
136-160-020	REP-P	94-13-182	137-56-095	AMD	94-07-065	162-26-030	AMD-W	94-04-087
136-160-020	REP	94-16-111	137-56-100	AMD	94-07-065	162-26-040	AMD-W	94-04-087
136-160-024	REP-P	94-13-182	137-56-110	AMD	94-07-065	162-26-050	AMD-W	94-04-087
136-160-024	REP	94-16-111	137-56-120	AMD	94-07-065	162-26-060	AMD-W	94-04-087
136-160-030	REP-P	94-13-182	137-56-140	AMD	94-07-065	162-26-070	AMD-W	94-04-087
136-160-030	REP	94-16-111	137-56-150	AMD	94-07-065	162-26-080	AMD-W	94-04-087
136-160-040	REP-P	94-13-182	137-56-160	AMD	94-07-065	162-26-090	AMD-W	94-04-087
136-160-040	REP	94-16-111	137-56-170	AMD	94-07-065	162-26-100	AMD-W	94-04-087
136-160-050	AMD-P	94-06-028	137-56-175	NEW	94-07-065	162-26-110	AMD-W	94-04-087
136-160-050	AMD	94-10-022	137-56-180	AMD	94-07-065	162-26-120	AMD-W	94-04-087
136-160-050	REP-P	94-13-182	137-56-190	REP	94-07-065	162-26-130	AMD-W	94-04-087
136-160-050	REP	94-16-111	137-56-200	AMD	94-07-065	162-26-140	AMD-W	94-04-087
136-160-060	AMD-P	94-06-030	137-56-210	AMD	94-07-065	162-30-010	AMD-W	94-04-087
136-160-060	AMD	94-10-023	137-56-220	AMD	94-07-065	162-30-020	AMD-W	94-04-087
136-160-060	REP-P	94-13-182	137-56-230	AMD	94-07-065	162-30-030	NEW-W	94-04-087
136-160-060	REP	94-16-111	137-56-240	AMD	94-07-065	162-30-035	NEW-W	94-04-087
136-160-065	REP-P	94-13-182	137-56-250	AMD	94-07-065	162-30-040	NEW-W	94-04-087
136-160-065	REP	94-16-111	148-120-010	NEW-P	94-08-066	162-30-050	NEW-W	94-04-087
136-161-010	NEW-P	94-13-182	148-120-010	NEW	94-13-058	162-30-060	NEW-W	94-04-087
136-161-010	NEW	94-16-111	148-120-015	NEW-P	94-08-066	162-30-070	NEW-W	94-04-087
136-161-020	NEW-P	94-13-182	148-120-015	NEW	94-13-058	162-30-080	NEW-W	94-04-087
136-161-020	NEW	94-16-111	148-120-100	NEW-P	94-08-066	162-30-090	NEW-W	94-04-087
136-161-030	NEW-P	94-13-182	148-120-100	NEW	94-13-058	162-30-100	NEW-W	94-04-087
136-161-030	NEW	94-16-111	148-120-120	NEW-P	94-08-066	173-19-100	AMD-P	94-03-093
136-161-040	NEW-P	94-13-182	148-120-120	NEW	94-13-058	173-19-100	AMD	94-16-085
136-161-040	NEW	94-16-111	148-120-200	NEW-P	94-08-066	173-19-120	AMD-P	94-03-092
136-161-050	NEW-P	94-13-182	148-120-200	NEW	94-13-058	173-19-120	AMD	94-10-081
136-161-050	NEW	94-16-111	148-120-205	NEW-P	94-08-066	173-19-2401	AMD-C	94-05-038
136-161-060	NEW-P	94-13-182	148-120-205	NEW	94-13-058	173-19-2401	AMD	94-07-013
136-161-060	NEW	94-16-111	148-120-210	NEW-P	94-08-066	173-19-2520	AMD-P	94-14-086
136-161-070	NEW-P	94-13-182	148-120-210	NEW	94-13-058	173-19-2521	AMD-P	94-17-168
136-161-070	NEW	94-16-111	148-120-220	NEW-P	94-08-066	173-19-2602	AMD-P	94-04-107
136-161-080	NEW-P	94-13-182	148-120-220	NEW	94-13-058	173-19-2602	AMD	94-10-082
136-161-080	NEW	94-16-111	148-120-225	NEW-P	94-08-066	173-19-2208	AMD-E	94-18-097
136-161-090	NEW-P	94-13-182	148-120-225	NEW	94-13-058	173-19-3303	AMD-P	94-07-120
136-161-090	NEW	94-16-111	148-120-230	NEW-P	94-08-066	173-19-3303	AMD	94-13-046
136-161-100	NEW-P	94-13-182	148-120-230	NEW	94-13-058	173-19-3506	AMD-W	94-07-074
136-161-100	NEW	94-16-111	148-120-234	NEW-P	94-08-066	173-19-3506	AMD-P	94-10-040
136-165-010	NEW-P	94-13-184	148-120-234	NEW	94-13-058	173-19-3506	AMD	94-14-029
136-165-010	NEW	94-16-109	148-120-236	NEW-P	94-08-066	173-19-3507	AMD-P	94-17-126
136-165-020	NEW-P	94-13-184	148-120-236	NEW	94-13-058	173-19-360	AMD-P	94-10-041
136-165-020	NEW	94-16-109	162-12-100	AMD-W	94-04-087	173-19-360	AMD	94-14-030
136-165-030	NEW-P	94-13-184	162-12-110	REP-W	94-04-087	173-19-390	AMD	94-03-095
136-165-030	NEW	94-16-109	162-12-120	AMD-W	94-04-087	173-19-410	PREP	94-18-096
136-165-040	NEW-P	94-13-184	162-12-130	AMD-W	94-04-087	173-19-4203	AMD-P	94-07-119
136-165-040	NEW	94-16-109	162-12-135	AMD-W	94-04-087	173-19-4203	AMD	94-13-047
136-165-050	NEW-P	94-13-184	162-12-140	AMD-W	94-04-087	173-19-4205	AMD-P	94-03-094

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-19-4205	AMD	94-10-080	173-180A-090	NEW	94-10-084	173-400	NEW-C	94-08-072
173-34-010	REP-P	94-03-071	173-180A-100	NEW	94-10-084	173-400	NEW-C	94-10-079
173-34-010	REP	94-07-078	173-180A-110	NEW	94-10-084	173-400-045	NEW-P	94-04-106
173-34-020	REP-P	94-03-071	173-180A-120	NEW	94-10-084	173-400-045	NEW	94-17-070
173-34-020	REP	94-07-078	173-180A-130	NEW	94-10-084	173-400-101	NEW-P	94-04-105
173-34-030	REP-P	94-03-071	173-180A-140	NEW	94-10-084	173-400-101	NEW	94-10-042
173-34-030	REP	94-07-078	173-180A-150	NEW	94-10-084	173-400-116	NEW-P	94-04-106
173-34-040	REP-P	94-03-071	173-180B-010	NEW	94-10-083	173-400-116	NEW	94-17-070
173-34-040	REP	94-07-078	173-180B-020	NEW	94-10-083	173-401	AMD-C	94-08-073
173-34-050	REP-P	94-03-071	173-180B-030	NEW	94-10-083	173-401-200	AMD-P	94-04-104
173-34-050	REP	94-07-078	173-180B-040	NEW	94-10-083	173-401-200	AMD	94-11-105
173-58-010	AMD-P	94-05-037	173-180B-050	NEW	94-10-083	173-401-510	AMD-P	94-04-104
173-58-010	AMD	94-12-001	173-180B-060	NEW	94-10-083	173-401-510	AMD	94-11-105
173-58-020	AMD-P	94-05-037	173-180B-070	NEW	94-10-083	173-401-530	NEW-P	94-04-104
173-58-020	AMD	94-12-001	173-180B-080	NEW	94-10-083	173-401-530	NEW	94-11-105
173-58-090	AMD-P	94-05-037	173-180B-090	NEW	94-10-083	173-401-531	NEW-P	94-04-104
173-58-090	AMD	94-12-001	173-180B-100	NEW	94-10-083	173-401-531	NEW	94-11-105
173-60-010	AMD-P	94-05-037	173-180B-110	NEW	94-10-083	173-401-532	NEW-P	94-04-104
173-60-010	AMD	94-12-001	173-180B-120	NEW	94-10-083	173-401-532	NEW	94-11-105
173-60-020	AMD-P	94-05-037	173-180B-130	NEW	94-10-083	173-401-533	NEW-P	94-04-104
173-60-020	AMD	94-12-001	173-180B-140	NEW	94-10-083	173-401-533	NEW	94-11-105
173-60-050	AMD-P	94-05-037	173-202-020	AMD-E	94-04-108	173-402-010	REP-P	94-10-078
173-60-050	AMD	94-12-001	173-202-020	AMD-P	94-08-071	173-402-010	REP	94-14-067
173-60-070	AMD-P	94-05-037	173-202-020	AMD-E	94-12-054	173-402-020	REP-P	94-10-078
173-60-070	AMD	94-12-001	173-202-020	AMD	94-17-011	173-402-020	REP	94-14-067
173-70-010	REP-P	94-05-037	173-204	PREP	94-13-161	173-406-100	NEW-P	94-17-127
173-70-010	REP	94-12-001	173-224	AMD-C	94-05-082	173-406-101	NEW-P	94-17-127
173-70-020	REP-P	94-05-037	173-224	PREP	94-17-010	173-406-102	NEW-P	94-17-127
173-70-020	REP	94-12-001	173-224-020	AMD-P	94-02-080	173-406-103	NEW-P	94-17-127
173-70-030	REP-P	94-05-037	173-224-020	AMD	94-10-027	173-406-104	NEW-P	94-17-127
173-70-030	REP	94-12-001	173-224-030	AMD-P	94-02-080	173-406-105	NEW-P	94-17-127
173-70-040	REP-P	94-05-037	173-224-030	AMD	94-10-027	173-406-106	NEW-P	94-17-127
173-70-040	REP	94-12-001	173-224-040	AMD-P	94-02-080	173-406-200	NEW-P	94-17-127
173-70-050	REP-P	94-05-037	173-224-040	AMD	94-10-027	173-406-201	NEW-P	94-17-127
173-70-050	REP	94-12-001	173-224-050	AMD-P	94-02-080	173-406-202	NEW-P	94-17-127
173-70-060	REP-P	94-05-037	173-224-050	AMD	94-10-027	173-406-300	NEW-P	94-17-127
173-70-060	REP	94-12-001	173-224-070	REP-P	94-02-080	173-406-301	NEW-P	94-17-127
173-70-070	REP-P	94-05-037	173-224-070	REP-W	94-15-070	173-406-302	NEW-P	94-17-127
173-70-070	REP	94-12-001	173-224-090	AMD-P	94-02-080	173-406-303	NEW-P	94-17-127
173-70-080	REP-P	94-05-037	173-224-090	AMD	94-10-027	173-406-400	NEW-P	94-17-127
173-70-080	REP	94-12-001	173-224-100	AMD-P	94-02-080	173-406-401	NEW-P	94-17-127
173-70-090	REP-P	94-05-037	173-224-100	AMD	94-10-027	173-406-402	NEW-P	94-17-127
173-70-090	REP	94-12-001	173-224-120	REP-P	94-02-080	173-406-500	NEW-P	94-17-127
173-70-100	REP-P	94-05-037	173-224-120	REP-W	94-15-070	173-406-501	NEW-P	94-17-127
173-70-100	REP	94-12-001	173-303	AMD-C	94-08-092	173-406-502	NEW-P	94-17-127
173-70-110	REP-P	94-05-037	173-303-071	AMD	94-12-018	173-406-600	NEW-P	94-17-127
173-70-110	REP	94-12-001	173-303-104	AMD	94-12-018	173-406-601	NEW-P	94-17-127
173-70-120	REP-P	94-05-037	173-320-010	REP-P	94-03-071	173-406-602	NEW-P	94-17-127
173-70-120	REP	94-12-001	173-320-010	REP	94-07-078	173-406-603	NEW-P	94-17-127
173-95-010	REP	94-04-030	173-320-020	REP-P	94-03-071	173-406-604	NEW-P	94-17-127
173-95-020	REP	94-04-030	173-320-020	REP	94-07-078	173-406-605	NEW-P	94-17-127
173-95-030	REP	94-04-030	173-320-030	REP-P	94-03-071	173-406-700	NEW-P	94-17-127
173-95-040	REP	94-04-030	173-320-030	REP	94-07-078	173-406-701	NEW-P	94-17-127
173-95-050	REP	94-04-030	173-320-040	REP-P	94-03-071	173-406-702	NEW-P	94-17-127
173-95-060	REP	94-04-030	173-320-040	REP	94-07-078	173-406-703	NEW-P	94-17-127
173-95-070	REP	94-04-030	173-320-050	REP-P	94-03-071	173-406-704	NEW-P	94-17-127
173-95-080	REP	94-04-030	173-320-050	REP	94-07-078	173-406-705	NEW-P	94-17-127
173-95-090	REP	94-04-030	173-320-060	REP-P	94-03-071	173-406-706	NEW-P	94-17-127
173-95-100	REP	94-04-030	173-320-060	REP	94-07-078	173-406-800	NEW-P	94-17-127
173-95-110	REP	94-04-030	173-320-070	REP-P	94-03-071	173-406-801	NEW-P	94-17-127
173-95-120	REP	94-04-030	173-320-070	REP	94-07-078	173-406-802	NEW-P	94-17-127
173-95-130	REP	94-04-030	173-320-080	REP-P	94-03-071	173-406-900	NEW-P	94-17-127
173-95-140	REP	94-04-030	173-320-080	REP	94-07-078	173-406-1000	NEW-P	94-17-127
173-95-150	REP	94-04-030	173-335-010	REP-P	94-03-071	173-422	PREP	94-16-094
173-95-160	REP	94-04-030	173-335-010	REP	94-07-078	173-422-020	AMD	94-05-039
173-180A-010	NEW	94-10-084	173-335-020	REP-P	94-03-071	173-422-030	AMD	94-05-039
173-180A-020	NEW	94-10-084	173-335-020	REP	94-07-078	173-422-050	AMD	94-05-039
173-180A-030	NEW	94-10-084	173-335-030	REP-P	94-03-071	173-422-070	AMD	94-05-039
173-180A-040	NEW	94-10-084	173-335-030	REP	94-07-078	173-422-075	AMD	94-05-039
173-180A-050	NEW	94-10-084	173-335-040	REP-P	94-03-071	173-422-095	AMD	94-05-039
173-180A-060	NEW	94-10-084	173-335-040	REP	94-07-078	173-422-130	AMD	94-05-039
173-180A-070	NEW	94-10-084	173-335-050	REP-P	94-03-071	173-422-140	REP	94-05-039
173-180A-080	NEW	94-10-084	173-335-050	REP	94-07-078	173-422-160	AMD	94-05-039

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173-430-010	AMD-P	94-16-096	180-40-235	AMD	94-03-102	180-82-009	NEW-W	94-18-068
173-430-020	AMD-P	94-16-096	180-50-115	AMD	94-03-104	180-82-010	NEW-P	94-16-132
173-430-030	AMD-P	94-16-096	180-50-120	AMD	94-03-104	180-82-010	NEW-W	94-18-068
173-430-040	AMD-P	94-16-096	180-51-050	AMD	94-03-100	180-82-011	NEW-P	94-16-132
173-430-050	AMD-P	94-16-096	180-51-050	AMD-P	94-08-067	180-82-011	NEW-W	94-18-068
173-430-060	AMD-P	94-16-096	180-51-050	AMD	94-13-017	180-82-020	NEW-P	94-16-132
173-430-070	AMD-P	94-16-096	180-51-075	AMD	94-03-104	180-82-020	NEW-W	94-18-068
173-430-080	AMD-P	94-16-096	180-51-105	AMD	94-03-103	180-82-030	NEW-P	94-16-132
173-430-090	NEW-P	94-16-096	180-75-016	AMD-P	94-16-129	180-82-030	NEW-W	94-18-068
173-430-100	NEW-P	94-16-096	180-75-045	AMD-P	94-16-132	180-82-040	NEW-P	94-16-132
173-440-010	REP-P	94-10-078	180-75-045	AMD-W	94-18-068	180-82-040	NEW-W	94-18-068
173-440-010	REP	94-14-067	180-75-061	AMD-P	94-16-129	180-82-050	NEW-P	94-16-132
173-440-020	REP-P	94-10-078	180-75-065	AMD-P	94-16-132	180-82-050	NEW-W	94-18-068
173-440-020	REP	94-14-067	180-75-065	AMD-W	94-18-068	180-82-065	NEW-P	94-16-132
173-440-030	REP-P	94-10-078	180-75-085	AMD-P	94-16-132	180-82-065	NEW-W	94-18-068
173-440-030	REP	94-14-067	180-75-085	AMD-W	94-18-068	180-82-070	NEW-P	94-16-132
173-440-040	REP-P	94-10-078	180-75-087	AMD-P	94-16-132	180-82-070	NEW-W	94-18-068
173-440-040	REP	94-14-067	180-75-087	AMD-W	94-18-068	180-82-100	NEW-P	94-16-132
173-440-100	REP-P	94-10-078	180-75-110	PREP	94-15-021	180-82-100	NEW-W	94-18-068
173-440-100	REP	94-14-067	180-78-025	AMD-P	94-16-130	180-82-110	NEW-P	94-16-132
173-440-900	REP-P	94-10-078	180-78-065	AMD-P	94-16-130	180-82-110	NEW-W	94-18-068
173-440-900	REP	94-14-067	180-78-085	REP-P	94-16-130	180-82-115	NEW-P	94-16-132
173-460-020	AMD	94-03-072	180-78-095	REP-P	94-16-130	180-82-115	NEW-W	94-18-068
173-460-030	AMD	94-03-072	180-78-110	REP-P	94-16-130	180-82-120	NEW-P	94-16-132
173-460-040	AMD	94-03-072	180-78-115	REP-P	94-16-130	180-82-120	NEW-W	94-18-068
173-460-050	AMD	94-03-072	180-78-120	REP-P	94-16-130	180-82-130	NEW-P	94-16-132
173-460-060	AMD	94-03-072	180-78-140	AMD-P	94-16-130	180-82-130	NEW-W	94-18-068
173-460-080	AMD	94-03-072	180-78-141	NEW-P	94-16-130	180-82-140	NEW-P	94-16-132
173-460-090	AMD	94-03-072	180-78-180	AMD-P	94-16-130	180-82-140	NEW-W	94-18-068
173-460-100	AMD	94-03-072	180-78-205	AMD-P	94-16-131	180-95-010	AMD	94-03-103
173-460-110	AMD	94-03-072	180-78-210	AMD-P	94-16-131	180-95-020	AMD	94-03-103
173-460-150	AMD	94-03-072	180-78-235	AMD-P	94-16-131	180-95-030	AMD	94-03-103
173-460-160	AMD	94-03-072	180-78-245	AMD-P	94-16-131	180-95-040	AMD	94-03-103
173-492-070	AMD	94-07-040	180-78-255	AMD-P	94-16-131	180-95-050	AMD	94-03-103
173-548-010	AMD-E	94-15-013	180-78-257	NEW-P	94-16-131	180-95-060	AMD	94-03-103
173-548-015	NEW-E	94-15-013	180-78-265	AMD-P	94-16-131	180-96-005	AMD	94-03-101
173-548-030	AMD-E	94-15-013	180-78-266	NEW-P	94-05-034	180-96-010	AMD	94-03-101
173-563-090	PREP	94-13-162	180-78-266	NEW	94-08-055	180-96-015	REP	94-03-101
173-563-015	AMD-P	94-14-085	180-78-270	AMD-P	94-16-130	180-96-025	REP	94-03-101
173-563-015	AMD-C	94-15-073	180-78-275	AMD-P	94-16-130	180-96-030	REP	94-03-101
173-564-040	AMD-P	94-14-085	180-78-280	AMD-P	94-16-130	180-96-035	AMD	94-03-101
173-564-040	AMD-C	94-15-073	180-78-285	AMD-P	94-16-130	180-96-045	AMD	94-03-101
180-16-200	AMD	94-03-104	180-78-290	REP-P	94-16-130	180-96-048	NEW	94-03-101
180-16-222	AMD-P	94-16-128	180-78-300	REP-P	94-16-130	180-96-050	AMD	94-03-101
180-16-223	AMD-P	94-16-061	180-78-305	REP-P	94-16-130	180-96-053	NEW	94-03-101
180-24-310	AMD-P	94-08-103	180-78-315	REP-P	94-16-130	180-96-055	REP	94-03-101
180-24-310	AMD	94-13-018	180-78-320	REP-P	94-16-130	180-96-058	NEW	94-03-101
180-24-312	AMD-P	94-08-103	180-79-005	AMD-P	94-16-132	180-96-060	REP	94-03-101
180-24-312	AMD	94-13-018	180-79-005	AMD-W	94-18-068	180-96-065	REP	94-03-101
180-24-315	AMD-P	94-08-103	180-79-049	AMD-P	94-16-130	180-96-070	REP	94-03-101
180-24-315	AMD	94-13-018	180-79-115	AMD-P	94-16-129	180-96-075	REP	94-03-101
180-24-320	AMD-P	94-08-103	180-79-120	AMD-P	94-16-131	182-12-110	AMD-E	94-08-027
180-24-320	AMD	94-13-018	180-79-121	NEW-P	94-16-130	182-12-110	AMD-E	94-16-054
180-24-325	AMD-P	94-08-103	180-79-122	AMD-P	94-16-131	182-12-111	AMD-E	94-08-027
180-24-325	AMD	94-13-018	180-79-123	AMD-P	94-16-131	182-12-111	AMD-E	94-16-054
180-24-355	AMD-P	94-08-103	180-79-125	AMD-P	94-16-130	182-12-115	AMD-E	94-08-027
180-24-355	AMD	94-13-018	180-79-128	AMD-P	94-16-130	182-12-115	AMD-E	94-16-054
180-26-025	PREP	94-15-035	180-79-131	AMD-P	94-16-130	182-12-122	AMD-E	94-08-027
180-26-025	AMD-P	94-16-062	180-79-140	AMD-P	94-16-131	182-12-122	AMD-E	94-16-054
180-27-115	PREP	94-15-035	180-79-230	AMD-P	94-16-130	182-14-010	NEW-E	94-08-028
180-29-130	AMD-P	94-08-104	180-79-241	AMD-P	94-08-106	182-14-010	NEW-E	94-16-058
180-29-130	AMD	94-13-019	180-79-241	AMD	94-13-021	182-14-020	NEW-E	94-08-028
180-29-135	AMD-P	94-05-088	180-82-001	NEW-P	94-16-132	182-14-020	NEW-E	94-16-058
180-29-135	AMD-C	94-08-068	180-82-001	NEW-W	94-18-068	182-14-030	NEW-E	94-08-028
180-29-135	AMD	94-14-028	180-82-005	NEW-P	94-16-132	182-14-030	NEW-E	94-16-058
180-29-147	NEW-P	94-05-088	180-82-005	NEW-W	94-18-068	182-14-040	NEW-E	94-08-028
180-29-147	NEW-C	94-08-068	180-82-006	NEW-P	94-16-132	182-14-040	NEW-E	94-16-058
180-29-147	NEW	94-14-028	180-82-006	NEW-W	94-18-068	182-14-050	NEW-E	94-08-028
180-29-170	AMD-P	94-05-088	180-82-007	NEW-P	94-16-132	182-14-050	NEW-E	94-16-058
180-29-170	AMD-C	94-08-068	180-82-007	NEW-W	94-18-068	182-14-060	NEW-E	94-08-028
180-29-170	AMD	94-14-028	180-82-008	NEW-P	94-16-132	182-14-060	NEW-E	94-16-058
180-33-025	AMD-P	94-08-105	180-82-008	NEW-W	94-18-068	182-14-070	NEW-E	94-08-028

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182-14-080	NEW-E	94-16-058	194-22-060	PREP	94-08-070	220-12-02000B	NEW-E	94-07-052
182-14-090	NEW-E	94-08-028	194-22-060	NEW-P	94-11-128	220-12-02000C	NEW-E	94-18-074
182-14-090	NEW-E	94-16-058	194-22-070	PREP	94-08-070	220-16	AMD-C	94-14-068
182-14-100	NEW-E	94-08-028	194-22-070	NEW-P	94-11-128	220-16-015	AMD-P	94-03-106
182-14-100	NEW-E	94-16-058	194-22-080	PREP	94-08-070	220-16-015	AMD-C	94-12-007
192-04-060	PREP	94-18-111	194-22-080	NEW-P	94-11-128	220-16-015	AMD	94-12-009
192-04-063	PREP	94-18-111	194-22-090	PREP	94-08-070	220-16-460	NEW-P	94-03-105
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192-04-170	PREP	94-18-111	194-22-100	PREP	94-08-070	220-16-46000A	NEW-E	94-10-043
192-04-175	PREP	94-18-111	194-22-100	NEW-P	94-11-128	220-20-021	AMD-P	94-03-106
192-10-320	PREP	94-14-061	194-22-110	PREP	94-08-070	220-20-021	AMD-C	94-12-007
192-10-320	REP-P	94-18-124	194-22-110	NEW-P	94-11-128	220-20-021	AMD	94-12-009
192-12-030	PREP	94-14-061	194-22-120	PREP	94-08-070	220-20-025	AMD-P	94-03-106
192-12-030	AMD-P	94-18-124	194-22-120	NEW-P	94-11-128	220-20-025	AMD-C	94-12-007
192-12-150	PREP	94-14-061	194-22-130	PREP	94-08-070	220-20-025	AMD	94-12-009
192-12-150	AMD-P	94-18-124	194-22-130	NEW-P	94-11-128	220-20-02500B	NEW-E	94-05-002
192-16-005	PREP	94-18-110	194-22-140	PREP	94-08-070	220-20-051	AMD-P	94-11-005
192-16-010	PREP	94-18-110	194-22-140	NEW-P	94-11-128	220-20-05100A	REP-E	94-11-006
192-16-021	PREP	94-18-110	194-22-150	PREP	94-08-070	220-20-05100B	NEW-E	94-11-006
192-16-030	PREP	94-18-110	194-22-150	NEW-P	94-11-128	220-20-065	NEW-P	94-11-005
192-16-036	PREP	94-14-061	194-22-160	PREP	94-08-070	220-20-06500A	REP-E	94-11-006
192-16-036	AMD-P	94-18-124	194-22-160	NEW-P	94-11-128	220-20-06500B	NEW-E	94-11-006
192-16-040	PREP	94-14-061	194-22-170	PREP	94-08-070	220-22-030	AMD-P	94-09-071
192-16-040	AMD-P	94-18-124	194-22-170	NEW-P	94-11-128	220-22-030	AMD	94-15-001
192-16-042	PREP	94-14-061	194-22-180	PREP	94-08-070	220-32-05100E	NEW-E	94-04-048
192-16-042	AMD-P	94-18-124	194-22-180	NEW-P	94-11-128	220-32-05100F	NEW-E	94-18-023
192-16-045	PREP	94-14-061	194-22-190	PREP	94-08-070	220-32-05500F	NEW-E	94-09-022
192-16-045	AMD-P	94-18-124	194-22-190	NEW-P	94-11-128	220-32-05500F	REP-E	94-13-016
192-16-047	PREP	94-14-061	197-11	PREP	94-15-038	220-32-05500G	NEW-E	94-11-106
192-16-047	AMD-P	94-18-124	197-11-225	NEW-E	94-12-032	220-32-05500H	NEW-E	94-13-016
192-16-056	PREP	94-18-110	197-11-228	NEW-E	94-12-032	220-32-05500H	REP-E	94-14-036
192-16-057	PREP	94-18-110	197-11-230	NEW-E	94-12-032	220-32-05500I	NEW-E	94-14-036
192-16-058	PREP	94-18-110	197-11-232	NEW-E	94-12-032	220-33-01000U	NEW-E	94-04-101
192-16-060	PREP	94-18-110	197-11-235	NEW-E	94-12-032	220-33-01000U	REP-E	94-06-042
192-16-081	PREP	94-18-110	204-10-040	AMD-E	94-15-010	220-33-01000V	NEW-E	94-06-042
192-23-320	PREP	94-14-061	204-10-040	AMD-P	94-16-069	220-33-01000V	REP-E	94-07-009
192-23-320	AMD-P	94-18-124	204-24-050	AMD-E	94-02-081	220-33-01000W	NEW-E	94-07-009
192-28-145	AMD-P	94-04-124	204-24-050	AMD-P	94-02-082	220-33-03000G	NEW-E	94-11-107
192-28-145	AMD	94-10-044	204-24-050	AMD	94-08-069	220-33-03000G	REP-E	94-13-121
192-34-010	NEW	94-07-115	204-30-010	REP	94-05-024	220-33-03000H	NEW-E	94-13-121
192-34-015	NEW	94-07-115	204-30-020	REP	94-05-024	220-33-03000H	REP-E	94-14-020
192-34-020	NEW	94-07-115	204-30-030	REP	94-05-024	220-33-03000I	NEW-E	94-14-020
192-34-025	NEW	94-07-115	204-30-040	REP	94-05-024	220-33-060	AMD-P	94-03-106
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194-20-020	PREP	94-08-070	204-30-070	REP	94-05-024	220-36-021	AMD-P	94-09-070
194-20-030	PREP	94-08-070	204-30-080	REP	94-05-024	220-36-021	AMD	94-13-014
194-20-040	PREP	94-08-070	204-38-030	AMD-P	94-15-007	220-36-023	AMD-P	94-09-070
194-20-050	PREP	94-08-070	204-38-030	AMD	94-17-167	220-36-023	AMD	94-13-014
194-20-060	PREP	94-08-070	204-91A-010	AMD-P	94-15-008	220-40-021	AMD-P	94-09-070
194-20-070	PREP	94-08-070	204-91A-010	AMD	94-18-083	220-40-021	AMD	94-13-014
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194-20-090	PREP	94-08-070	204-91A-030	AMD	94-18-083	220-40-027	AMD-C	94-13-013
194-20-100	PREP	94-08-070	204-91A-040	AMD-P	94-15-008	220-40-027	AMD	94-16-017
194-20-110	PREP	94-08-070	204-91A-040	AMD	94-18-083	220-44-020	AMD-P	94-03-106
194-20-120	PREP	94-08-070	204-91A-060	AMD-P	94-15-008	220-44-020	AMD-C	94-12-007
194-20-130	PREP	94-08-070	204-91A-060	AMD	94-18-083	220-44-020	AMD	94-12-009
194-20-140	PREP	94-08-070	204-91A-070	AMD-P	94-15-008	220-44-030	AMD-P	94-03-106
194-20-150	PREP	94-08-070	204-91A-070	AMD	94-18-083	220-44-030	AMD-C	94-12-007
194-20-160	PREP	94-08-070	204-91A-080	AMD-P	94-15-008	220-44-030	AMD	94-12-009
194-20-170	PREP	94-08-070	204-91A-080	AMD	94-18-083	220-44-04000E	NEW-E	94-11-074
194-20-180	PREP	94-08-070	204-91A-110	AMD-P	94-15-008	220-44-050	AMD-P	94-10-073
194-20-190	PREP	94-08-070	204-91A-110	AMD	94-18-083	220-44-050	AMD	94-13-077
194-22-010	PREP	94-08-070	204-91A-160	AMD-P	94-15-008	220-44-05000I	REP-E	94-05-003
194-22-010	NEW-P	94-11-128	204-91A-160	AMD	94-18-083	220-44-05000J	NEW-E	94-05-003
194-22-020	PREP	94-08-070	204-91A-170	PREP	94-13-078	220-44-05000J	REP-E	94-14-071
194-22-020	NEW-P	94-11-128	204-91A-170	AMD-P	94-15-008	220-44-05000K	NEW-E	94-14-071
194-22-030	PREP	94-08-070	204-91A-170	AMD	94-18-083	220-44-090	NEW-P	94-03-106
194-22-030	NEW-P	94-11-128	204-91A-180	AMD-P	94-15-008	220-44-090	NEW-C	94-12-007
194-22-040	PREP	94-08-070	204-91A-180	AMD	94-18-083	220-44-090	NEW	94-12-009
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220-47-304	AMD	94-15-001	220-48-061	AMD-C	94-12-007	220-52-010	AMD-P	94-03-106
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220-47-307	AMD	94-15-001	220-48-071	AMD-P	94-03-106	220-52-010	AMD	94-12-009
220-47-311	AMD-P	94-09-071	220-48-071	AMD-C	94-12-007	220-52-018	AMD-P	94-03-106
220-47-311	AMD	94-15-001	220-48-071	AMD	94-12-009	220-52-018	AMD-C	94-12-007
220-47-401	AMD-P	94-09-071	220-49-005	NEW-P	94-03-106	220-52-018	AMD	94-12-009
220-47-401	AMD	94-15-001	220-49-005	NEW-C	94-12-007	220-52-019	AMD-P	94-03-106
220-47-411	AMD-P	94-09-071	220-49-005	NEW	94-12-009	220-52-019	AMD-C	94-12-007
220-47-411	AMD	94-15-001	220-49-011	AMD-P	94-03-106	220-52-019	AMD	94-12-009
220-47-412	AMD-P	94-09-071	220-49-011	AMD-C	94-12-007	220-52-01901	AMD-P	94-03-106
220-47-412	AMD	94-15-001	220-49-011	AMD	94-12-009	220-52-01901	AMD-C	94-12-007
220-47-501	NEW-E	94-16-078	220-49-012	AMD-P	94-03-106	220-52-01901	AMD	94-12-009
220-47-501	REP-E	94-17-005	220-49-012	AMD-C	94-12-007	220-52-020	AMD-P	94-03-106
220-47-502	NEW-E	94-17-005	220-49-012	AMD	94-12-009	220-52-020	AMD-C	94-12-007
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220-47-504	NEW-E	94-17-067	220-49-014	AMD-P	94-03-106	220-52-030	AMD	94-12-009
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220-57A-15200A	REP-E	94-11-068	222-16-010	AMD	94-17-033	230-04-035	AMD-P	94-04-024
220-57A-15200B	NEW-E	94-11-068	222-16-010	AMD-P	94-17-156	230-04-035	AMD	94-07-084
220-57A-17500B	NEW-E	94-18-074	222-16-035	AMD-P	94-09-029	230-04-075	AMD-P	94-04-024
220-57A-18000B	NEW-E	94-18-074	222-16-035	AMD-E	94-09-030	230-04-075	AMD	94-07-084
220-57A-18300D	NEW-E	94-15-036	222-16-035	AMD	94-17-033	230-04-190	AMD-P	94-17-089
220-88A-010	NEW-P	94-03-098	222-16-075	NEW-P	94-17-156	230-04-199	REP-P	94-17-089
220-88A-010	NEW	94-07-092	222-16-080	AMD-E	94-05-046	230-04-201	REP-P	94-17-089
220-88A-020	NEW-P	94-03-098	222-16-080	AMD-E	94-07-053	230-04-202	NEW-P	94-17-089
220-88A-020	NEW	94-07-092	222-16-080	AMD-W	94-12-076	230-04-203	NEW-P	94-17-089
220-88A-030	NEW-P	94-03-098	222-16-080	AMD-E	94-13-065	230-04-204	NEW-P	94-17-089
220-88A-030	NEW	94-07-092	222-16-080	AMD-P	94-17-156	230-08-015	AMD-P	94-04-024
220-88A-040	NEW-P	94-03-098	222-21-010	NEW-P	94-17-156	230-08-015	AMD	94-07-084
220-88A-040	NEW	94-07-092	222-21-020	NEW-P	94-17-156	230-08-017	AMD-P	94-17-089
220-88A-050	NEW-P	94-03-098	222-21-030	NEW-P	94-17-156	230-08-120	AMD-P	94-07-083
220-88A-050	NEW	94-07-092	222-21-040	NEW-P	94-17-156	230-08-120	AMD	94-11-095
220-88A-060	NEW-P	94-03-098	222-24-030	AMD-E	94-05-046	230-08-130	AMD-P	94-07-083
220-88A-060	NEW	94-07-092	222-24-030	AMD-E	94-13-065	230-08-130	AMD	94-11-095
220-88A-070	NEW-P	94-03-098	222-24-030	AMD-P	94-17-156	230-08-150	AMD-P	94-07-083
220-88A-070	NEW	94-07-092	222-30	AMD-C	94-15-024	230-08-150	AMD	94-11-095
220-88A-080	NEW-P	94-03-098	222-30-020	AMD-P	94-09-029	230-08-160	AMD-P	94-07-083
220-88A-080	NEW	94-07-092	222-30-020	AMD-E	94-09-030	230-08-160	AMD	94-11-095
220-88A-080	AMD-P	94-13-064	222-30-020	AMD	94-17-033	230-08-260	AMD-P	94-07-083
220-110-010	AMD-P	94-11-126	222-30-050	AMD-E	94-05-046	230-08-260	AMD	94-11-095
220-110-020	AMD-P	94-11-126	222-30-050	AMD-E	94-13-065	230-12-010	AMD-P	94-04-024
220-110-030	AMD-P	94-11-126	222-30-050	AMD-P	94-17-156	230-12-010	AMD	94-07-084
220-110-032	NEW-P	94-11-126	222-30-060	AMD-E	94-05-046	230-12-040	AMD-P	94-10-005
220-110-035	NEW-P	94-11-126	222-30-060	AMD-E	94-13-065	230-12-040	AMD	94-13-099
220-110-040	AMD-P	94-11-126	222-30-060	AMD-P	94-17-156	230-12-050	AMD-P	94-10-005
220-110-050	AMD-P	94-11-126	222-30-065	NEW-E	94-05-046	230-12-050	AMD	94-13-099
220-110-060	AMD-P	94-11-126	222-30-065	NEW-E	94-13-065	230-12-070	AMD-P	94-10-005
220-110-070	AMD-P	94-11-126	222-30-065	NEW-P	94-17-156	230-12-070	AMD	94-13-099
220-110-080	AMD-P	94-11-126	222-30-070	AMD-E	94-05-046	230-12-090	NEW-P	94-17-089
220-110-090	REP-P	94-11-126	222-30-070	AMD-E	94-13-065	230-12-305	AMD-P	94-04-024
220-110-100	AMD-P	94-11-126	222-30-070	AMD-P	94-17-156	230-12-305	AMD	94-07-084
220-110-110	REP-P	94-11-126	222-30-075	NEW-E	94-05-046	230-20-064	AMD-P	94-04-024
220-110-120	AMD-P	94-11-126	222-30-075	NEW-E	94-13-065	230-20-064	AMD	94-07-084
220-110-130	AMD-P	94-11-126	222-30-075	NEW-P	94-17-156	230-20-103	NEW-P	94-10-005
220-110-140	AMD-P	94-11-126	222-30-100	AMD-E	94-05-046	230-20-103	NEW-C	94-13-101
220-110-150	AMD-P	94-11-126	222-30-100	AMD-E	94-13-065	230-20-103	NEW	94-16-008
220-110-160	AMD-P	94-11-126	222-30-100	AMD-P	94-17-156	230-20-111	AMD-P	94-04-024
220-110-170	AMD-P	94-11-126	222-38-020	AMD-E	94-05-046	230-20-111	AMD	94-07-084

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230-20-220	AMD	94-07-084	232-28-02220	NEW	94-11-038	232-28-61950	NEW	94-12-067
230-20-230	AMD-P	94-04-024	232-28-02230	NEW-P	94-04-063	232-28-61951	NEW-P	94-11-125
230-20-230	AMD	94-07-084	232-28-02230	NEW	94-11-039	232-28-61951	NEW	94-14-035
230-20-244	NEW-P	94-10-005	232-28-02240	NEW-P	94-04-064	232-28-61952	NEW-P	94-14-108
230-20-244	NEW-C	94-11-094	232-28-02240	NEW	94-11-040	232-28-61953	NEW-P	94-14-107
230-20-244	NEW-C	94-16-011	232-28-02240	AMD-P	94-14-089	232-28-61953	NEW	94-17-084
230-20-244	NEW	94-17-090	232-28-02240	AMD	94-18-058	232-28-61954	NEW-P	94-14-106
230-20-246	AMD-P	94-13-113	232-28-02241	NEW-E	94-12-068	232-28-61954	NEW	94-17-083
230-20-246	AMD	94-18-013	232-28-02250	NEW-P	94-04-065	232-28-61955	NEW-E	94-16-083
230-20-400	AMD-P	94-04-024	232-28-02250	NEW	94-11-041	232-28-61957	NEW-P	94-17-037
230-20-400	AMD	94-07-084	232-28-02260	NEW-P	94-04-066	236-14	PREP	94-09-047
230-20-680	AMD-P	94-04-024	232-28-02260	NEW	94-11-042	236-15-010	NEW-P	94-16-036
230-20-680	AMD	94-07-084	232-28-02270	NEW-P	94-04-067	236-15-015	NEW-P	94-16-036
230-20-685	AMD-P	94-16-009	232-28-02270	NEW	94-11-043	236-15-050	NEW-P	94-16-036
230-20-685	AMD-W	94-17-087	232-28-02280	NEW-P	94-04-068	236-15-100	NEW-P	94-16-036
230-20-700	AMD-P	94-17-089	232-28-02280	NEW	94-11-044	236-15-200	NEW-P	94-16-036
230-25-160	AMD-P	94-04-024	232-28-02290	NEW-P	94-04-069	236-15-300	NEW-P	94-16-036
230-25-160	AMD	94-07-084	232-28-02290	NEW	94-11-045	236-15-700	NEW-P	94-16-036
230-25-200	AMD-P	94-07-083	232-28-226	REP-P	94-04-114	236-15-800	NEW-P	94-16-036
230-25-200	AMD	94-11-095	232-28-226	REP	94-11-046	236-15-900	NEW-P	94-16-036
230-30-050	AMD-P	94-07-083	232-28-227	REP-P	94-04-116	236-48-096	AMD-P	94-16-035
230-30-050	AMD	94-11-095	232-28-227	REP	94-11-048	236-48-190	PREP	94-11-007
230-30-060	AMD-P	94-04-024	232-28-228	REP-P	94-04-115	236-48-190	AMD-P	94-16-034
230-30-060	AMD	94-07-084	232-28-228	REP	94-11-047	236-48-1902	NEW-P	94-16-034
230-30-070	AMD-P	94-16-010	232-28-236	REP-P	94-05-079	236-49-050	NEW-P	94-16-035
230-30-072	AMD-P	94-04-024	232-28-236	REP	94-11-050	240-20	PREP	94-16-133
230-30-072	AMD	94-07-084	232-28-237	REP-P	94-05-078	240-20-001	NEW-P	94-05-100
230-30-072	AMD-P	94-17-089	232-28-237	REP	94-11-051	240-20-001	NEW-E	94-05-101
230-30-075	AMD-P	94-17-089	232-28-238	REP-P	94-04-117	240-20-001	NEW	94-10-030
230-30-102	AMD-P	94-04-024	232-28-238	REP	94-11-049	240-20-001	NEW	94-11-081
230-30-102	AMD	94-07-084	232-28-239	NEW	94-04-123	240-20-010	NEW-P	94-05-100
230-30-103	AMD-P	94-04-024	232-28-240	NEW-P	94-04-114	240-20-010	NEW-E	94-05-101
230-30-103	AMD	94-07-084	232-28-240	NEW	94-11-046	240-20-010	NEW	94-10-030
230-30-998	REP-P	94-17-089	232-28-240	AMD-P	94-17-145	240-20-010	NEW	94-11-081
230-40-010	AMD-P	94-10-006	232-28-241	NEW-P	94-04-115	240-20-015	NEW-P	94-05-100
230-40-010	AMD	94-13-098	232-28-241	NEW	94-11-047	240-20-015	NEW-E	94-05-101
230-40-050	AMD-E	94-13-100	232-28-242	NEW-P	94-04-116	240-20-015	NEW	94-10-030
230-40-050	AMD-P	94-13-112	232-28-242	NEW	94-11-048	240-20-015	NEW	94-11-081
230-40-050	AMD	94-17-091	232-28-242	AMD-P	94-14-087	240-20-020	NEW-P	94-05-100
230-40-055	AMD-P	94-04-024	232-28-242	AMD	94-18-056	240-20-020	NEW-E	94-05-101
230-40-055	AMD	94-07-084	232-28-24201	NEW-E	94-11-078	240-20-020	NEW	94-10-030
230-40-120	AMD-P	94-10-006	232-28-243	NEW-P	94-04-117	240-20-020	NEW	94-11-081
230-40-120	AMD	94-13-098	232-28-243	NEW	94-11-049	240-20-025	NEW-P	94-05-100
230-40-225	AMD-P	94-10-006	232-28-244	NEW-P	94-05-079	240-20-025	NEW-E	94-05-101
230-40-225	AMD	94-13-098	232-28-244	NEW	94-11-050	240-20-025	NEW	94-10-030
230-40-244	NEW-P	94-16-011	232-28-245	NEW-P	94-05-078	240-20-025	NEW	94-11-081
230-46-100	NEW-P	94-17-089	232-28-245	NEW	94-11-051	240-20-030	NEW-P	94-05-100
232-12-024	AMD-P	94-14-090	232-28-245	AMD-P	94-14-088	240-20-030	NEW-E	94-05-101
232-12-024	AMD	94-18-059	232-28-245	AMD	94-18-057	240-20-030	NEW	94-10-030
232-12-131	AMD-P	94-04-118	232-28-24501	NEW-E	94-12-069	240-20-030	NEW	94-11-081
232-12-131	AMD-W	94-06-036	232-28-417	AMD-E	94-04-007	240-20-035	NEW-P	94-05-100
232-12-131	AMD-P	94-06-037	232-28-417	REP-P	94-14-092	240-20-035	NEW-E	94-05-101
232-12-131	AMD	94-11-030	232-28-417	REP	94-17-119	240-20-035	NEW	94-10-030
232-12-166	AMD-P	94-06-043	232-28-418	NEW-P	94-14-092	240-20-035	NEW	94-11-081
232-12-166	AMD	94-09-019	232-28-418	NEW	94-17-119	240-20-040	NEW-P	94-05-100
232-12-168	AMD	94-06-014	232-28-513	REP-P	94-14-091	240-20-040	NEW-E	94-05-101
232-28-022	REP-P	94-04-055	232-28-513	REP	94-18-036	240-20-040	NEW	94-10-030
232-28-022	REP	94-11-031	232-28-514	NEW-P	94-14-091	240-20-040	NEW	94-11-081
232-28-02201	NEW-P	94-04-055	232-28-514	NEW	94-18-036	240-20-042	NEW-P	94-05-100
232-28-02201	NEW	94-11-031	232-28-61940	NEW	94-04-018	240-20-042	NEW-E	94-05-101
232-28-02202	NEW-P	94-04-057	232-28-61941	NEW	94-06-012	240-20-042	NEW	94-10-030
232-28-02202	NEW	94-11-032	232-28-61942	NEW	94-06-013	240-20-042	NEW	94-11-081
232-28-02203	NEW-P	94-04-056	232-28-61944	NEW-E	94-03-038	240-20-044	NEW-P	94-05-100
232-28-02203	NEW	94-11-033	232-28-61945	NEW-E	94-04-012	240-20-044	NEW-E	94-05-101
232-28-02204	NEW-P	94-04-058	232-28-61945	NEW-P	94-06-038	240-20-044	NEW	94-10-030
232-28-02204	NEW	94-11-034	232-28-61945	NEW	94-09-068	240-20-044	NEW	94-11-081
232-28-02205	NEW-P	94-04-059	232-28-61946	NEW-P	94-06-039	240-20-046	NEW-P	94-05-100
232-28-02205	NEW	94-11-035	232-28-61946	NEW	94-09-067	240-20-046	NEW-E	94-05-101
232-28-02206	NEW-P	94-04-060	232-28-61947	NEW-P	94-06-040	240-20-046	NEW	94-10-030
232-28-02206	NEW	94-11-036	232-28-61947	NEW	94-09-066	240-20-046	NEW	94-11-081
232-28-02210	NEW-P	94-04-061	232-28-61948	NEW-E	94-09-005	240-20-048	NEW-P	94-05-100
232-28-02210	NEW	94-11-037	232-28-61949	NEW-E	94-08-048	240-20-048	NEW-E	94-05-101

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240-20-048	NEW	94-11-081	240-20-310	NEW-E	94-05-101	245-01-060	NEW	94-04-046
240-20-050	NEW-P	94-05-100	240-20-310	NEW	94-10-030	245-01-070	NEW	94-04-046
240-20-050	NEW-E	94-05-101	240-20-310	NEW	94-11-081	245-01-080	NEW	94-04-046
240-20-050	NEW	94-10-030	240-20-320	NEW-P	94-05-100	245-01-090	NEW	94-04-046
240-20-050	NEW	94-11-081	240-20-320	NEW-E	94-05-101	245-01-100	NEW	94-04-046
240-20-052	NEW-P	94-05-100	240-20-320	NEW	94-10-030	245-01-110	NEW	94-04-046
240-20-052	NEW-E	94-05-101	240-20-320	NEW	94-11-081	245-01-120	NEW	94-04-046
240-20-052	NEW	94-10-030	240-20-330	NEW-P	94-05-100	245-01-130	NEW	94-04-046
240-20-052	NEW	94-11-081	240-20-330	NEW-E	94-05-101	245-01-140	NEW	94-04-046
240-20-054	NEW-P	94-05-100	240-20-330	NEW	94-10-030	245-01-150	NEW	94-04-046
240-20-054	NEW-E	94-05-101	240-20-330	NEW	94-11-081	245-02-010	NEW-P	94-06-060
240-20-054	NEW	94-10-030	240-20-410	NEW-P	94-05-100	245-02-010	NEW-P	94-12-081
240-20-054	NEW	94-11-081	240-20-410	NEW-E	94-05-101	245-02-010	NEW-W	94-13-208
240-20-056	NEW-P	94-05-100	240-20-410	NEW	94-10-030	245-02-010	NEW-W	94-17-179
240-20-056	NEW-E	94-05-101	240-20-410	NEW	94-11-081	245-02-020	NEW-P	94-06-060
240-20-056	NEW	94-10-030	240-20-420	NEW-P	94-05-100	245-02-020	NEW-P	94-12-081
240-20-056	NEW	94-11-081	240-20-420	NEW-E	94-05-101	245-02-020	NEW-W	94-13-208
240-20-058	NEW-P	94-05-100	240-20-420	NEW	94-10-030	245-02-020	NEW-W	94-17-179
240-20-058	NEW-E	94-05-101	240-20-420	NEW	94-11-081	245-02-025	NEW-P	94-12-081
240-20-058	NEW	94-10-030	240-20-430	NEW-P	94-05-100	245-02-025	NEW-W	94-17-179
240-20-058	NEW	94-11-081	240-20-430	NEW-E	94-05-101	245-02-030	NEW-P	94-06-060
240-20-060	NEW-P	94-05-100	240-20-430	NEW	94-10-030	245-02-030	NEW-P	94-12-081
240-20-060	NEW-E	94-05-101	240-20-430	NEW	94-11-081	245-02-030	NEW-W	94-13-208
240-20-060	NEW	94-10-030	240-20-425	NEW-E	94-04-015	245-02-030	NEW-W	94-17-179
240-20-060	NEW	94-11-081	240-20-427	NEW-E	94-04-015	245-02-040	NEW-P	94-06-060
240-20-065	NEW-P	94-05-100	242-02-010	PREP	94-17-012	245-02-040	NEW-P	94-12-081
240-20-065	NEW-E	94-05-101	242-02-040	AMD	94-07-033	245-02-040	NEW-W	94-13-208
240-20-065	NEW	94-10-030	242-02-040	PREP	94-17-012	245-02-040	NEW-W	94-17-179
240-20-065	NEW	94-11-081	242-02-052	AMD	94-07-033	245-02-050	NEW-P	94-06-060
240-20-070	NEW-P	94-05-100	242-02-072	AMD	94-07-033	245-02-050	NEW-P	94-12-081
240-20-070	NEW-E	94-05-101	242-02-072	PREP	94-17-012	245-02-050	NEW-W	94-13-208
240-20-070	NEW	94-10-030	242-02-110	AMD	94-07-033	245-02-050	NEW-W	94-17-179
240-20-070	NEW	94-11-081	242-02-140	AMD	94-07-033	245-02-060	NEW-P	94-12-081
240-20-075	NEW-P	94-05-100	242-02-210	AMD	94-07-033	245-02-060	NEW-W	94-17-179
240-20-075	NEW-E	94-05-101	242-02-210	PREP	94-17-012	245-02-070	NEW-P	94-12-081
240-20-075	NEW-P	94-10-029	242-02-220	AMD	94-07-033	245-02-070	NEW-W	94-17-179
240-20-075	NEW-E	94-10-031	242-02-240	AMD	94-07-033	245-02-080	NEW-P	94-12-081
240-20-075	NEW	94-17-039	242-02-250	AMD	94-07-033	245-02-080	NEW-W	94-17-179
240-20-075	NEW-W	94-18-104	242-02-270	AMD	94-07-033	245-02-090	NEW-P	94-12-081
240-20-076	NEW-P	94-18-042	242-02-280	AMD	94-07-033	245-02-090	NEW-W	94-17-179
240-20-080	NEW-P	94-05-100	242-02-310	AMD	94-07-033	245-02-100	NEW-P	94-12-078
240-20-080	NEW-E	94-05-101	242-02-320	AMD	94-07-033	245-02-100	NEW-W	94-17-179
240-20-080	NEW	94-10-030	242-02-330	AMD	94-07-033	245-02-110	NEW-P	94-12-078
240-20-080	NEW	94-11-081	242-02-340	AMD	94-07-033	245-02-110	NEW-W	94-17-179
240-20-090	NEW-P	94-05-100	242-02-410	AMD	94-07-033	245-02-115	NEW-P	94-12-078
240-20-090	NEW-E	94-05-101	242-02-440	AMD	94-07-033	245-02-115	NEW-W	94-17-179
240-20-090	NEW	94-10-030	242-02-510	AMD	94-07-033	245-02-120	NEW-P	94-12-078
240-20-090	NEW	94-11-081	242-02-520	NEW-W	94-07-007	245-02-120	NEW-W	94-17-179
240-20-110	NEW-P	94-05-100	242-02-522	AMD	94-07-033	245-02-125	NEW-P	94-12-078
240-20-110	NEW-E	94-05-101	242-02-530	AMD	94-07-033	245-02-125	NEW-W	94-17-179
240-20-110	NEW	94-10-030	242-02-540	AMD	94-07-033	245-02-130	NEW-P	94-12-078
240-20-110	NEW	94-11-081	242-02-550	AMD	94-07-033	245-02-130	NEW-W	94-17-179
240-20-120	NEW-P	94-05-100	242-02-554	AMD	94-07-033	245-02-135	NEW-P	94-12-078
240-20-120	NEW-E	94-05-101	242-02-558	AMD	94-07-033	245-02-135	NEW-W	94-17-179
240-20-120	NEW	94-10-030	242-02-570	AMD	94-07-033	245-02-140	NEW-P	94-12-078
240-20-120	NEW	94-11-081	242-02-580	AMD	94-07-033	245-02-140	NEW-W	94-17-179
240-20-130	NEW-P	94-05-100	242-02-620	AMD	94-07-033	245-02-145	NEW-P	94-12-078
240-20-130	NEW-E	94-05-101	242-02-680	AMD	94-07-033	245-02-145	NEW-W	94-17-179
240-20-130	NEW	94-10-030	242-02-830	AMD	94-07-033	245-02-150	NEW-P	94-12-078
240-20-130	NEW	94-11-081	242-02-850	AMD	94-07-033	245-02-150	NEW-W	94-17-179
240-20-210	NEW-P	94-05-100	242-02-880	AMD	94-07-033	245-02-155	NEW-P	94-12-078
240-20-210	NEW-E	94-05-101	242-02-892	NEW-W	94-07-007	245-02-155	NEW-W	94-17-179
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240-20-210	NEW	94-11-081	242-02-920	AMD	94-07-033	245-02-160	NEW-W	94-17-179
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240-20-220	NEW	94-10-030	245-01-020	NEW	94-04-046	245-02-170	NEW-P	94-12-078
240-20-220	NEW	94-11-081	245-01-020	NEW	94-04-046	245-02-170	NEW-W	94-17-179
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240-20-230	NEW-E	94-05-101	245-01-020	AMD-W	94-13-208	245-02-175	NEW-W	94-17-179
240-20-230	NEW	94-10-030	245-01-030	NEW	94-04-046	245-02-180	NEW-P	94-12-078
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245-03-050	NEW-P	94-17-190	246-10-201	AMD	94-04-079	236-15-200	NEW-P	94-16-036
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245-03-200	NEW-P	94-17-190	246-10-304	AMD	94-04-079	246-50-010	PREP	94-09-042
245-03-220	NEW-P	94-17-190	246-10-305	AMD	94-04-079	246-50-020	PREP	94-09-042
245-03-240	NEW-P	94-17-190	246-10-401	AMD	94-04-079	246-50-030	PREP	94-09-042
245-03-260	NEW-P	94-17-190	246-10-402	AMD	94-04-079	246-50-040	PREP	94-09-042
245-03-280	NEW-P	94-17-190	246-10-403	AMD	94-04-079	246-50-990	PREP	94-09-042
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245-03-320	NEW-P	94-17-190	246-10-501	AMD	94-04-079	246-100-011	AMD-P	94-14-081
245-03-390	NEW-P	94-17-190	246-10-502	AMD	94-04-079	246-100-076	AMD-P	94-14-081
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245-03-580	NEW-P	94-17-188	246-10-607	AMD	94-04-079	246-132-030	REP	94-06-048
245-03-620	NEW-P	94-17-189	246-10-701	AMD	94-04-079	246-170	PREP	94-12-048
245-03-640	NEW-P	94-17-189	246-10-702	AMD	94-04-079	246-170-010	AMD-P	94-14-081
245-03-650	NEW-P	94-17-189	246-10-704	AMD	94-04-079	246-170-030	AMD-P	94-14-081
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245-04-110	NEW-S	94-12-079	246-11-260	AMD	94-04-078	246-240-020	AMD	94-06-017
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245-04-115	NEW-S	94-12-079	246-11-280	AMD	94-04-078	246-247-001	AMD	94-07-010
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246-254-100	AMD	94-11-011	246-290-025	NEW	94-14-001	246-291-100	NEW-P	94-06-008
246-254-120	AMD-P	94-07-107	246-290-030	AMD-P	94-08-075	246-291-100	NEW	94-14-002
246-254-120	AMD	94-11-011	246-290-030	AMD	94-14-001	246-291-110	NEW-P	94-06-008
246-254-160	AMD	94-07-010	246-290-040	AMD-P	94-08-075	246-291-110	NEW	94-14-002
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246-260-990	REP	94-11-056	246-290-060	AMD-P	94-08-075	246-291-120	NEW	94-14-002
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246-260-9901	NEW	94-11-056	246-290-100	AMD-P	94-08-075	246-291-130	NEW	94-14-002
246-272-001	REP	94-09-025	246-290-100	AMD	94-14-001	246-291-140	NEW-P	94-06-008
246-272-00101	NEW	94-09-025	246-290-110	AMD-P	94-08-075	246-291-140	NEW	94-14-002
246-272-002	REP	94-09-025	246-290-110	AMD	94-14-001	246-291-200	NEW-P	94-06-008
246-272-005	REP	94-09-025	246-290-115	NEW-P	94-08-075	246-291-200	NEW	94-14-002
246-272-00501	NEW	94-09-025	246-290-115	NEW	94-14-001	246-291-210	NEW-P	94-06-008
246-272-010	REP	94-09-025	246-290-130	AMD-P	94-08-075	246-291-210	NEW	94-14-002
246-272-01001	NEW	94-09-025	246-290-130	AMD	94-14-001	246-291-220	NEW-P	94-06-008
246-272-020	REP	94-09-025	246-290-135	AMD-P	94-08-075	246-291-220	NEW	94-14-002
246-272-02001	NEW	94-09-025	246-290-135	AMD	94-14-001	246-291-230	NEW-P	94-06-008
246-272-030	REP	94-09-025	246-290-140	AMD-P	94-08-075	246-291-230	NEW	94-14-002
246-272-03001	NEW	94-09-025	246-290-140	AMD	94-14-001	246-291-240	NEW-P	94-06-008
246-272-040	REP	94-09-025	246-290-230	AMD-P	94-08-075	246-291-240	NEW	94-14-002
246-272-04001	NEW	94-09-025	246-290-230	AMD	94-14-001	246-291-250	NEW-P	94-06-008
246-272-050	REP	94-09-025	246-290-300	AMD-P	94-08-075	246-291-250	NEW	94-14-002
246-272-05001	NEW	94-09-025	246-290-300	AMD	94-14-001	246-291-260	NEW-P	94-06-008
246-272-060	REP	94-09-025	246-290-310	AMD-P	94-08-075	246-291-260	NEW	94-14-002
246-272-070	REP	94-09-025	246-290-310	AMD	94-14-001	246-291-270	NEW-P	94-06-008
246-272-07001	NEW	94-09-025	246-290-320	AMD-P	94-08-075	246-291-270	NEW	94-14-002
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246-272-08001	NEW	94-09-025	246-290-330	AMD-P	94-08-075	246-291-300	NEW	94-14-002
246-272-090	REP	94-09-025	246-290-330	AMD	94-14-001	246-291-310	NEW-P	94-06-008
246-272-09001	NEW	94-09-025	246-290-410	AMD-P	94-08-075	246-291-310	NEW	94-14-002
246-272-09501	NEW	94-09-025	246-290-410	AMD	94-14-001	246-291-320	NEW-P	94-06-008
246-272-100	REP	94-09-025	246-290-440	AMD-P	94-08-075	246-291-320	NEW	94-14-002
246-272-110	REP	94-09-025	246-290-440	AMD	94-14-001	246-291-330	NEW-P	94-06-008
246-272-11001	NEW	94-09-025	246-290-480	AMD-P	94-08-075	246-291-330	NEW	94-14-002
246-272-11501	NEW	94-09-025	246-290-480	AMD	94-14-001	246-291-340	NEW-P	94-06-008
246-272-120	REP	94-09-025	246-290-632	AMD-P	94-08-075	246-291-340	NEW	94-14-002
246-272-12501	NEW	94-09-025	246-290-632	AMD	94-14-001	246-291-350	NEW-P	94-06-008
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246-272-13501	NEW	94-09-025	246-290-654	AMD	94-14-001	246-291-360	NEW-P	94-06-008
246-272-140	REP	94-09-025	246-290-660	AMD-P	94-08-075	246-291-360	NEW	94-14-002
246-272-14501	NEW	94-09-025	246-290-660	AMD	94-14-001	246-291-370	NEW-P	94-06-008
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246-272-15501	NEW	94-09-025	246-290-662	AMD	94-14-001	246-292-001	AMD	94-04-004
246-272-160	REP	94-09-025	246-290-664	AMD-P	94-08-075	246-292-010	AMD	94-04-004
246-272-16501	NEW	94-09-025	246-290-664	AMD	94-14-001	246-292-020	AMD	94-04-004
246-272-170	REP	94-09-025	246-290-666	AMD-P	94-08-075	246-292-030	AMD	94-04-004
246-272-17501	NEW	94-09-025	246-290-666	AMD	94-14-001	246-292-040	AMD	94-04-004
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246-272-18501	NEW	94-09-025	246-290-670	AMD	94-14-001	246-292-055	NEW	94-04-004
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246-272-19501	NEW	94-09-025	246-290-686	AMD	94-14-001	246-292-070	AMD	94-04-004
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246-272-21501	NEW	94-09-025	246-290-694	AMD	94-14-001	246-292-100	AMD	94-04-004
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246-272-22501	NEW	94-09-025	246-290-696	AMD	94-14-001	246-292-120	REP	94-04-004
246-272-230	REP	94-09-025	246-291-001	NEW-P	94-06-008	246-292-130	REP	94-04-004
246-272-23501	NEW	94-09-025	246-291-001	NEW	94-14-002	246-292-140	REP	94-04-004
246-272-240	REP	94-09-025	246-291-010	NEW-P	94-06-008	246-292-150	REP	94-04-004
246-272-24001	NEW	94-09-025	246-291-010	NEW	94-14-002	246-292-160	NEW	94-04-004
246-272-25001	NEW	94-09-025	246-291-020	NEW-P	94-06-008	246-292-170	NEW	94-04-004
246-272-26001	NEW	94-09-025	246-291-020	NEW	94-14-002	246-292-990	REP	94-04-004
246-272-27001	NEW	94-09-025	246-291-025	NEW-P	94-06-008	246-295-001	NEW-P	94-13-085
246-272-28001	NEW	94-09-025	246-291-025	NEW	94-14-002	246-295-001	NEW	94-18-108
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246-282	PREP	94-12-088	246-291-030	NEW	94-14-002	246-295-010	NEW	94-18-108
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246-290-010	AMD-P	94-08-075	246-291-040	NEW	94-14-002	246-295-020	NEW	94-18-108
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246-290-020	AMD-P	94-08-075	246-291-050	NEW	94-14-002	246-295-030	NEW	94-18-108

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246-295-100	NEW-P	94-13-085	246-316-280	AMD	94-13-180	246-331-045	REP-P	94-10-045
246-295-100	NEW	94-18-108	246-316-290	AMD-P	94-08-040	246-331-045	REP	94-17-138
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246-839-365	PREP	94-10-056	246-878-070	NEW	94-08-101	246-922-405	NEW	94-14-082
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246-843-010	PREP	94-14-031	246-878-080	NEW	94-08-101	246-922-410	NEW	94-14-082
246-843-090	PREP	94-14-031	246-878-090	NEW-P	94-02-079	246-922-415	NEW-P	94-08-079
246-843-205	PREP	94-14-031	246-878-090	NEW	94-08-101	246-922-415	NEW	94-14-082
246-843-240	PREP	94-14-031	246-878-100	NEW-P	94-02-079	246-922-500	NEW-P	94-05-081
246-843-320	PREP	94-14-031	246-878-100	NEW	94-08-101	246-922-500	NEW	94-09-008
246-843-990	AMD-P	94-05-065	246-878-110	NEW-P	94-02-079	246-922-990	PREP	94-15-063
246-843-990	AMD	94-09-006	246-878-110	NEW	94-08-101	246-922-990	AMD-P	94-18-100
246-847-040	AMD-P	94-10-059	246-878-120	NEW-P	94-02-079	246-924-020	AMD-P	94-08-039
246-847-050	AMD-P	94-10-059	246-878-120	NEW	94-08-101	246-924-020	AMD	94-12-039
246-847-060	AMD-P	94-10-059	246-883-030	AMD-P	94-02-078	246-924-040	AMD-P	94-08-039
246-847-068	AMD-P	94-10-059	246-883-030	AMD	94-08-100	246-924-040	AMD	94-12-039
246-847-190	AMD-P	94-10-059	246-886-030	AMD	94-02-060	246-924-050	AMD-P	94-08-039
246-847-990	PREP	94-15-063	246-887	AMD-C	94-02-089	246-924-050	AMD	94-12-039
246-851	AMD-P	94-18-100	246-887-100	AMD-P	94-04-111	246-924-080	AMD-P	94-08-039
246-851	PREP	94-10-026	246-887-100	AMD	94-07-105	246-924-080	AMD	94-12-039
246-851-110	AMD	94-04-041	246-887-100	AMD	94-08-098	246-924-095	NEW-P	94-08-039
246-851-540	NEW-W	94-13-086	246-887-133	NEW	94-08-098	246-924-095	NEW-E	94-09-024
246-851-550	NEW	94-04-041	246-887-140	AMD-P	94-04-111	246-924-095	NEW	94-12-039
246-852-010	NEW-P	94-14-080	246-887-140	AMD	94-07-105	246-924-110	AMD-P	94-08-039
246-852-010	NEW	94-17-101	246-887-150	AMD-P	94-04-111	246-924-110	AMD	94-12-039
246-852-020	NEW-P	94-14-080	246-887-150	AMD	94-07-105	246-924-120	AMD-P	94-08-039
246-852-020	NEW	94-17-101	246-887-160	AMD	94-08-098	246-924-120	AMD	94-12-039
246-852-030	NEW-P	94-14-080	246-887-170	AMD	94-08-098	246-924-130	AMD-P	94-08-039
246-852-030	NEW	94-17-101	246-889-020	AMD-P	94-04-111	246-924-130	AMD	94-12-039
246-852-040	NEW-P	94-14-080	246-889-020	AMD	94-07-105	246-924-190	REP-P	94-08-039
246-852-040	NEW	94-17-101	246-901-010	NEW-P	94-04-112	246-924-190	REP	94-12-039
246-853-025	AMD-P	94-11-093	246-901-010	NEW	94-08-097	246-924-200	REP-P	94-08-039
246-853-025	AMD	94-15-068	246-901-020	AMD-P	94-04-112	246-924-200	REP	94-12-039
246-853-260	AMD-P	94-11-093	246-901-020	AMD	94-08-097	246-924-210	REP-P	94-08-039
246-853-260	AMD	94-15-068	246-901-030	AMD-P	94-04-112	246-924-210	REP	94-12-039
246-853-500	NEW-P	94-11-093	246-901-030	AMD	94-08-097	246-924-220	REP-P	94-08-039
246-853-500	NEW	94-15-068	246-901-035	NEW-P	94-04-112	246-924-220	REP	94-12-039
246-853-990	PREP	94-15-063	246-901-035	NEW	94-08-097	246-924-230	AMD-P	94-08-039
246-853-990	AMD-P	94-18-100	246-901-035	NEW	94-08-097	246-924-230	AMD	94-12-039
246-854-030	AMD-P	94-11-093	246-901-100	AMD	94-08-097	246-924-240	AMD-P	94-08-039
246-854-080	AMD-P	94-11-093	246-901-130	AMD-P	94-04-112	246-924-240	AMD	94-12-039

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246-924-250	AMD	94-12-039	246-937-090	NEW-E	94-08-051	250-14-050	NEW-P	94-16-125
246-924-260	REP-P	94-08-039	246-937-090	NEW-P	94-08-052	250-14-060	NEW-P	94-16-125
246-924-260	REP	94-12-039	246-937-990	NEW-P	94-08-076	250-14-070	NEW-P	94-16-125
246-924-270	REP-P	94-08-039	246-937-990	NEW-E	94-08-077	250-14-080	NEW-P	94-16-125
246-924-270	REP	94-12-039	247-04-010	NEW-P	94-12-021	250-40	AMD-P	94-09-058
246-924-280	REP-P	94-08-039	247-04-010	NEW	94-15-053	250-40	AMD	94-14-006
246-924-280	REP	94-12-039	247-04-020	NEW-P	94-12-021	250-40-020	AMD-P	94-09-058
246-924-290	AMD-P	94-08-039	247-04-020	NEW	94-15-053	250-40-020	AMD	94-14-006
246-924-290	AMD	94-12-039	247-04-030	NEW-P	94-12-021	250-40-040	AMD-P	94-09-058
246-924-300	AMD-P	94-08-039	247-04-030	NEW	94-15-053	250-40-040	AMD	94-14-006
246-924-300	AMD	94-12-039	247-04-040	NEW-P	94-12-021	250-40-050	AMD-P	94-09-058
246-924-310	REP-P	94-08-039	247-04-040	NEW	94-15-053	250-40-050	AMD	94-14-006
246-924-310	REP	94-12-039	247-06-010	NEW-P	94-12-022	250-40-070	AMD-P	94-09-058
246-924-320	AMD-P	94-08-039	247-06-010	NEW	94-15-054	250-40-070	AMD	94-14-006
246-924-320	AMD	94-12-039	247-06-020	NEW-P	94-12-022	250-44	AMD-C	94-15-033
246-924-460	REP-P	94-08-039	247-06-020	NEW	94-15-054	250-44-050	AMD-P	94-10-001
246-924-460	REP	94-12-039	247-06-030	NEW-P	94-12-022	250-44-110	AMD-P	94-10-001
246-924-490	NEW-P	94-08-039	247-06-030	NEW	94-15-054	250-44-130	AMD-P	94-10-001
246-924-490	NEW	94-12-039	248-14-001	REP-P	94-18-012	250-61-010	AMD-P	94-17-166
246-930-010	AMD-P	94-09-027	248-14-010	REP-P	94-18-012	250-61-020	AMD-P	94-17-166
246-930-010	AMD	94-13-179	248-14-020	REP-P	94-18-012	250-61-030	AMD-P	94-17-166
246-930-020	AMD-P	94-09-027	248-14-030	REP-P	94-18-012	250-61-040	AMD-P	94-17-166
246-930-020	AMD	94-13-179	248-14-040	REP-P	94-18-012	250-61-050	AMD-P	94-17-166
246-930-030	AMD-P	94-09-027	248-14-060	REP-P	94-18-012	250-61-060	AMD-P	94-17-166
246-930-030	AMD	94-13-179	248-14-065	REP-P	94-18-012	250-61-070	AMD-P	94-17-166
246-930-040	AMD-P	94-09-027	248-14-070	REP-P	94-18-012	250-61-080	AMD-P	94-17-166
246-930-040	AMD	94-13-179	248-14-071	REP-P	94-18-012	250-61-090	AMD-P	94-17-166
246-930-050	AMD-P	94-09-027	248-14-080	REP-P	94-18-012	250-61-100	AMD-P	94-17-166
246-930-050	AMD	94-13-179	248-14-090	REP-P	94-18-012	250-61-110	AMD-P	94-17-166
246-930-060	AMD-P	94-09-027	248-14-100	REP-P	94-18-012	250-61-120	AMD-P	94-17-166
246-930-060	AMD	94-13-179	248-14-110	REP-P	94-18-012	250-61-130	AMD-P	94-17-166
246-930-070	AMD-P	94-09-027	248-14-114	REP-P	94-18-012	250-61-140	AMD-P	94-17-166
246-930-070	AMD	94-13-179	248-14-120	REP-P	94-18-012	250-61-150	AMD-P	94-17-166
246-930-075	AMD-P	94-09-027	248-14-125	REP-P	94-18-012	250-61-160	AMD-P	94-17-166
246-930-075	AMD	94-13-179	248-14-128	REP-P	94-18-012	250-61-170	AMD-P	94-17-166
246-930-200	AMD-P	94-09-027	248-14-130	REP-P	94-18-012	250-61-180	AMD-P	94-17-166
246-930-200	AMD	94-13-179	248-14-140	REP-P	94-18-012	250-61-190	AMD-P	94-17-166
246-930-210	AMD-P	94-09-027	248-14-150	REP-P	94-18-012	250-61-200	NEW-P	94-17-166
246-930-210	AMD	94-13-179	248-14-152	REP-P	94-18-012	250-61-210	NEW-P	94-17-166
246-930-220	AMD-P	94-09-027	248-14-155	REP-P	94-18-012	250-61-220	NEW-P	94-17-166
246-930-220	AMD	94-13-179	248-14-160	REP-P	94-18-012	250-62-010	NEW-W	94-06-018
246-930-300	AMD-P	94-09-027	248-14-170	REP-P	94-18-012	250-62-020	NEW-W	94-06-018
246-930-300	AMD	94-13-179	248-14-180	REP-P	94-18-012	250-62-030	NEW-W	94-06-018
246-930-301	AMD-P	94-09-027	248-14-200	REP-P	94-18-012	250-62-040	NEW-W	94-06-018
246-930-301	AMD	94-13-179	248-14-211	REP-P	94-18-012	250-62-050	NEW-W	94-06-018
246-930-310	AMD-P	94-09-027	248-14-230	REP-P	94-18-012	250-62-060	NEW-W	94-06-018
246-930-310	AMD	94-13-179	248-14-235	REP-P	94-18-012	250-62-070	NEW-W	94-06-018
246-930-320	AMD-P	94-09-027	248-14-240	REP-P	94-18-012	250-62-080	NEW-W	94-06-018
246-930-320	AMD	94-13-179	248-14-245	REP-P	94-18-012	250-62-090	NEW-W	94-06-018
246-930-330	AMD-P	94-09-027	248-14-247	REP-P	94-18-012	250-62-100	NEW-W	94-06-018
246-930-330	AMD	94-13-179	248-14-249	REP-P	94-18-012	250-62-110	NEW-W	94-06-018
246-930-340	AMD-P	94-09-027	248-14-250	REP-P	94-18-012	250-62-120	NEW-W	94-06-018
246-930-340	AMD	94-13-179	248-14-260	REP-P	94-18-012	250-62-130	NEW-W	94-06-018
246-930-410	AMD-P	94-09-027	248-14-264	REP-P	94-18-012	250-62-140	NEW-W	94-06-018
246-930-410	AMD	94-13-179	248-14-266	REP-P	94-18-012	250-62-150	NEW-W	94-06-018
246-930-420	NEW-P	94-09-027	248-14-268	REP-P	94-18-012	250-62-160	NEW-W	94-06-018
246-930-420	NEW	94-13-179	248-14-270	REP-P	94-18-012	250-62-170	NEW-W	94-06-018
246-930-430	NEW-P	94-09-027	248-14-285	REP-P	94-18-012	250-62-180	NEW-W	94-06-018
246-930-430	NEW	94-13-179	248-14-290	REP-P	94-18-012	250-62-190	NEW-W	94-06-018
246-930-490	NEW-P	94-09-027	248-14-295	REP-P	94-18-012	250-62-200	NEW-W	94-06-018
246-930-490	NEW	94-13-179	248-14-296	REP-P	94-18-012	250-62-210	NEW-W	94-06-018
246-930-990	AMD-P	94-09-027	248-14-298	REP-P	94-18-012	250-66-030	AMD-P	94-09-060
246-930-990	AMD	94-13-179	248-14-300	REP-P	94-18-012	250-66-030	AMD	94-14-007
246-937-020	NEW-E	94-08-051	248-14-510	REP-P	94-18-012	250-78-010	AMD-P	94-09-061
246-937-020	NEW-P	94-08-052	248-14-520	REP-P	94-18-012	250-78-010	AMD	94-14-008
246-937-030	NEW-E	94-08-051	248-14-530	REP-P	94-18-012	250-78-020	AMD-P	94-09-061
246-937-030	NEW-P	94-08-052	248-14-540	REP-P	94-18-012	250-78-020	AMD	94-14-008
246-937-040	NEW-E	94-08-051	248-14-550	REP-P	94-18-012	250-78-030	AMD-P	94-09-061
246-937-040	NEW-P	94-08-052	248-14-560	REP-P	94-18-012	250-78-030	AMD	94-14-008
246-937-070	NEW-E	94-08-051	248-14-570	REP-P	94-18-012	250-78-040	AMD-P	94-09-061
246-937-070	NEW-P	94-08-052	250-14-020	NEW-P	94-16-125	250-78-040	AMD	94-14-008
246-937-080	NEW-E	94-08-051	250-14-030	NEW-P	94-16-125	250-78-050	AMD-P	94-09-061

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250-78-060	AMD-P	94-09-061	275-35-070	AMD	94-11-065	275-56-135	REP-S	94-17-118
250-78-060	AMD	94-14-008	275-35-080	AMD-P	94-08-007	275-56-150	REP-P	94-12-005
250-79-010	NEW-C	94-04-093	275-35-080	AMD	94-11-065	275-56-150	REP-S	94-17-118
250-79-010	NEW	94-14-064	275-47-010	NEW-P	94-12-066	275-56-170	REP-P	94-12-005
251-04-040	AMD-P	94-12-059	275-47-010	NEW	94-15-009	275-56-170	REP-S	94-17-118
251-04-040	AMD	94-16-049	275-47-020	NEW-P	94-12-066	275-56-175	REP-P	94-12-005
251-04-105	AMD-P	94-12-057	275-47-020	NEW	94-15-009	275-56-175	REP-S	94-17-118
251-04-105	AMD-C	94-16-052	275-47-030	NEW-P	94-12-066	275-56-180	REP-P	94-12-005
251-06-020	AMD-P	94-12-058	275-47-030	NEW	94-15-009	275-56-180	REP-S	94-17-118
251-06-020	AMD-C	94-16-053	275-47-040	NEW-P	94-12-066	275-56-185	REP-P	94-12-005
251-08-112	AMD-P	94-12-058	275-47-040	NEW	94-15-009	275-56-185	REP-S	94-17-118
251-08-112	AMD-C	94-16-053	275-55-221	NEW-E	94-03-004	275-56-195	REP-P	94-12-005
251-23-010	REP-W	94-04-010	275-55-221	NEW-P	94-03-005	275-56-195	REP-S	94-17-118
251-23-015	REP-W	94-04-010	275-55-221	NEW	94-06-025	275-56-200	REP-P	94-12-005
251-23-020	REP-W	94-04-010	275-56	REP-C	94-16-072	275-56-200	REP-S	94-17-118
251-23-030	REP-W	94-04-010	275-56-005	REP-P	94-12-005	275-56-205	REP-P	94-12-005
251-23-040	REP-W	94-04-010	275-56-005	REP-S	94-17-118	275-56-205	REP-S	94-17-118
251-23-050	REP-W	94-04-010	275-56-010	REP-P	94-12-005	275-56-210	REP-P	94-12-005
251-23-060	REP-W	94-04-010	275-56-010	REP-S	94-17-118	275-56-210	REP-S	94-17-118
253-02-040	AMD-P	94-12-092	275-56-015	AMD	94-07-020	275-56-215	REP-P	94-12-005
253-02-040	AMD-C	94-17-013	275-56-015	REP-P	94-12-005	275-56-215	REP-S	94-17-118
253-16-090	AMD-P	94-12-092	275-56-015	REP-S	94-17-118	275-56-220	REP-P	94-12-005
253-16-090	AMD-C	94-17-013	275-56-016	REP-P	94-12-005	275-56-220	REP-S	94-17-118
259-04-060	AMD-E	94-07-059	275-56-016	REP-S	94-17-118	275-56-225	REP-P	94-12-005
259-04-060	AMD-P	94-07-096	275-56-017	REP-P	94-12-005	275-56-225	REP-S	94-17-118
259-04-060	AMD	94-12-029	275-56-017	REP-S	94-17-118	275-56-230	REP-P	94-12-005
260-12-010	AMD-W	94-09-003	275-56-020	REP-P	94-12-005	275-56-230	REP-S	94-17-118
260-12-090	REP-W	94-09-003	275-56-020	REP-S	94-17-118	275-56-235	REP-P	94-12-005
260-24-010	AMD-W	94-09-003	275-56-025	REP-P	94-12-005	275-56-235	REP-S	94-17-118
260-24-080	AMD-W	94-09-003	275-56-025	REP-S	94-17-118	275-56-240	REP-P	94-12-005
260-24-110	AMD-W	94-09-003	275-56-035	REP-P	94-12-005	275-56-240	REP-S	94-17-118
260-24-120	AMD-W	94-09-003	275-56-035	REP-S	94-17-118	275-56-245	REP-P	94-12-005
260-24-140	AMD-W	94-09-003	275-56-040	REP-P	94-12-005	275-56-245	REP-S	94-17-118
260-24-150	AMD-W	94-09-003	275-56-040	REP-S	94-17-118	275-56-260	REP-P	94-12-005
260-24-170	AMD-W	94-09-003	275-56-042	REP-P	94-12-005	275-56-260	REP-S	94-17-118
260-24-180	AMD-W	94-09-003	275-56-042	REP-S	94-17-118	275-56-275	REP-P	94-12-005
260-24-200	AMD-W	94-09-003	275-56-043	REP-P	94-12-005	275-56-275	REP-S	94-17-118
260-24-210	AMD-W	94-09-003	275-56-043	REP-S	94-17-118	275-56-285	REP-P	94-12-005
260-24-285	AMD-W	94-09-003	275-56-050	REP-P	94-12-005	275-56-285	REP-S	94-17-118
260-24-290	AMD-W	94-09-003	275-56-050	REP-S	94-17-118	275-56-290	REP-P	94-12-005
260-24-315	AMD-W	94-09-003	275-56-055	REP-P	94-12-005	275-56-290	REP-S	94-17-118
260-24-440	AMD-W	94-09-003	275-56-055	REP-S	94-17-118	275-56-295	REP-P	94-12-005
260-24-460	AMD-W	94-09-003	275-56-060	REP-P	94-12-005	275-56-295	REP-S	94-17-118
260-24-470	AMD-W	94-09-003	275-56-060	REP-S	94-17-118	275-56-300	REP-P	94-12-005
260-24-500	AMD-W	94-09-003	275-56-065	REP-P	94-12-005	275-56-300	REP-S	94-17-118
260-24-510	AMD-W	94-09-003	275-56-065	REP-S	94-17-118	275-56-305	REP-P	94-12-005
260-24-520	AMD-W	94-09-003	275-56-070	REP-P	94-12-005	275-56-305	REP-S	94-17-118
260-34-030	AMD-W	94-09-003	275-56-070	REP-S	94-17-118	275-56-335	REP-P	94-12-005
260-36-080	AMD	94-04-002	275-56-075	REP-P	94-12-005	275-56-335	REP-S	94-17-118
260-48-322	AMD-P	94-05-077	275-56-075	REP-S	94-17-118	275-56-340	REP-P	94-12-005
260-48-322	AMD-W	94-17-072	275-56-080	REP-P	94-12-005	275-56-340	REP-S	94-17-118
260-48-324	AMD-P	94-05-076	275-56-080	REP-S	94-17-118	275-56-355	REP-P	94-12-005
260-48-324	AMD-W	94-17-072	275-56-085	REP-P	94-12-005	275-56-355	REP-S	94-17-118
260-48-328	AMD-P	94-05-075	275-56-085	REP-S	94-17-118	275-56-365	REP-P	94-12-005
260-48-328	AMD-W	94-17-072	275-56-087	REP-P	94-12-005	275-56-365	REP-S	94-17-118
260-70-010	AMD-W	94-09-003	275-56-087	REP-S	94-17-118	275-56-385	REP-P	94-12-005
260-70-026	PREP	94-15-097	275-56-088	REP-P	94-12-005	275-56-385	REP-S	94-17-118
260-70-026	AMD-P	94-17-143	275-56-088	REP-S	94-17-118	275-56-400	REP-P	94-12-005
260-70-040	AMD	94-04-002	275-56-089	REP-P	94-12-005	275-56-400	REP-S	94-17-118
260-72-020	AMD	94-04-003	275-56-089	REP-S	94-17-118	275-56-425	REP-P	94-12-005
275-16-030	AMD-P	94-13-051	275-56-090	REP-P	94-12-005	275-56-425	REP-S	94-17-118
275-16-030	AMD-E	94-14-005	275-56-090	REP-S	94-17-118	275-56-445	REP-P	94-12-005
275-16-030	AMD	94-16-048	275-56-095	REP-P	94-12-005	275-56-445	REP-S	94-17-118
275-27-220	AMD	94-04-092	275-56-095	REP-S	94-17-118	275-56-447	REP-P	94-12-005
275-27-221	NEW	94-04-092	275-56-100	REP-P	94-12-005	275-56-447	REP-S	94-17-118
275-27-223	AMD	94-04-092	275-56-100	REP-S	94-17-118	275-56-465	REP-P	94-12-005
275-30-020	AMD-P	94-12-026	275-56-105	REP-P	94-12-005	275-56-465	REP-S	94-17-118
275-30-020	AMD	94-15-002	275-56-105	REP-S	94-17-118	275-56-475	REP-P	94-12-005
275-35-030	AMD-P	94-08-007	275-56-110	REP-P	94-12-005	275-56-475	REP-S	94-17-118
275-35-030	AMD	94-11-065	275-56-110	REP-S	94-17-118	275-56-485	REP-P	94-12-005
275-35-060	AMD-P	94-08-007	275-56-115	REP-P	94-12-005	275-56-485	REP-S	94-17-118
275-35-060	AMD	94-11-065	275-56-115	REP-S	94-17-118	275-56-495	REP-P	94-12-005

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275-56-495	REP-S	94-17-118	275-57-160	NEW-S	94-17-118	275-156-025	AMD	94-12-006
275-56-505	REP-P	94-12-005	275-57-170	NEW-P	94-12-005	275-156-030	AMD-P	94-07-087
275-56-505	REP-S	94-17-118	275-57-170	NEW-S	94-17-118	275-156-030	AMD	94-12-006
275-56-515	REP-P	94-12-005	275-57-180	NEW-P	94-12-005	284-07-010	AMD-P	94-17-116
275-56-515	REP-S	94-17-118	275-57-180	NEW-S	94-17-118	284-07-014	REP-P	94-17-116
275-56-600	NEW	94-07-020	275-57-190	NEW-P	94-12-005	284-07-024	REP-P	94-17-116
275-56-600	REP-P	94-12-005	275-57-190	NEW-S	94-17-118	284-07-026	REP-P	94-17-116
275-56-600	REP-S	94-17-118	275-57-200	NEW-P	94-12-005	284-07-060	AMD	94-04-045
275-56-610	NEW	94-07-020	275-57-200	NEW-S	94-17-118	284-07-100	AMD	94-04-045
275-56-610	REP-P	94-12-005	275-57-210	NEW-P	94-12-005	284-07-110	AMD	94-04-045
275-56-610	REP-S	94-17-118	275-57-210	NEW-S	94-17-118	284-07-130	AMD	94-04-045
275-56-630	NEW	94-07-020	275-57-220	NEW-P	94-12-005	284-07-140	AMD	94-04-045
275-56-630	REP-P	94-12-005	275-57-220	NEW-S	94-17-118	284-07-180	AMD	94-04-045
275-56-630	REP-S	94-17-118	275-57-230	NEW-P	94-12-005	284-07-220	AMD	94-04-045
275-56-640	NEW	94-07-020	275-57-230	NEW-S	94-17-118	284-10	NEW-C	94-02-065
275-56-640	REP-P	94-12-005	275-57-240	NEW-P	94-12-005	284-10	NEW-C	94-03-048
275-56-640	REP-S	94-17-118	275-57-240	NEW-S	94-17-118	284-10	NEW-C	94-08-006
275-56-650	NEW	94-07-020	275-57-250	NEW-P	94-12-005	284-10-010	NEW-E	94-03-084
275-56-650	REP-P	94-12-005	275-57-250	NEW-S	94-17-118	284-10-010	NEW-W	94-03-085
275-56-650	REP-S	94-17-118	275-57-260	NEW-P	94-12-005	284-10-010	NEW-P	94-04-126
275-56-660	NEW	94-07-020	275-57-260	NEW-S	94-17-118	284-10-010	NEW	94-08-060
275-56-660	REP-P	94-12-005	275-57-270	NEW-P	94-12-005	284-10-015	NEW-E	94-03-084
275-56-660	REP-S	94-17-118	275-57-270	NEW-S	94-17-118	284-10-015	NEW-W	94-03-085
275-56-670	NEW	94-07-020	275-57-280	NEW-P	94-12-005	284-10-015	NEW-P	94-04-126
275-56-670	REP-P	94-12-005	275-57-280	NEW-S	94-17-118	284-10-015	NEW	94-08-060
275-56-670	REP-S	94-17-118	275-57-290	NEW-P	94-12-005	284-10-020	NEW-E	94-03-084
275-56-680	NEW	94-07-020	275-57-290	NEW-S	94-17-118	284-10-020	NEW-W	94-03-085
275-56-680	REP-P	94-12-005	275-57-300	NEW-P	94-12-005	284-10-020	NEW-P	94-04-126
275-56-680	REP-S	94-17-118	275-57-300	NEW-S	94-17-118	284-10-020	NEW	94-08-060
275-56-690	NEW	94-07-020	275-57-310	NEW-P	94-12-005	284-10-030	NEW-E	94-03-084
275-56-690	REP-P	94-12-005	275-57-310	NEW-S	94-17-118	284-10-030	NEW-W	94-03-085
275-56-690	REP-S	94-17-118	275-57-320	NEW-P	94-12-005	284-10-030	NEW-P	94-04-126
275-56-700	NEW	94-07-020	275-57-320	NEW-S	94-17-118	284-10-030	NEW	94-08-060
275-56-700	REP-P	94-12-005	275-57-330	NEW-P	94-12-005	284-10-050	NEW-P	94-04-125
275-56-700	REP-S	94-17-118	275-57-330	NEW-S	94-17-118	284-10-050	NEW	94-08-081
275-56-710	NEW	94-07-020	275-57-340	NEW-P	94-12-005	284-10-050	AMD-P	94-11-082
275-56-710	REP-P	94-12-005	275-57-340	NEW-S	94-17-118	284-10-050	AMD	94-13-216
275-56-710	REP-S	94-17-118	275-57-350	NEW-P	94-12-005	284-10-060	NEW-E	94-03-084
275-56-720	NEW	94-07-020	275-57-350	NEW-S	94-17-118	284-10-060	NEW-W	94-03-085
275-56-720	REP-P	94-12-005	275-57-360	NEW-P	94-12-005	284-10-060	NEW-P	94-04-126
275-56-720	REP-S	94-17-118	275-57-360	NEW-S	94-17-118	284-10-060	NEW	94-08-060
275-57	NEW-C	94-16-072	275-57-370	NEW-P	94-12-005	284-10-070	NEW-E	94-03-084
275-57-010	NEW-P	94-12-005	275-57-370	NEW-S	94-17-118	284-10-070	NEW-W	94-03-085
275-57-010	NEW-S	94-17-118	275-57-380	NEW-P	94-12-005	284-10-070	NEW-P	94-04-126
275-57-020	NEW-P	94-12-005	275-57-380	NEW-S	94-17-118	284-10-070	NEW	94-08-060
275-57-020	NEW-S	94-17-118	275-57-390	NEW-P	94-12-005	284-10-080	NEW-W	94-03-085
275-57-030	NEW-P	94-12-005	275-57-390	NEW-S	94-17-118	284-10-090	NEW-E	94-03-084
275-57-030	NEW-S	94-17-118	275-57-400	NEW-P	94-12-005	284-10-090	NEW-W	94-03-085
275-57-040	NEW-P	94-12-005	275-57-400	NEW-S	94-17-118	284-10-090	NEW-P	94-04-126
275-57-040	NEW-S	94-17-118	275-57-410	NEW-P	94-12-005	284-10-090	NEW	94-08-060
275-57-050	NEW-P	94-12-005	275-57-410	NEW-S	94-17-118	284-10-100	NEW-W	94-03-085
275-57-050	NEW-S	94-17-118	275-57-420	NEW-P	94-12-005	284-10-110	NEW-W	94-03-085
275-57-060	NEW-P	94-12-005	275-57-420	NEW-S	94-17-118	284-10-120	NEW-W	94-03-085
275-57-060	NEW-S	94-17-118	275-57-430	NEW-P	94-12-005	284-10-130	NEW-W	94-03-085
275-57-070	NEW-P	94-12-005	275-57-430	NEW-S	94-17-118	284-10-140	NEW-W	94-03-085
275-57-070	NEW-S	94-17-118	275-57-440	NEW-P	94-12-005	284-10-150	NEW-W	94-03-085
275-57-080	NEW-P	94-12-005	275-57-440	NEW-S	94-17-118	284-10-160	NEW-W	94-03-085
275-57-080	NEW-S	94-17-118	275-57-450	NEW-P	94-12-005	284-10-170	NEW-W	94-03-085
275-57-090	NEW-P	94-12-005	275-57-450	NEW-S	94-17-118	284-10-180	NEW-W	94-03-085
275-57-090	NEW-S	94-17-118	275-57-460	NEW-P	94-12-005	284-10-190	NEW-W	94-03-085
275-57-100	NEW-P	94-12-005	275-57-460	NEW-S	94-17-118	284-10-200	NEW-W	94-03-085
275-57-100	NEW-S	94-17-118	275-57-470	NEW-P	94-12-005	284-12-090	AMD-P	94-11-100
275-57-110	NEW-P	94-12-005	275-57-470	NEW-S	94-17-118	284-12-090	AMD	94-14-110
275-57-110	NEW-S	94-17-118	275-59-072	NEW-E	94-03-004	284-12-270	AMD-P	94-11-100
275-57-120	NEW-P	94-12-005	275-59-072	NEW-P	94-03-005	284-12-270	AMD	94-14-110
275-57-120	NEW-S	94-17-118	275-59-072	NEW	94-06-025	284-13-110	REP-P	94-05-089
275-57-130	NEW-P	94-12-005	275-156-010	AMD-P	94-07-087	284-13-110	REP-C	94-08-013
275-57-130	NEW-S	94-17-118	275-156-010	AMD	94-12-006	284-13-110	REP-C	94-10-024
275-57-140	NEW-P	94-12-005	275-156-015	AMD-P	94-07-087	284-13-110	REP	94-12-077
275-57-140	NEW-S	94-17-118	275-156-015	AMD	94-12-006	284-13-120	REP-P	94-05-089
275-57-150	NEW-P	94-12-005	275-156-020	AMD-P	94-07-087	284-13-120	REP-C	94-08-013
275-57-150	NEW-S	94-17-118	275-156-020	AMD	94-12-006	284-13-120	REP-C	94-10-024
275-57-160	NEW-P	94-12-005	275-156-025	AMD-P	94-07-087	284-13-120	REP	94-12-077

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284-13-130	REP-P	94-05-089	284-23-680	NEW-P	94-15-105	284-87-040	AMD-P	94-09-049
284-13-130	REP-C	94-08-013	284-23-680	NEW	94-18-029	284-87-040	AMD	94-13-006
284-13-130	REP-C	94-10-024	284-23-680	PREP	94-18-082	284-87-090	AMD-P	94-09-049
284-13-130	REP	94-12-077	284-23-690	NEW-P	94-15-105	284-87-090	AMD	94-13-006
284-13-140	REP-P	94-05-089	284-23-690	NEW	94-18-029	284-87-100	AMD-P	94-09-049
284-13-140	REP-C	94-08-013	284-23-690	PREP	94-18-082	284-87-100	AMD	94-13-006
284-13-140	REP-C	94-10-024	284-23-700	NEW-P	94-15-105	284-96-500	NEW-P	94-15-103
284-13-140	REP	94-12-077	284-23-700	NEW	94-18-029	284-96-500	NEW-C	94-18-018
284-13-150	REP-P	94-05-089	284-23-700	PREP	94-18-082	284-96-500	NEW-C	94-18-028
284-13-150	REP-C	94-08-013	284-23-710	NEW-P	94-15-105	284-97-010	PREP	94-05-071
284-13-150	REP-C	94-10-024	284-23-710	NEW	94-18-029	284-97-020	PREP	94-05-071
284-13-150	REP	94-12-077	284-23-710	PREP	94-18-082	284-97-030	PREP	94-05-071
284-13-800	NEW-P	94-05-089	284-23-720	NEW-P	94-15-105	284-97-040	PREP	94-05-071
284-13-800	NEW-C	94-08-013	284-23-720	NEW	94-18-029	284-97-050	PREP	94-05-071
284-13-800	NEW-C	94-10-024	284-23-720	PREP	94-18-082	284-97-060	PREP	94-05-071
284-13-800	NEW-W	94-12-077	284-23-730	NEW-P	94-15-105	284-97-070	PREP	94-05-071
284-13-810	NEW-P	94-05-089	284-23-730	NEW	94-18-029	284-97-080	PREP	94-05-071
284-13-810	NEW-C	94-08-013	284-23-730	PREP	94-18-082	284-97-100	PREP	94-05-071
284-13-810	NEW-C	94-10-024	284-24-055	REP-P	94-17-176	284-97-110	PREP	94-05-071
284-13-810	NEW-W	94-12-077	284-24-060	AMD-P	94-17-176	284-97-120	PREP	94-05-071
284-13-820	NEW-P	94-05-089	284-30	PREP	94-05-056	284-97-130	PREP	94-05-071
284-13-820	NEW-C	94-08-013	284-30-450	PREP	94-05-070	284-97-140	PREP	94-05-071
284-13-820	NEW-C	94-10-024	284-30-450	NEW-P	94-15-104	284-97-150	PREP	94-05-071
284-13-820	NEW-W	94-12-077	284-30-450	NEW-C	94-18-020	284-97-160	PREP	94-05-071
284-13-830	NEW-P	94-05-089	284-30-450	NEW	94-18-038	286-04-010	AMD-P	94-13-196
284-13-830	NEW-C	94-08-013	284-43-040	NEW-P	94-10-077	286-04-010	AMD	94-17-095
284-13-830	NEW-C	94-10-024	284-44	PREP	94-05-056	286-04-015	NEW-P	94-13-196
284-13-830	NEW-W	94-12-077	284-44-500	NEW-P	94-15-103	286-04-015	NEW	94-17-095
284-17-120	AMD-P	94-11-100	284-44-500	NEW-C	94-18-018	286-04-020	AMD-P	94-13-196
284-17-120	AMD	94-14-033	284-44-500	NEW-C	94-18-028	286-04-020	AMD	94-17-095
284-17-121	AMD-P	94-11-100	284-46	PREP	94-05-056	286-04-030	AMD-P	94-13-196
284-17-121	AMD	94-14-033	284-46-500	NEW-P	94-15-103	286-04-030	AMD	94-17-095
284-17-220	AMD-P	94-11-100	284-46-500	NEW-C	94-18-018	286-04-050	AMD-P	94-13-196
284-17-220	AMD	94-14-033	284-46-500	NEW-C	94-18-028	286-04-050	AMD	94-17-095
284-17-250	AMD-P	94-11-100	284-50-330	AMD-P	94-15-103	286-04-060	AMD-P	94-13-196
284-17-250	AMD	94-14-033	284-50-330	AMD-C	94-18-018	286-04-060	AMD	94-17-095
284-17-260	AMD-P	94-11-100	284-50-330	AMD-C	94-18-028	286-04-065	NEW-P	94-13-196
284-17-260	AMD	94-14-033	284-51-010	AMD-P	94-11-122	286-04-065	NEW	94-17-095
284-17-290	AMD-P	94-11-100	284-51-015	NEW-P	94-11-122	286-04-070	AMD-P	94-13-196
284-17-290	AMD	94-14-033	284-51-020	AMD-P	94-11-122	286-04-070	AMD	94-17-095
284-17-320	AMD-P	94-11-100	284-51-030	AMD-P	94-11-122	286-04-085	NEW-P	94-13-196
284-17-320	AMD	94-14-033	284-51-040	AMD-P	94-11-122	286-04-085	NEW	94-17-095
284-17-400	AMD-P	94-11-100	284-51-045	NEW-P	94-11-122	286-04-090	NEW-P	94-13-196
284-17-400	AMD	94-14-033	284-51-050	AMD-P	94-11-122	286-04-090	NEW	94-17-095
284-17-410	AMD-P	94-11-100	284-51-060	AMD-P	94-11-122	286-06-010	REP-P	94-13-196
284-17-410	AMD	94-14-033	284-51-070	REP-P	94-11-122	286-06-010	REP	94-17-095
284-17-420	AMD-P	94-11-100	284-51-075	AMD-P	94-11-122	286-06-030	REP-P	94-13-196
284-17-420	AMD	94-14-033	284-51-120	AMD-P	94-11-122	286-06-030	REP	94-17-095
284-23	NEW-C	94-18-019	284-51-130	AMD-P	94-11-122	286-06-040	REP-P	94-13-196
284-23-600	NEW-P	94-15-105	284-51-140	AMD-P	94-11-122	286-06-040	REP	94-17-095
284-23-600	NEW	94-18-029	284-51-150	AMD-P	94-11-122	286-06-050	AMD-P	94-13-196
284-23-600	PREP	94-18-082	284-51-160	REP-P	94-11-122	286-06-050	AMD	94-17-095
284-23-610	NEW-P	94-15-105	284-51-170	AMD-P	94-11-122	286-06-060	AMD-P	94-13-196
284-23-610	NEW	94-18-029	284-54	AMD-C	94-13-217	286-06-060	AMD	94-17-095
284-23-610	PREP	94-18-082	284-54-020	AMD-P	94-09-050	286-06-065	NEW-P	94-13-196
284-23-620	NEW-P	94-15-105	284-54-020	AMD-S	94-11-096	286-06-065	NEW	94-17-095
284-23-620	NEW	94-18-029	284-54-020	AMD	94-14-100	286-06-070	AMD-P	94-13-196
284-23-620	PREP	94-18-082	284-54-150	AMD-P	94-09-050	286-06-070	AMD	94-17-095
284-23-630	NEW-P	94-15-105	284-54-150	AMD-S	94-11-096	286-06-080	AMD-P	94-13-196
284-23-630	NEW	94-18-029	284-54-150	AMD	94-14-100	286-06-080	AMD	94-17-095
284-23-630	PREP	94-18-082	284-54-200	NEW-P	94-09-050	286-06-090	AMD-P	94-13-196
284-23-640	NEW-P	94-15-105	284-54-200	NEW-S	94-11-096	286-06-090	AMD	94-17-095
284-23-640	NEW	94-18-029	284-54-200	NEW	94-14-100	286-06-100	AMD-P	94-13-196
284-23-640	PREP	94-18-082	284-54-210	NEW-P	94-09-050	286-06-100	AMD	94-17-095
284-23-650	NEW-P	94-15-105	284-54-210	NEW-S	94-11-096	286-06-110	AMD-P	94-13-196
284-23-650	NEW	94-18-029	284-54-210	NEW	94-14-100	286-06-110	AMD	94-17-095
284-23-650	PREP	94-18-082	284-54-260	NEW-P	94-09-050	286-06-120	AMD-P	94-13-196
284-23-660	NEW-P	94-15-105	284-54-260	NEW-S	94-11-096	286-06-120	AMD	94-17-095
284-23-660	NEW	94-18-029	284-54-260	NEW	94-14-100	286-06-130	REP-P	94-13-196
284-23-660	PREP	94-18-082	284-54-270	NEW-P	94-09-050	286-06-130	REP	94-17-095
284-23-670	NEW-P	94-15-105	284-54-270	NEW-S	94-11-096	286-06-140	REP-P	94-13-196
284-23-670	NEW	94-18-029	284-54-270	NEW	94-14-100	286-06-140	REP	94-17-095
284-23-670	PREP	94-18-082	284-87-030	PREP	94-18-080	286-06-150	REP-P	94-13-196

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286-06-990	REP-P	94-13-196	286-35-080	NEW	94-17-095	296-15-070	AMD-P	94-12-096
286-06-990	REP	94-17-095	286-35-090	NEW-P	94-13-196	296-15-070	AMD	94-17-069
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286-13-060	NEW-P	94-13-196	286-40-050	NEW	94-17-095	296-17-45005	NEW	94-12-051
286-13-060	NEW	94-17-095	286-40-060	NEW-P	94-13-196	296-17-501	AMD-P	94-07-129
286-13-070	NEW-P	94-13-196	286-40-060	NEW	94-17-095	296-17-501	AMD	94-12-051
286-13-070	NEW	94-17-095	292-06-001	PREP	94-15-039	296-17-506	REP-P	94-07-129
286-13-080	NEW-P	94-13-196	292-06-005	PREP	94-15-039	296-17-506	REP	94-12-051
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296-21-240	REP	94-14-044	296-24-14509	AMD	94-15-096	296-24-33009	AMD	94-15-096
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296-21-250	REP	94-14-044	296-24-14513	AMD	94-15-096	296-24-33011	AMD	94-15-096
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296-21-260	REP	94-14-044	296-24-14515	AMD	94-15-096	296-24-33013	AMD	94-15-096
296-21-270	REP-P	94-07-126	296-24-14519	AMD-P	94-10-010	296-24-47507	AMD-P	94-10-010
296-21-280	REP-P	94-07-126	296-24-14519	AMD	94-15-096	296-24-47507	AMD	94-15-096
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296-24-71507	AMD	94-15-096	296-24-92003	AMD	94-15-096	296-45-65005	AMD-P	94-15-095
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296-24-71513	AMD	94-15-096	296-24-93503	AMD	94-15-096	296-45-65009	AMD-P	94-15-095
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296-24-71519	AMD	94-15-096	296-24-95601	AMD	94-15-096	296-45-65015	AMD-P	94-15-095
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296-24-79505	AMD	94-15-096	296-27-050	AMD-P	94-10-010	296-45-65038	AMD-P	94-15-095
296-24-79507	AMD-P	94-10-010	296-27-050	AMD	94-15-096	296-45-65039	AMD-P	94-15-095
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296-24-82501	AMD-P	94-10-010	296-27-080	AMD	94-15-096	296-45-66011	AMD-P	94-15-095
296-24-82501	AMD	94-15-096	296-27-090	AMD-P	94-10-010	296-45-67503	AMD-P	94-15-095
296-24-82503	AMD-P	94-10-010	296-27-090	AMD	94-15-095	296-45-67505	AMD-P	94-15-095
296-24-82503	AMD	94-15-096	296-27-090	AMD-W	94-16-015	296-45-67507	AMD-P	94-15-095
296-24-82513	AMD-P	94-10-010	296-27-110	AMD-P	94-10-010	296-45-67521	AMD-P	94-15-095
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296-24-82515	AMD	94-15-096	296-27-120	AMD	94-15-096	296-45-67535	AMD-P	94-15-095
296-24-82519	AMD-P	94-10-010	296-27-140	AMD-P	94-10-010	296-45-67543	AMD-P	94-15-095
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296-24-82521	AMD-P	94-10-010	296-27-15501	AMD-P	94-10-010	296-45-690	NEW-P	94-15-095
296-24-82521	AMD	94-15-096	296-27-15501	AMD	94-15-096	296-45-695	NEW-P	94-15-095
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296-24-82537	AMD	94-15-096	296-27-15505	AMD	94-15-096	296-52-409	AMD-P	94-17-164
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296-24-84001	AMD	94-15-096	296-32-210	AMD	94-15-096	296-52-421	AMD-P	94-17-164
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296-24-84005	AMD	94-15-096	296-32-220	AMD	94-15-096	296-52-425	AMD-P	94-17-164
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296-24-84007	AMD	94-15-096	296-32-230	AMD	94-15-096	296-52-433	AMD-P	94-17-164
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296-24-84009	AMD	94-15-096	296-32-260	AMD-P	94-15-095	296-52-441	AMD-P	94-17-164
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296-24-85505	AMD	94-15-096	296-32-270	AMD	94-15-096	296-52-461	AMD-P	94-17-164
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296-24-87001	AMD	94-15-096	296-32-280	AMD	94-15-096	296-52-469	AMD-P	94-17-164
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296-62-07441	AMD	94-15-096	296-78-670	AMD-P	94-15-095	296-155-203	AMD	94-15-096
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326-02-030	AMD-P	94-08-107	317-40-900	NEW-P	94-12-093
326-02-030	AMD	94-11-116	317-40-900	NEW	94-16-076
326-02-030	AMD-P	94-17-177	317-40-910	NEW-P	94-12-093
326-02-030	PREP	94-17-178	317-40-910	NEW	94-16-076
326-02-030	AMD-E	94-18-109	326-02-030	AMD-P	94-08-107
326-02-034	NEW	94-11-113	326-02-030	PREP	94-17-178
326-02-050	AMD-P	94-08-107	326-02-034	AMD-E	94-18-109
326-02-050	AMD	94-11-117	326-02-050	NEW	94-11-113
326-20-120	AMD-P	94-08-108	326-02-050	AMD-P	94-08-107
326-20-120	AMD	94-11-114	326-02-050	AMD	94-11-117
326-20-125	AMD-P	94-08-108	326-20-120	AMD-P	94-08-108
326-20-125	AMD	94-11-115	326-20-120	AMD	94-11-114
326-30-041	AMD	94-03-068	326-20-125	AMD-P	94-08-108
326-30-041	AMD-E	94-16-064	326-20-125	AMD	94-11-115
326-30-051	AMD	94-07-064	326-30-041	AMD	94-03-068
326-40-030	AMD-P	94-08-109	326-30-041	AMD-E	94-16-064
326-40-030	AMD	94-11-118	326-30-051	AMD	94-07-064
326-40-040	AMD-S	94-08-110	326-40-030	AMD-P	94-08-109
326-40-040	AMD	94-11-119	326-40-030	AMD	94-11-118
326-40-060	AMD-E	94-17-056	326-40-040	AMD-S	94-08-110
332-18	AMD-P	94-09-062	326-40-040	AMD	94-11-119
332-18	AMD	94-14-051	326-40-060	AMD	94-07-064
332-18-010	AMD-P	94-09-062	326-40-060	AMD-E	94-17-056
332-18-010	AMD	94-14-051	332-18	AMD-P	94-09-062
332-18-01001	NEW-P	94-09-062	332-18	AMD	94-14-051
332-18-01001	NEW	94-14-051	332-18-010	AMD-P	94-09-062
332-18-01002	NEW-P	94-09-062	332-18-010	AMD	94-14-051
332-18-01002	NEW	94-14-051	332-18-01001	NEW-P	94-09-062
332-18-01002	NEW-P	94-09-062	332-18-01001	NEW	94-14-051
332-18-01003	NEW-P	94-09-062	332-18-01002	NEW-P	94-09-062
332-18-01003	NEW	94-14-051	332-18-01002	NEW	94-14-051
332-18-01004	NEW-P	94-09-062	332-18-01003	NEW-P	94-09-062
332-18-01004	NEW	94-14-051	332-18-01004	NEW-P	94-09-062
332-18-01005	NEW-P	94-09-062	332-18-01004	NEW	94-14-051
332-18-01005	NEW	94-14-051	332-18-01005	NEW-P	94-09-062
332-18-015	REP-P	94-09-062	332-18-01005	NEW	94-14-051
332-18-015	REP	94-14-051	332-18-015	REP-P	94-09-062
332-18-020	REP-P	94-09-062	332-18-015	REP	94-14-051
332-18-030	REP-P	94-09-062	332-18-020	REP-P	94-09-062
332-18-030	REP	94-14-051	332-18-030	REP	94-14-051
332-18-040	REP-P	94-09-062	332-18-030	REP-P	94-09-062
332-18-040	REP	94-14-051	332-18-040	REP-P	94-09-062
332-18-050	AMD-P	94-09-062	332-18-040	REP	94-14-051
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332-18-05002	NEW	94-14-051	352-32-195	AMD	94-16-026	352-74-060	AMD-P	94-18-076
332-18-05003	NEW-P	94-09-062	352-32-210	AMD-P	94-10-069	352-74-070	AMD-P	94-18-076
332-18-05003	NEW	94-14-051	352-32-210	AMD	94-13-081	352-76-010	NEW-P	94-10-070
332-18-05004	NEW-P	94-09-062	352-32-250	AMD-P	94-03-097	352-76-010	NEW	94-13-082
332-18-05004	NEW	94-14-051	352-32-250	AMD-C	94-06-010	352-76-020	NEW-P	94-10-070
332-18-05005	NEW-P	94-09-062	352-32-250	AMD	94-08-036	352-76-020	NEW	94-13-082
332-18-05005	NEW	94-14-051	352-32-250	AMD-E	94-09-009	352-76-030	NEW-P	94-10-070
332-18-05006	NEW-P	94-09-062	352-32-250	AMD-P	94-10-048	352-76-030	NEW	94-13-082
332-18-05006	NEW	94-14-051	352-32-250	AMD	94-13-080	352-76-040	NEW-P	94-10-070
332-18-05007	NEW-P	94-09-062	352-32-250	AMD-P	94-18-077	352-76-040	NEW	94-13-082
332-18-05007	NEW	94-14-051	352-32-25001	AMD	94-04-075	352-76-050	NEW-P	94-10-070
332-18-05008	NEW-P	94-09-062	352-32-252	AMD-P	94-03-097	352-76-050	NEW	94-13-082
332-18-05008	NEW	94-14-051	352-32-252	AMD-C	94-06-010	352-76-060	NEW-P	94-10-070
332-18-05009	NEW-P	94-09-062	352-32-252	AMD	94-08-036	352-76-060	NEW	94-13-082
332-18-05009	NEW	94-14-051	352-32-255	AMD-P	94-03-097	352-76-076	NEW-P	94-10-070
332-18-060	REP-P	94-09-062	352-32-255	AMD-C	94-06-010	352-76-070	NEW	94-13-082
332-18-060	REP	94-14-051	352-32-255	AMD	94-08-036	352-76-080	NEW-P	94-10-070
332-18-070	REP-P	94-09-062	352-32-305	NEW-P	94-18-077	352-76-080	NEW	94-13-082
332-18-070	REP	94-14-051	352-32-320	NEW-P	94-03-097	356-05-477	NEW	94-04-011
332-18-080	REP-P	94-09-062	352-32-320	NEW-C	94-06-010	356-05-479	NEW	94-04-011
332-18-080	REP	94-14-051	352-32-320	NEW	94-08-036	356-06-045	NEW	94-04-011
332-18-090	REP-P	94-09-062	352-60	AMD-P	94-12-065	356-09	NEW-C	94-04-086
332-18-090	REP	94-14-051	352-60	AMD	94-16-027	356-09-010	REP-W	94-04-010
332-18-100	REP-P	94-09-062	352-60-010	AMD-P	94-12-065	356-09-020	REP-W	94-04-010
332-18-100	REP	94-14-051	352-60-010	AMD	94-16-027	356-09-030	REP-W	94-04-010
332-18-110	REP-P	94-09-062	352-60-020	AMD-P	94-12-065	356-09-040	REP-W	94-04-010
332-18-110	REP	94-14-051	352-60-020	AMD	94-16-027	356-09-050	REP-W	94-04-010
332-18-120	AMD-P	94-09-062	352-60-030	AMD-P	94-12-065	356-10-020	AMD-P	94-12-060
332-18-120	AMD	94-14-051	352-60-030	AMD	94-16-027	356-10-020	AMD-C	94-16-051
332-18-130	AMD-P	94-09-062	352-60-040	AMD-P	94-12-065	356-10-040	AMD-P	94-12-060
332-18-130	AMD	94-14-051	352-60-040	AMD	94-16-027	356-10-040	AMD-C	94-16-051
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332-18-150	NEW-P	94-09-062	352-60-060	AMD-P	94-12-065	356-10-050	AMD-P	94-12-060
332-18-150	NEW	94-14-051	352-60-060	AMD	94-16-027	356-10-050	AMD-C	94-16-051
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332-26-050	NEW-E	94-13-095	352-60-066	NEW	94-16-027	356-26-070	AMD-E	94-04-085
332-26-060	NEW-E	94-13-095	352-60-070	AMD-P	94-12-065	356-26-070	AMD-P	94-06-066
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332-26-900	REP-E	94-18-022	352-60-080	AMD	94-16-027	356-30-315	NEW	94-04-011
332-26-901	NEW-E	94-18-022	352-60-090	AMD-P	94-12-065	356-30-328	NEW-W	94-04-009
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332-30-166	PREP	94-14-009	352-60-120	NEW-P	94-12-065	356-30-331	REP-C	94-16-050
332-30-166	PREP	94-16-093	352-60-120	NEW	94-16-027	356-30-331	REP-W	94-18-055
332-30-166	AMD-E	94-18-123	352-60-130	NEW-P	94-12-065	356-37-080	AMD-P	94-04-084
332-30-166	AMD-P	94-18-122	352-60-130	NEW	94-16-027	356-37-080	AMD	94-08-024
332-120-010	AMD	94-06-034	352-65-010	AMD	94-04-076	356-37-090	AMD-P	94-04-084
332-120-020	AMD	94-06-034	352-65-020	AMD	94-04-076	356-37-090	AMD	94-08-024
332-120-030	AMD	94-06-034	352-65-030	AMD	94-04-076	356-56	PREP	94-15-101
332-120-040	AMD	94-06-034	352-65-040	AMD	94-04-076	356-56-015	AMD-E	94-03-069
332-120-050	AMD	94-06-034	352-65-060	AMD	94-04-076	356-56-015	AMD-P	94-06-064
332-120-060	NEW	94-06-034	352-68-010	NEW-P	94-18-075	356-56-015	AMD	94-09-012
332-120-070	NEW	94-06-034	352-68-020	NEW-P	94-18-075	356-56-015	AMD-P	94-09-065
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352-28	AMD	94-10-012	352-68-040	NEW-P	94-18-075	356-56-015	AMD-P	94-16-139
352-28-005	AMD-P	94-06-049	352-68-050	NEW-P	94-18-075	356-56-021	AMD-P	94-09-065
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352-28-010	AMD-P	94-06-049	352-68-070	NEW-P	94-18-075	356-56-021	REP-P	94-16-139
352-28-010	AMD	94-10-012	352-68-080	NEW-P	94-18-075	356-56-030	AMD-P	94-06-064
352-32-010	AMD-P	94-03-097	352-68-090	NEW-P	94-18-075	356-56-030	AMD	94-09-012
352-32-010	AMD-C	94-06-010	352-68-100	NEW-P	94-18-075	356-56-035	AMD-P	94-09-065
352-32-010	AMD	94-08-036	352-68-110	NEW-P	94-18-075	356-56-035	AMD	94-12-055
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352-32-045	AMD-C	94-06-010	352-74-040	AMD-C	94-06-020	356-56-105	AMD-P	94-09-065
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356-56-115	AMD	94-09-012	374-50-010	AMD-P	94-18-001	388-24-111	AMD	94-04-034
356-56-115	AMD-P	94-09-065	374-50-020	AMD-P	94-18-001	388-24-111	REP-P	94-07-114
356-56-115	AMD	94-12-055	374-50-030	AMD-P	94-18-001	388-24-111	REP	94-10-065
356-56-120	AMD-P	94-09-065	374-50-035	NEW-P	94-18-001	388-24-125	REP-P	94-07-114
356-56-120	AMD	94-12-055	374-50-040	AMD-P	94-18-001	388-24-125	REP	94-10-065
356-56-205	AMD-P	94-09-065	374-50-050	AMD-P	94-18-001	388-24-200	REP-P	94-07-114
356-56-205	AMD	94-12-055	374-50-070	AMD-P	94-18-001	388-24-200	REP	94-10-065
356-56-210	AMD-P	94-09-065	374-50-080	AMD-P	94-18-001	388-24-207	REP-P	94-07-114
356-56-210	AMD	94-12-055	374-50-090	AMD-P	94-18-001	388-24-207	REP	94-10-065
356-56-220	AMD-P	94-09-065	388-11	PREP	94-15-084	388-24-2070	NEW-P	94-13-008
356-56-220	AMD	94-12-055	388-11-065	AMD-P	94-07-081	388-24-2070	NEW-E	94-12-009
356-56-230	AMD-E	94-03-069	388-11-065	AMD	94-10-033	388-24-2070	NEW	94-16-044
356-56-230	AMD-P	94-06-064	388-11-067	NEW-P	94-07-081	388-24-210	REP-P	94-07-114
356-56-230	AMD	94-09-012	388-11-067	NEW	94-10-033	388-24-210	REP	94-10-065
356-56-240	NEW-P	94-11-071	388-11-205	AMD-P	94-07-041	388-24-2100	NEW-P	94-13-008
356-56-250	NEW-P	94-11-071	388-11-205	AMD-E	94-07-042	388-24-2100	NEW-E	94-12-009
356-56-275	NEW-P	94-11-071	388-11-205	AMD	94-10-064	388-24-2100	NEW	94-16-044
356-56-300	NEW-P	94-11-071	388-14	PREP	94-15-084	388-24-215	REP-P	94-07-114
356-56-550	AMD-P	94-09-065	388-14-205	AMD-P	94-11-112	388-24-215	REP	94-10-065
356-56-550	AMD	94-12-055	388-14-205	AMD	94-15-046	388-24-2150	NEW-P	94-13-008
359-09-010	AMD	94-06-063	388-14-300	AMD-P	94-11-112	388-24-2150	NEW-E	94-12-009
359-09-012	AMD	94-06-063	388-14-300	AMD	94-15-046	388-24-2150	NEW	94-16-044
359-09-015	AMD	94-06-063	388-14-310	AMD-P	94-11-112	388-24-220	REP-P	94-07-114
359-09-020	AMD	94-06-063	388-14-310	AMD	94-15-046	388-24-220	REP	94-10-065
359-09-030	AMD	94-06-063	388-14-385	AMD-P	94-11-110	388-24-2200	NEW-P	94-13-008
359-09-040	AMD	94-06-063	388-14-385	AMD	94-15-045	388-24-2200	NEW-E	94-12-009
359-09-050	AMD	94-06-063	388-14-390	AMD-P	94-11-112	388-24-2200	NEW	94-16-044
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359-39-010	NEW-P	94-06-065	388-15-214	AMD	94-10-025	388-24-2250	NEW-P	94-13-008
359-39-010	NEW	94-13-091	388-15-820	PREP	94-16-071	388-24-2250	NEW-E	94-12-009
359-39-020	NEW-P	94-06-065	388-15-820	AMD-P	94-18-049	388-24-2250	NEW	94-16-044
359-39-020	NEW	94-13-091	388-15-830	PREP	94-16-071	388-24-235	REP-P	94-07-114
359-39-030	NEW-P	94-06-065	388-15-830	AMD-P	94-18-049	388-24-235	REP	94-10-065
359-39-030	NEW	94-13-091	388-15-840	PREP	94-16-071	388-24-2350	NEW-P	94-13-008
359-39-040	NEW-P	94-06-065	388-15-840	AMD-P	94-18-049	388-24-2350	NEW-E	94-12-009
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359-39-050	NEW-P	94-06-065	388-15-850	AMD-P	94-18-049	388-24-243	REP-P	94-07-114
359-39-050	NEW	94-13-091	388-20-010	REP-P	94-07-114	388-24-243	REP	94-10-065
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365-140-030	AMD-E	94-13-072	388-24	AMD	94-16-044	388-24-252	REP-P	94-03-051
365-140-030	AMD	94-18-073	388-24-040	REP-P	94-07-114	388-24-252	REP	94-06-026
365-140-045	NEW-P	94-13-022	388-24-040	REP	94-10-065	388-24-253	REP-P	94-03-051
365-140-045	NEW-E	94-13-072	388-24-042	REP-P	94-07-114	388-24-253	REP	94-06-026
365-140-045	NEW	94-18-073	388-24-042	REP	94-10-065	388-24-254	REP-P	94-03-051
365-140-050	AMD-P	94-13-022	388-24-044	AMD-P	94-05-017	388-24-254	REP	94-06-026
365-140-050	AMD-E	94-13-072	388-24-044	REP-P	94-07-114	388-24-255	REP-P	94-03-051
365-140-050	AMD	94-18-073	388-24-044	AMD	94-08-017	388-24-255	REP	94-06-026
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371-08-010	AMD-P	94-07-098	388-24-050	REP-P	94-07-114	388-24-260	REP	94-06-026
371-08-010	AMD	94-12-027	388-24-050	REP	94-10-065	388-24-265	REP-P	94-03-051
371-08-061	NEW-E	94-07-061	388-24-052	REP-P	94-07-114	388-24-265	REP	94-06-026
371-08-061	NEW-P	94-07-098	388-24-052	REP	94-10-065	388-24-550	REP-P	94-07-114
371-08-061	NEW	94-12-027	388-24-055	REP-P	94-07-114	388-24-550	REP	94-10-065
371-08-147	AMD-E	94-07-061	388-24-055	REP	94-10-065	388-26-025	REP-P	94-07-114
371-08-147	AMD-P	94-07-098	388-24-060	REP-P	94-07-114	388-26-025	REP	94-10-065
371-08-147	AMD	94-12-027	388-24-060	REP	94-10-065	388-26-040	REP-P	94-07-114
371-08-162	AMD-E	94-07-061	388-24-065	REP-P	94-07-114	388-26-040	REP	94-10-065
371-08-162	AMD-P	94-07-098	388-24-065	REP	94-10-065	388-26-050	REP-P	94-07-114
371-08-162	AMD	94-12-027	388-24-070	REP-P	94-07-114	388-26-050	REP	94-10-065
371-08-165	AMD-E	94-07-061	388-24-070	REP	94-10-065	388-26-055	REP-P	94-07-114
371-08-165	AMD-P	94-07-098	388-24-074	REP-P	94-07-114	388-26-055	REP	94-10-065
371-08-165	AMD	94-12-027	388-24-074	REP	94-10-065	388-26-060	REP-P	94-07-114
371-08-167	NEW-E	94-07-061	388-24-090	REP-P	94-07-114	388-26-060	REP	94-10-065
371-08-167	NEW-P	94-07-098	388-24-090	REP	94-10-065	388-26-065	REP-P	94-07-114
371-08-167	NEW	94-12-027	388-24-108	REP-P	94-07-114	388-26-065	REP	94-10-065
371-08-197	NEW-E	94-07-061	388-24-108	REP	94-10-065	388-26-070	REP-P	94-07-114

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338-26-080	REP	94-10-065	388-28-475	REP-P	94-07-114	388-29-130	REP	94-09-001
388-26-105	REP-P	94-07-114	388-28-475	REP	94-10-065	388-29-150	REP-P	94-06-035
338-26-105	REP	94-10-065	388-28-480	REP-P	94-07-114	388-29-150	REP	94-09-001
388-26-120	REP-P	94-07-114	388-28-480	REP	94-10-065	388-29-160	REP-P	94-06-035
338-26-120	REP	94-10-065	388-28-481	REP-P	94-07-114	388-29-160	REP	94-09-001
388-26-145	REP-P	94-07-114	388-28-481	REP	94-10-065	388-29-180	REP-P	94-06-035
338-26-145	REP	94-10-065	388-28-482	REP-P	94-07-114	388-29-180	REP	94-09-001
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338-26-149	REP	94-10-065	388-28-483	REP-P	94-07-114	388-29-200	REP	94-09-001
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388-28-005	REP	94-10-065	388-28-484	AMD-P	94-05-029	388-29-210	REP	94-09-001
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388-28-300	REP	94-10-065	388-28-484	AMD	94-08-020	388-29-220	REP	94-09-001
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388-28-350	REP	94-10-065	388-28-485	REP-P	94-07-114	388-29-230	REP	94-09-001
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388-28-355	REP	94-10-065	388-28-500	REP-P	94-07-114	388-29-270	REP	94-09-001
388-28-360	REP-P	94-07-114	388-28-500	REP	94-10-065	388-29-280	REP-P	94-06-035
388-28-360	REP	94-10-065	388-28-515	REP-P	94-07-114	388-29-280	REP	94-09-001
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388-28-365	REP	94-10-065	388-28-520	REP-P	94-07-114	388-29-295	REP-P	94-06-035
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388-28-370	REP-P	94-07-114	388-28-530	AMD-P	94-05-016	388-33-015	REP-P	94-07-114
388-28-370	REP	94-10-065	388-28-530	REP-P	94-07-114	388-33-015	REP	94-10-065
388-28-380	REP-P	94-07-114	388-28-530	AMD	94-08-016	388-33-020	REP-P	94-07-114
388-28-380	REP	94-10-065	388-28-530	REP	94-10-065	388-33-020	REP	94-10-065
388-28-385	REP-P	94-07-114	388-28-532	REP-P	94-07-114	388-33-025	REP-P	94-07-114
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388-28-390	REP-P	94-07-114	388-28-535	REP	94-10-065	388-33-045	REP	94-10-065
388-28-390	AMD	94-08-015	388-28-555	REP-P	94-07-114	388-33-050	REP-P	94-07-114
388-28-390	REP	94-10-065	388-28-555	REP	94-10-065	388-33-050	REP	94-10-065
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388-28-392	REP	94-10-065	388-28-560	REP-P	94-07-114	388-33-051	REP	94-10-065
388-28-400	REP-P	94-07-114	388-28-560	AMD	94-08-019	388-33-055	REP-P	94-07-114
388-28-400	REP	94-10-065	388-28-560	REP	94-10-065	388-33-055	REP	94-10-065
388-28-410	REP-P	94-07-114	388-28-570	REP-P	94-07-114	388-33-080	REP-P	94-07-114
388-28-410	REP	94-10-065	388-28-570	REP	94-10-065	388-33-080	REP	94-10-065
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388-28-420	REP-P	94-07-114	388-28-575	AMD	94-08-021	388-33-090	REP-P	94-07-114
388-28-420	REP	94-10-065	388-28-575	REP	94-10-065	388-33-090	REP	94-10-065
388-28-425	REP-P	94-07-114	388-28-578	REP-P	94-07-114	388-33-095	REP-P	94-07-114
388-28-425	REP	94-10-065	388-28-578	REP	94-10-065	388-33-095	REP	94-10-065
388-28-435	REP-P	94-07-114	388-28-580	REP-P	94-07-114	388-33-115	REP-P	94-07-114
388-28-435	REP	94-10-065	388-28-580	REP	94-10-065	388-33-115	REP	94-10-065
388-28-438	REP-P	94-07-114	388-28-590	REP-P	94-07-114	388-33-120	REP-P	94-07-114
388-28-438	REP	94-10-065	388-28-590	REP	94-10-065	388-33-120	REP	94-10-065
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388-28-439	REP-P	94-07-114	388-28-600	AMD	94-08-022	388-33-135	REP-P	94-07-114
388-28-439	REP	94-10-065	388-28-600	REP	94-10-065	388-33-135	REP	94-10-065
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388-28-440	REP	94-10-065	388-28-650	REP	94-10-065	388-33-140	REP	94-10-065
388-28-450	REP-P	94-07-114	388-29-001	REP-P	94-06-035	388-33-165	REP-P	94-07-114
388-28-450	REP	94-10-065	388-29-001	REP	94-09-001	388-33-165	REP	94-10-065
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388-28-458	REP	94-04-043	388-29-005	REP	94-09-001	388-33-170	REP	94-10-065
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388-28-460	REP	94-04-043	388-29-010	REP	94-09-001	388-33-190	REP	94-10-065
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388-28-462	REP	94-04-043	388-29-020	REP	94-09-001	388-33-195	REP	94-10-065
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388-81-017	REP	94-10-065	388-82-160	RESCIND	94-11-063	388-86-030	AMD-C	94-07-021
388-81-020	REP-P	94-07-114	388-83-005	REP-P	94-07-114	388-86-030	AMD	94-07-122
388-81-020	REP	94-10-065	388-83-006	REP-P	94-07-114	388-86-030	PREP	94-16-098
388-81-025	REP-P	94-07-114	388-83-006	REP	94-10-065	388-86-040	REP-C	94-05-043
388-81-025	REP	94-10-065	388-83-010	REP-P	94-07-114	388-86-040	REP	94-07-022
388-81-030	REP-P	94-07-114	388-83-010	REP	94-10-065	388-86-04001	NEW-C	94-05-043
388-81-030	REP	94-10-065	388-83-010	REP	94-10-065	388-86-04001	NEW	94-07-022
388-81-035	REP-P	94-07-114	388-83-012	REP-P	94-07-114	388-86-04001	PREP	94-17-065
388-81-035	REP	94-10-065	388-83-012	REP	94-10-065	388-86-045	AMD	94-03-052
388-81-038	REP-P	94-07-114	388-83-013	REP-P	94-07-114	388-86-050	PREP	94-16-030
388-81-038	REP	94-10-065	388-83-013	REP	94-10-065	388-86-073	AMD-P	94-04-022
388-81-040	REP-P	94-07-114	388-83-014	REP-P	94-07-114	388-86-073	AMD-E	94-04-023
388-81-040	REP	94-10-065	388-83-014	REP	94-10-065	388-86-073	AMD-E	94-04-023
388-81-042	REP-P	94-07-114	388-83-015	REP-P	94-07-114	388-86-073	AMD	94-07-030
388-81-042	REP	94-10-065	388-83-015	REP	94-10-065	388-86-082	PREP	94-13-105
388-81-043	REP-P	94-07-114	388-83-017	REP-P	94-07-114	388-86-090	AMD-P	94-04-022
388-81-043	REP	94-10-065	388-83-017	REP	94-10-065	388-86-090	AMD-E	94-04-023
388-81-044	REP-P	94-07-114	388-83-020	REP-P	94-07-114	388-86-090	AMD	94-07-030
388-81-044	REP	94-10-065	388-83-020	REP	94-10-065	388-86-095	PREP	94-16-099
388-81-047	REP-P	94-07-114	388-83-025	REP-P	94-07-114	388-86-098	AMD-P	94-04-022
388-81-047	REP	94-10-065	388-83-025	REP	94-10-065	388-86-098	AMD-E	94-04-023
388-81-050	REP-P	94-07-114	388-83-026	REP-P	94-07-114	388-86-098	AMD	94-07-030
388-81-050	REP	94-10-065	388-83-026	REP	94-10-065	388-86-100	PREP	94-16-097
388-81-052	REP-P	94-07-114	388-83-029	REP-P	94-07-114	388-87	PREP	94-18-024
388-81-052	REP	94-10-065	388-83-029	REP	94-10-065	388-87-300	REP-E	94-08-045
388-81-055	REP-P	94-07-114	388-83-031	REP-P	94-07-114	388-87-300	REP-P	94-08-046
388-81-055	REP	94-10-065	388-83-031	REP	94-10-065	388-87-300	REP	94-11-057
388-81-060	REP-P	94-07-114	388-83-03101	REP-P	94-07-114	388-88-001	REP-P	94-18-012
388-81-060	REP	94-10-065	388-83-03101	REP	94-10-065	388-88-010	REP-P	94-18-012
388-81-065	REP-P	94-07-114	388-83-032	REP-P	94-07-114	388-88-050	REP-P	94-18-012
388-81-065	REP-E	94-08-045	388-83-032	AMD-E	94-08-043	388-88-075	REP-P	94-18-012
388-81-065	REP-P	94-08-046	388-83-032	AMD-P	94-08-044	388-88-081	REP-P	94-18-012
388-81-065	REP	94-10-065	388-83-032	REP	94-10-065	388-88-082	REP-P	94-18-012
388-81-065	REP-W	94-11-058	388-83-032	AMD-W	94-11-059	388-88-095	REP-P	94-18-012
388-81-065	RESCIND	94-11-061	388-83-032	RESCIND	94-11-063	388-88-096	REP-P	94-18-012
388-81-070	REP-P	94-07-114	388-83-033	REP-P	94-07-114	388-88-097	REP-P	94-18-012
388-81-070	REP	94-10-065	388-83-033	AMD-E	94-08-043	388-88-098	REP-P	94-18-012
388-81-100	REP-P	94-07-114	388-83-033	AMD-P	94-08-044	388-88-105	REP-P	94-18-012
388-81-100	REP	94-10-065	388-83-033	REP	94-10-065	388-88-110	REP-P	94-18-012
388-81-175	REP-P	94-07-114	388-83-033	AMD-W	94-11-059	388-88-115	REP-P	94-18-012
388-81-200	REP-P	94-07-114	388-83-033	RESCIND	94-11-063	388-88-119	REP-P	94-18-012
388-82-006	REP-P	94-07-114	388-83-036	REP-P	94-07-114	388-88-125	REP-P	94-18-012
388-82-006	REP	94-10-065	388-83-036	REP	94-10-065	388-88-135	REP-P	94-18-012
388-82-008	REP-P	94-07-114	388-83-041	REP-P	94-07-114	388-88-150	REP-P	94-18-012
388-82-008	REP	94-10-065	388-83-041	REP	94-10-065	388-88-155	REP-P	94-18-012
388-82-010	REP-P	94-07-114	388-83-046	REP-P	94-07-114	388-88-170	REP-P	94-18-012
388-82-010	REP	94-10-065	388-83-046	REP	94-10-065	388-88-180	REP-P	94-18-012
388-82-115	REP-P	94-07-114	388-83-130	REP-P	94-07-114	388-88-190	REP-P	94-18-012
388-82-115	REP	94-10-065	388-83-130	REP	94-10-065	388-92-005	REP-P	94-07-114
388-82-126	REP-P	94-07-114	388-83-200	REP-P	94-07-114	388-92-005	REP	94-10-065
388-82-126	REP	94-10-065	388-83-200	REP	94-10-065	388-92-015	REP-P	94-07-114
388-82-130	REP-P	94-07-114	388-83-210	REP-P	94-07-114	388-92-015	REP	94-10-065
388-82-130	REP	94-10-065	388-83-210	REP	94-10-065	388-92-025	REP-P	94-07-114
388-82-135	REP-P	94-07-114	388-83-220	REP-P	94-07-114	388-92-025	REP	94-10-065
388-82-135	REP	94-10-065	388-83-220	REP	94-10-065	388-92-027	REP-P	94-07-114
388-82-140	REP-P	94-07-114	388-84-105	REP-P	94-07-114	388-92-027	REP	94-10-065
388-82-140	AMD-E	94-08-043	388-84-105	REP	94-10-065	388-92-030	REP-P	94-07-114
388-82-140	AMD-P	94-08-044	388-84-110	REP-P	94-07-114	388-92-030	REP	94-10-065
388-82-140	REP	94-10-065	388-84-110	REP	94-10-065	388-92-034	REP-P	94-07-114
388-82-140	REP-W	94-11-059	388-84-115	AMD-P	94-05-026	388-92-034	REP	94-10-065
			388-84-115	REP-P	94-07-114	388-92-036	REP-P	94-07-114

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388-92-036	AMD-P	94-08-042	388-95-395	REP-P	94-07-114	388-97-030	NEW-P	94-13-052
388-92-036	REP	94-10-065	388-95-395	REP	94-10-065	388-97-035	NEW-P	94-13-052
388-92-036	AMD-W	94-11-060	388-95-400	REP-P	94-07-114	388-97-040	NEW-P	94-13-052
388-92-036	RESCIND	94-11-062	388-95-400	REP	94-10-065	388-97-045	NEW-P	94-13-052
388-92-040	REP-P	94-07-114	388-96-010	AMD-P	94-07-109	388-97-050	NEW-P	94-13-052
388-92-040	REP	94-10-065	388-96-010	AMD	94-12-043	388-97-055	NEW-P	94-13-052
388-92-041	AMD-E	94-05-027	388-96-113	AMD-P	94-07-109	388-97-060	NEW-P	94-13-052
388-92-041	AMD-P	94-05-028	388-96-113	AMD	94-12-043	388-97-065	NEW-P	94-13-052
388-92-041	REP-P	94-07-114	388-96-134	AMD-P	94-07-109	388-97-070	NEW-P	94-13-052
388-92-041	AMD	94-07-131	388-96-134	AMD	94-12-043	388-97-075	NEW-P	94-13-052
388-92-041	REP	94-10-065	388-96-217	AMD-P	94-07-109	388-97-080	NEW-P	94-13-052
388-92-045	REP-P	94-07-114	388-96-217	AMD	94-12-043	388-97-085	NEW-P	94-13-052
388-92-045	REP	94-10-065	388-96-221	AMD-P	94-07-109	388-97-090	NEW-P	94-13-052
388-92-050	REP-P	94-07-114	388-96-221	AMD	94-12-043	388-97-095	NEW-P	94-13-052
388-92-050	REP	94-10-065	388-96-226	AMD-P	94-07-109	388-97-100	NEW-P	94-13-052
388-93-005	REP-P	94-07-114	388-96-226	AMD	94-12-043	388-97-105	NEW-P	94-13-052
388-93-005	REP	94-10-065	388-96-228	AMD-P	94-07-109	388-97-110	NEW-P	94-13-052
388-93-010	REP-P	94-07-114	388-96-228	AMD	94-12-043	388-97-115	NEW-P	94-13-052
388-93-010	REP	94-10-065	388-96-525	AMD-P	94-07-109	388-97-120	NEW-P	94-13-052
388-93-015	REP-P	94-07-114	388-96-525	AMD	94-12-043	388-97-125	NEW-P	94-13-052
388-93-015	REP	94-10-065	388-96-533	AMD-P	94-07-109	388-97-130	NEW-P	94-13-052
388-93-020	REP-P	94-07-114	388-96-533	AMD	94-12-043	388-97-135	NEW-P	94-13-052
388-93-020	REP	94-10-065	388-96-534	AMD-P	94-07-109	388-97-140	NEW-P	94-13-052
388-93-025	REP-P	94-07-114	388-96-534	AMD	94-12-043	388-97-145	NEW-P	94-13-052
388-93-025	REP	94-10-065	388-96-559	AMD-P	94-07-109	388-97-150	NEW-P	94-13-052
388-93-030	REP-P	94-07-114	388-96-559	AMD	94-12-043	388-97-155	NEW-P	94-13-052
388-93-030	REP	94-10-065	388-96-565	AMD-P	94-07-109	388-97-160	NEW-P	94-13-052
388-93-035	REP-P	94-07-114	388-96-565	AMD	94-12-043	388-97-165	NEW-P	94-13-052
388-93-035	REP	94-10-065	388-96-585	AMD-P	94-07-109	388-97-170	NEW-P	94-13-052
388-93-040	REP-P	94-07-114	388-96-585	AMD	94-12-043	388-97-175	NEW-P	94-13-052
388-93-040	REP	94-10-065	388-96-704	AMD-P	94-07-109	388-97-180	NEW-P	94-13-052
388-93-045	REP-P	94-07-114	388-96-704	AMD	94-12-043	388-97-185	NEW-P	94-13-052
388-93-045	REP	94-10-065	388-96-707	REP-P	94-07-109	388-97-190	NEW-P	94-13-052
388-93-050	REP-P	94-07-114	388-96-707	REP	94-12-043	388-97-195	NEW-P	94-13-052
388-93-050	REP	94-10-065	388-96-709	AMD-P	94-07-109	388-97-205	NEW-P	94-13-052
388-93-055	REP-P	94-07-114	388-96-709	AMD	94-12-043	388-97-210	NEW-P	94-13-052
388-93-055	REP	94-10-065	388-96-710	AMD-P	94-07-109	388-97-220	NEW-P	94-13-052
388-93-060	REP-P	94-07-114	388-96-710	AMD	94-12-043	388-97-225	NEW-P	94-13-052
388-93-060	REP	94-10-065	388-96-719	AMD-P	94-07-109	388-97-230	NEW-P	94-13-052
388-93-065	REP-P	94-07-114	388-96-719	AMD	94-12-043	388-97-235	NEW-P	94-13-052
388-93-065	REP	94-10-065	388-96-721	REP-P	94-07-109	388-97-240	NEW-P	94-13-052
388-93-075	REP-P	94-07-114	388-96-721	REP	94-12-043	388-97-245	NEW-P	94-13-052
388-93-075	REP	94-10-065	388-96-722	AMD-P	94-07-109	388-97-250	NEW-P	94-13-052
388-93-080	REP-P	94-07-114	388-96-722	AMD	94-12-043	388-97-255	NEW-P	94-13-052
388-93-080	REP	94-10-065	388-96-727	AMD-P	94-07-109	388-97-260	NEW-P	94-13-052
388-95-300	REP-P	94-07-114	388-96-727	AMD	94-12-043	388-97-265	NEW-P	94-13-052
388-95-300	REP	94-10-065	388-96-735	AMD-P	94-07-109	388-97-270	NEW-P	94-13-052
388-95-310	REP-P	94-07-114	388-96-735	AMD	94-12-043	388-97-275	NEW-P	94-13-052
388-95-310	REP	94-10-065	388-96-737	AMD-P	94-07-109	388-97-280	NEW-P	94-13-052
388-95-320	REP-P	94-07-114	388-96-737	AMD	94-12-043	388-97-285	NEW-P	94-13-052
388-95-320	REP	94-10-065	388-96-745	AMD-P	94-07-109	388-97-290	NEW-P	94-13-052
388-95-335	REP-P	94-07-114	388-96-745	AMD	94-12-043	388-97-295	NEW-P	94-13-052
388-95-335	REP	94-10-065	388-96-753	NEW-P	94-07-109	388-97-300	NEW-P	94-13-052
388-95-337	AMD-P	94-05-025	388-96-753	NEW	94-12-043	388-97-305	NEW-P	94-13-052
388-95-337	REP-P	94-07-114	388-96-754	AMD-P	94-07-109	388-97-310	NEW-P	94-13-052
388-95-337	AMD	94-07-130	388-96-754	AMD	94-12-043	388-97-315	NEW-P	94-13-052
388-95-337	REP	94-10-065	388-96-763	AMD-P	94-07-109	388-97-320	NEW-P	94-13-052
388-95-340	REP-P	94-07-114	388-96-763	AMD	94-12-043	388-97-325	NEW-P	94-13-052
388-95-340	AMD-E	94-08-041	388-96-774	AMD-P	94-07-109	388-97-330	NEW-P	94-13-052
388-95-340	AMD-P	94-08-042	388-96-774	AMD	94-12-043	388-97-335	NEW-P	94-13-052
388-95-340	REP	94-10-065	388-96-774	AMD	94-14-016	388-97-340	NEW-P	94-13-052
388-95-340	AMD-W	94-11-060	388-96-776	NEW-P	94-07-109	388-97-345	NEW-P	94-13-052
388-95-340	RESCIND	94-11-062	388-96-776	NEW	94-12-043	388-97-350	NEW-P	94-13-052
388-95-360	REP-P	94-07-114	388-96-777	NEW-P	94-07-109	388-97-355	NEW-P	94-13-052
388-95-360	AMD-E	94-08-043	388-96-777	NEW	94-12-043	388-97-360	NEW-P	94-13-052
388-95-360	AMD-P	94-08-044	388-96-904	AMD-P	94-07-109	388-97-365	NEW-P	94-13-052
388-95-360	REP	94-10-065	388-96-904	AMD	94-12-043	388-97-370	NEW-P	94-13-052
388-95-360	AMD-W	94-11-059	388-97	NEW-C	94-18-010	388-97-375	NEW-P	94-13-052
388-95-360	RESCIND	94-11-063	388-97-005	NEW-P	94-13-052	388-97-380	NEW-P	94-13-052
388-95-380	REP-P	94-07-114	388-97-010	NEW-P	94-13-052	388-97-385	NEW-P	94-13-052
388-95-380	REP	94-10-065	388-97-015	NEW-P	94-13-052	388-97-390	NEW-P	94-13-052
388-95-390	REP-P	94-07-114	388-97-020	NEW-P	94-13-052	388-97-395	NEW-P	94-13-052

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388-215-1540	NEW	94-10-065	388-218-1050	AMD-P	94-13-008	388-218-1515	NEW	94-10-065
388-215-1560	NEW-P	94-07-114	388-218-1050	AMD-E	94-13-009	388-218-1520	NEW-P	94-07-114
388-215-1560	NEW	94-10-065	388-218-1050	AMD	94-16-044	388-218-1520	NEW	94-10-065
388-215-1600	NEW-P	94-07-114	388-218-1100	NEW-P	94-07-114	388-218-1530	NEW-P	94-07-114
388-215-1600	NEW	94-10-065	388-218-1100	NEW	94-10-065	388-218-1530	NEW	94-10-065
388-215-1610	NEW-P	94-07-114	388-218-1110	NEW-P	94-07-114	388-218-1540	NEW-P	94-07-114
388-215-1610	NEW	94-10-065	388-218-1110	NEW	94-10-065	388-218-1540	NEW	94-10-065
388-215-1610	PREP	94-17-159	388-218-1120	NEW-P	94-07-114	388-218-1600	NEW-P	94-07-114
388-215-1620	NEW-P	94-07-114	388-218-1120	NEW	94-10-065	388-218-1600	NEW	94-10-065
388-215-1620	NEW	94-10-065	388-218-1130	NEW-P	94-07-114	388-218-1605	NEW-P	94-07-114
388-215-1620	PREP	94-17-158	388-218-1130	NEW	94-10-065	388-218-1605	NEW	94-10-065
388-215-1650	NEW-P	94-07-114	388-218-1130	AMD-P	94-13-008	388-218-1610	NEW-P	94-07-114
388-215-1650	NEW	94-10-065	388-218-1130	AMD-E	94-13-009	388-218-1610	NEW	94-10-065
388-216-2000	NEW-P	94-07-114	388-218-1130	AMD	94-16-044	388-218-1620	NEW-P	94-07-114
388-216-2000	NEW	94-10-065	388-218-1140	NEW-P	94-07-114	388-218-1620	NEW	94-10-065
388-216-2050	NEW-P	94-07-114	388-218-1140	NEW	94-10-065	388-218-1630	NEW-P	94-07-114
388-216-2050	NEW	94-10-065	388-218-1200	NEW-P	94-07-114	388-218-1630	NEW	94-10-065
388-216-2075	NEW-P	94-07-114	388-218-1200	NEW	94-10-065	388-218-1640	NEW-P	94-07-114
388-216-2075	NEW	94-10-065	388-218-1200	AMD-P	94-13-008	388-218-1640	NEW	94-10-065
388-216-2100	NEW-P	94-07-114	388-218-1200	AMD-E	94-13-009	388-218-1650	NEW-P	94-07-114
388-216-2100	NEW	94-10-065	388-218-1200	AMD	94-16-044	388-218-1650	NEW	94-10-065
388-216-2150	NEW-P	94-07-114	388-218-1210	NEW-P	94-07-114	388-218-1660	NEW-P	94-07-114
388-216-2150	NEW	94-10-065	388-218-1210	NEW	94-10-065	388-218-1660	NEW	94-10-065
388-216-2200	NEW-P	94-07-114	388-218-1210	AMD-P	94-13-008	388-218-1670	NEW-P	94-07-114
388-216-2200	NEW	94-10-065	388-218-1210	AMD-E	94-13-009	388-218-1670	NEW	94-10-065
388-216-2250	NEW-P	94-07-114	388-218-1210	AMD	94-16-044	388-218-1680	NEW-P	94-07-114
388-216-2250	NEW	94-10-065	388-218-1220	NEW-P	94-07-114	388-218-1680	NEW	94-10-065
388-216-2300	NEW-P	94-07-114	388-218-1220	NEW	94-10-065	388-218-1690	NEW-P	94-07-114
388-216-2300	NEW	94-10-065	388-218-1220	AMD-P	94-13-008	388-218-1690	NEW	94-10-065
388-216-2350	NEW-P	94-07-114	388-218-1220	AMD-E	94-13-009	388-218-1695	NEW-P	94-07-114
388-216-2350	NEW	94-10-065	388-218-1220	AMD	94-16-044	388-218-1695	NEW	94-10-065
388-216-2450	NEW-P	94-07-114	388-218-1230	NEW-P	94-07-114	388-218-1700	NEW-P	94-07-114
388-216-2450	NEW	94-10-065	388-218-1230	NEW	94-10-065	388-218-1700	NEW	94-10-065
388-216-2500	NEW-P	94-07-114	388-218-1230	AMD-P	94-13-008	388-218-1710	NEW-P	94-07-114
388-216-2500	NEW	94-10-065	388-218-1230	AMD-E	94-13-009	388-218-1710	NEW	94-10-065
388-216-2550	NEW-P	94-07-114	388-218-1230	AMD	94-16-044	388-218-1720	NEW-P	94-07-114
388-216-2550	NEW	94-10-065	388-218-1300	NEW-P	94-07-114	388-218-1720	NEW	94-10-065
388-216-2560	NEW-P	94-07-114	388-218-1300	NEW	94-10-065	388-218-1730	NEW-P	94-07-114
388-216-2560	NEW	94-10-065	388-218-1310	NEW-P	94-07-114	388-218-1730	NEW	94-10-065
388-216-2570	NEW-P	94-07-114	388-218-1310	NEW	94-10-065	388-218-1740	NEW-P	94-07-114
388-216-2570	NEW	94-10-065	388-218-1320	NEW-P	94-07-114	388-218-1740	NEW	94-10-065
388-216-2580	NEW-P	94-07-114	388-218-1320	NEW	94-10-065	388-218-1800	NEW-P	94-07-114
388-216-2580	NEW	94-10-065	388-218-1330	NEW-P	94-07-114	388-218-1800	NEW	94-10-065
388-216-2590	NEW-P	94-07-114	388-218-1330	NEW	94-10-065	388-218-1810	NEW-P	94-07-114
388-216-2590	NEW	94-10-065	388-218-1340	NEW-P	94-07-114	388-218-1810	NEW	94-10-065
388-216-2600	NEW-P	94-07-114	388-218-1340	NEW	94-10-065	388-218-1820	NEW-P	94-07-114
388-216-2600	NEW	94-10-065	388-218-1350	NEW-P	94-07-114	388-218-1820	NEW	94-10-065
388-216-2650	NEW-P	94-07-114	388-218-1350	NEW	94-10-065	388-218-1830	NEW-P	94-07-114
388-216-2650	NEW	94-10-065	388-218-1360	NEW-P	94-07-114	388-218-1830	NEW	94-10-065
388-216-2800	NEW-P	94-07-114	388-218-1360	NEW	94-10-065	388-218-1900	NEW-P	94-07-114
388-216-2800	NEW	94-10-065	388-218-1400	NEW-P	94-07-114	388-218-1900	NEW	94-10-065
388-216-2850	NEW-P	94-07-114	388-218-1400	NEW	94-10-065	388-218-1910	NEW-P	94-07-114
388-216-2850	NEW	94-10-065	388-218-1410	NEW-P	94-07-114	388-218-1910	NEW	94-10-065
388-216-2900	NEW-P	94-07-114	388-218-1410	NEW	94-10-065	388-218-1920	NEW-P	94-07-114
388-216-2900	NEW	94-10-065	388-218-1420	NEW-P	94-07-114	388-218-1920	NEW	94-10-065
388-217-3000	NEW	94-04-043	388-218-1420	NEW	94-10-065	388-218-1930	NEW-P	94-07-114
388-217-3050	NEW	94-04-043	388-218-1430	NEW-P	94-07-114	388-218-1930	NEW	94-10-065
388-217-3100	NEW	94-04-043	388-218-1430	NEW	94-10-065	388-218-1940	NEW-P	94-07-114
388-217-3150	NEW	94-04-043	388-218-1440	NEW-P	94-07-114	388-218-1940	NEW	94-10-065
388-217-3150	AMD-P	94-13-054	388-218-1440	NEW	94-10-065	388-219-0100	NEW-P	94-07-114
388-217-3150	AMD-E	94-13-055	388-218-1450	NEW-P	94-07-114	388-219-0100	NEW	94-10-065
388-217-3150	AMD	94-16-046	388-218-1450	NEW	94-10-065	388-219-0200	NEW-P	94-07-114
388-217-3200	NEW	94-04-043	388-218-1460	NEW-P	94-07-114	388-219-0200	NEW	94-10-065
388-217-3250	NEW	94-04-043	388-218-1460	NEW	94-10-065	388-219-1000	NEW-P	94-07-114
388-217-3300	NEW	94-04-043	388-218-1470	NEW-P	94-07-114	388-219-1000	NEW	94-10-065
388-217-3350	NEW	94-04-043	388-218-1470	NEW	94-10-065	388-219-1100	NEW-P	94-07-114
388-218-1010	NEW-P	94-07-114	388-218-1480	NEW-P	94-07-114	388-219-1100	NEW	94-10-065
388-218-1010	NEW	94-10-065	388-218-1480	NEW	94-10-065	388-219-1500	NEW-P	94-07-114
388-218-1010	AMD-P	94-13-008	388-218-1500	NEW-P	94-07-114	388-219-1500	NEW	94-10-065
388-218-1010	AMD-E	94-13-009	388-218-1500	NEW	94-10-065	388-219-1600	NEW-P	94-07-114
388-218-1010	AMD	94-16-044	388-218-1510	NEW-P	94-07-114	388-219-1600	NEW	94-10-065
388-218-1050	NEW-P	94-07-114	388-218-1510	NEW	94-10-065	388-219-1700	NEW-P	94-07-114

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-219-1700	NEW	94-10-065	388-245-1170	NEW	94-10-065	388-250-1450	NEW-P	94-06-035
388-219-2000	NEW-P	94-07-114	388-245-1210	NEW-P	94-07-114	388-250-1450	NEW	94-09-001
388-219-2000	NEW	94-10-065	388-245-1210	NEW	94-10-065	388-250-1500	NEW-P	94-06-035
388-219-2000	AMD-P	94-10-086	388-245-1300	NEW-P	94-07-114	388-250-1500	NEW	94-09-001
388-219-2000	AMD	94-13-050	388-245-1300	NEW	94-10-065	388-250-1550	NEW-P	94-06-035
388-219-2500	NEW-P	94-07-114	388-245-1310	NEW-P	94-07-114	388-250-1550	NEW	94-09-001
388-219-2500	NEW	94-10-065	388-245-1310	NEW	94-10-065	388-250-1600	NEW-P	94-06-035
388-219-2600	NEW-P	94-07-114	388-245-1315	NEW-P	94-07-114	388-250-1600	NEW	94-09-001
388-219-2600	NEW	94-10-065	388-245-1315	NEW	94-10-065	388-250-1650	NEW-P	94-06-035
388-219-3000	NEW-P	94-07-114	388-245-1320	NEW-P	94-07-114	388-250-1650	NEW	94-09-001
388-219-3000	NEW	94-10-065	388-245-1320	NEW	94-10-065	388-250-1700	NEW-P	94-06-035
388-219-3500	NEW-P	94-07-114	388-245-1350	NEW-P	94-07-114	388-250-1700	NEW	94-09-001
388-219-3500	NEW	94-10-065	388-245-1350	NEW	94-10-065	388-250-1700	AMD-P	94-12-004
388-225-0010	NEW-P	94-03-051	388-245-1400	NEW-P	94-07-114	388-250-1700	AMD-E	94-14-004
388-225-0010	NEW	94-06-026	388-245-1400	NEW	94-10-065	388-250-1700	AMD	94-15-003
388-225-0020	NEW-P	94-03-051	388-245-1410	NEW-P	94-07-114	388-250-1750	NEW-P	94-06-035
388-225-0020	NEW	94-06-026	388-245-1410	NEW	94-10-065	388-250-1750	NEW	94-09-001
388-225-0050	NEW-P	94-03-051	388-245-1500	NEW-P	94-07-114	388-255-1020	NEW-P	94-06-035
388-225-0050	NEW	94-06-026	388-245-1500	NEW	94-10-065	388-255-1020	NEW	94-09-001
388-225-0060	NEW-P	94-03-051	388-245-1510	NEW-P	94-07-114	388-255-1050	NEW-P	94-06-035
388-225-0060	NEW	94-06-026	388-245-1510	NEW	94-10-065	388-255-1050	NEW	94-09-001
388-225-0070	NEW-P	94-03-051	388-245-1520	NEW-P	94-07-114	388-255-1100	NEW-P	94-06-035
388-225-0070	NEW	94-06-026	388-245-1520	NEW	94-10-065	388-255-1100	NEW	94-09-001
388-225-0080	NEW-P	94-03-051	388-245-1600	NEW-P	94-07-114	388-255-1150	NEW-P	94-06-035
388-225-0080	NEW	94-06-026	388-245-1600	NEW	94-10-065	388-255-1150	NEW	94-09-001
388-225-0090	NEW-P	94-03-051	388-245-1610	NEW-P	94-07-114	388-255-1200	NEW-P	94-06-035
388-225-0090	NEW	94-06-026	388-245-1610	NEW	94-10-065	388-255-1200	NEW	94-09-001
388-225-0100	NEW-P	94-03-051	388-245-1700	NEW-P	94-07-114	388-255-1250	NEW-P	94-06-035
388-225-0100	NEW	94-06-026	388-245-1700	NEW	94-10-065	388-255-1250	NEW	94-09-001
388-225-0120	NEW-P	94-03-051	388-245-1710	NEW-P	94-07-114	388-255-1300	NEW-P	94-06-035
388-225-0120	NEW	94-06-026	388-245-1710	NEW	94-10-065	388-255-1300	NEW	94-09-001
388-225-0150	NEW-P	94-03-051	388-245-1715	NEW-P	94-07-114	388-255-1350	NEW-P	94-06-035
388-225-0150	NEW	94-06-026	388-245-1715	NEW	94-10-065	388-255-1350	NEW	94-09-001
388-225-0160	NEW-P	94-03-051	388-245-1720	NEW-P	94-07-114	388-255-1400	NEW-P	94-06-035
388-225-0160	NEW	94-06-026	388-245-1720	NEW	94-10-065	388-255-1400	NEW	94-09-001
388-225-0170	NEW-P	94-03-051	388-245-1730	NEW-P	94-07-114	388-265	PREP	94-15-044
388-225-0170	NEW	94-06-026	388-245-1730	NEW	94-10-065	388-265-1010	NEW-P	94-07-114
388-225-0180	NEW-P	94-03-051	388-245-1740	NEW-P	94-07-114	388-265-1010	NEW	94-10-065
388-225-0180	NEW	94-06-026	388-245-1740	NEW	94-10-065	388-265-1050	NEW-P	94-07-114
388-225-0190	NEW-P	94-03-051	388-245-2010	NEW-P	94-07-114	388-265-1050	NEW	94-10-065
388-225-0190	NEW	94-06-026	388-245-2010	NEW	94-10-065	388-265-1100	NEW-P	94-07-114
388-225-0300	NEW-P	94-03-051	388-245-2020	NEW-P	94-07-114	388-265-1110	NEW	94-10-065
388-225-0300	NEW	94-06-026	388-245-2020	NEW	94-10-065	388-265-1150	NEW-P	94-07-114
388-230-0090	AMD-P	94-13-008	388-245-2030	NEW-P	94-07-114	388-265-1150	NEW	94-10-065
388-230-0090	AMD-E	94-13-009	388-245-2030	NEW	94-10-065	388-265-1200	NEW-P	94-07-114
388-230-0090	AMD	94-16-044	388-245-2040	NEW-P	94-07-114	388-265-1200	NEW	94-10-065
388-233-0060	AMD-P	94-13-008	388-245-2040	NEW	94-10-065	388-265-1250	NEW-P	94-07-114
388-233-0060	AMD-E	94-13-009	388-245-2050	NEW-P	94-07-114	388-265-1250	NEW	94-10-065
388-233-0060	AMD	94-16-044	388-245-2050	NEW	94-10-065	388-265-1275	NEW-E	94-17-078
388-233-0070	AMD-P	94-13-008	388-250-1010	NEW-P	94-06-035	388-265-1275	NEW-P	94-17-078A
388-233-0070	AMD-E	94-13-009	388-250-1010	NEW	94-09-001	388-265-1300	NEW-P	94-07-114
388-233-0070	AMD	94-16-044	388-250-1050	NEW-P	94-06-035	388-265-1300	NEW	94-10-065
388-235-0070	AMD-P	94-13-008	388-250-1050	NEW	94-09-001	388-265-1350	NEW-P	94-07-114
388-235-0070	AMD-E	94-13-009	388-250-1100	NEW-P	94-06-035	388-265-1350	NEW	94-10-065
388-235-0070	AMD	94-16-044	388-250-1100	NEW	94-09-001	388-265-1400	NEW-P	94-07-114
388-235-2000	AMD-P	94-13-008	388-250-1150	NEW-P	94-06-035	388-265-1400	NEW	94-10-065
388-235-2000	AMD-E	94-13-009	388-250-1150	NEW	94-09-001	388-265-1450	NEW-P	94-07-114
388-235-2000	AMD	94-16-044	388-250-1200	NEW-P	94-06-035	388-265-1450	NEW	94-10-065
388-235-3000	AMD-P	94-13-008	388-250-1200	NEW	94-09-001	388-265-1500	NEW-P	94-07-114
388-235-3000	AMD-E	94-13-009	388-250-1250	NEW-P	94-06-035	388-265-1500	NEW	94-10-065
388-235-3000	AMD	94-16-044	388-250-1250	NEW	94-09-001	388-265-1550	NEW-P	94-07-114
388-235-7300	AMD-P	94-11-024	388-250-1250	PREP	94-16-073	388-265-1550	NEW	94-10-065
388-235-7300	AMD	94-13-202	388-250-1250	AMD-E	94-17-081	388-265-1600	NEW-P	94-07-114
388-235-7400	NEW-P	94-11-024	388-250-1250	AMD-P	94-17-082	388-265-1600	NEW	94-10-065
388-235-7400	NEW	94-13-202	388-250-1300	NEW-P	94-06-035	388-265-1650	NEW-P	94-07-114
388-235-9000	PREP	94-16-025	388-250-1300	NEW	94-09-001	388-265-1650	NEW	94-10-065
388-245-1000	NEW-P	94-07-114	388-250-1300	PREP	94-17-132	388-265-1700	NEW-P	94-07-114
388-245-1000	NEW	94-10-065	388-250-1300	AMD-P	94-18-047	388-265-1700	NEW	94-10-065
388-245-1150	NEW-P	94-07-114	388-250-1300	AMD-E	94-18-050	388-265-1750	NEW-P	94-07-114
388-245-1150	NEW	94-10-065	388-250-1350	NEW-P	94-06-035	388-265-1750	NEW	94-10-065
388-245-1160	NEW-P	94-07-114	388-250-1350	NEW	94-09-001	388-265-1800	NEW-P	94-07-114
388-245-1160	NEW	94-10-065	388-250-1400	NEW-P	94-06-035	388-265-1800	NEW	94-10-065
388-245-1170	NEW-P	94-07-114	388-250-1400	NEW	94-09-001	388-265-1850	NEW-P	94-07-114

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-265-1850	NEW	94-10-065	388-501-0195	NEW-P	94-07-114	388-506-0610	AMD	94-17-034
388-265-1900	NEW-P	94-07-114	388-502-0205	NEW-P	94-07-114	388-506-0620	NEW-P	94-07-114
388-265-1900	NEW	94-10-065	388-502-0205	NEW	94-10-065	388-506-0620	NEW	94-10-065
388-265-1950	NEW-P	94-07-114	388-502-0210	NEW-P	94-07-114	388-506-0630	NEW-P	94-07-114
388-265-1950	NEW	94-10-065	388-502-0210	NEW	94-10-065	388-506-0630	NEW	94-10-065
388-265-2000	NEW-P	94-07-114	388-502-0220	NEW-P	94-07-114	388-507-0710	NEW-P	94-07-114
388-265-2000	NEW	94-10-065	388-502-0220	NEW	94-10-065	388-507-0710	NEW	94-10-065
388-270-1005	NEW	94-05-045	388-502-0230	NEW-P	94-07-114	388-507-0720	NEW-P	94-07-114
388-270-1010	NEW	94-05-045	388-502-0230	NEW	94-10-065	388-507-0720	NEW	94-10-065
388-270-1025	NEW	94-05-045	388-502-0250	NEW-P	94-07-114	388-507-0730	NEW-P	94-07-114
388-270-1075	NEW	94-05-045	388-502-0250	NEW	94-10-065	388-507-0730	NEW	94-10-065
388-270-1100	NEW	94-05-045	388-503-0305	NEW-P	94-07-114	388-507-0740	NEW-P	94-07-114
388-270-1110	NEW	94-05-045	388-503-0305	NEW	94-10-065	388-507-0740	NEW	94-10-065
388-270-1125	NEW	94-05-045	388-503-0310	NEW-P	94-07-114	388-508-0805	NEW-P	94-07-114
388-270-1150	NEW	94-05-045	388-503-0310	NEW	94-10-065	388-508-0805	NEW	94-10-065
388-270-1200	NEW	94-05-045	388-503-0310	PREP	94-13-102	388-508-0810	NEW-P	94-07-114
388-270-1250	NEW	94-05-045	388-503-0310	AMD-E	94-14-053	388-508-0810	NEW	94-10-065
388-270-1300	NEW	94-05-045	388-503-0310	AMD-P	94-14-055	388-508-0820	NEW-P	94-07-114
388-270-1400	NEW	94-05-045	388-503-0310	AMD	94-17-036	388-508-0820	NEW	94-10-065
388-270-1500	NEW	94-05-045	388-503-0320	NEW-P	94-07-114	388-508-0830	NEW-P	94-07-114
388-270-1550	NEW	94-05-045	388-503-0320	NEW	94-10-065	388-508-0830	NEW	94-10-065
388-270-1600	NEW	94-05-045	388-503-0350	NEW-P	94-07-114	388-508-0835	NEW-P	94-07-114
388-275-0010	NEW	94-04-033	388-503-0350	NEW	94-10-065	388-508-0835	NEW	94-10-065
388-275-0020	NEW	94-04-033	388-503-0370	NEW-P	94-07-114	388-508-0840	NEW-P	94-07-114
388-275-0030	NEW	94-04-033	388-503-0370	NEW	94-10-065	388-508-0840	NEW	94-10-065
388-275-0040	NEW	94-04-033	388-504-0405	NEW-P	94-07-114	388-509-0905	NEW-P	94-07-114
388-275-0050	NEW	94-04-033	388-504-0405	NEW	94-10-065	388-509-0905	NEW	94-10-065
388-275-0060	NEW	94-04-033	388-504-0410	NEW-P	94-07-114	388-509-0910	NEW-P	94-07-114
388-275-0060	AMD-P	94-13-008	388-504-0410	NEW	94-10-065	388-509-0910	NEW	94-10-065
388-275-0060	AMD-E	94-13-009	388-504-0420	NEW-P	94-07-114	388-509-0910	PREP	94-13-102
388-275-0060	AMD	94-16-044	388-504-0420	NEW	94-10-065	388-509-0910	AMD-E	94-14-053
388-275-0070	NEW	94-04-033	388-504-0430	NEW-P	94-07-114	388-509-0910	AMD-P	94-14-055
388-275-0080	NEW	94-04-033	388-504-0430	NEW	94-10-065	388-509-0910	AMD	94-17-036
388-275-0090	NEW	94-04-033	388-504-0440	NEW-P	94-07-114	388-509-0920	NEW-P	94-07-114
388-320-115	AMD-P	94-13-025	388-504-0440	NEW	94-10-065	388-509-0920	NEW	94-10-065
388-320-115	AMD	94-16-047	388-504-0450	NEW-P	94-07-114	388-509-0920	PREP	94-13-102
388-320-130	AMD-P	94-13-025	388-504-0450	NEW	94-10-065	388-509-0920	AMD-E	94-14-053
388-320-130	AMD	94-16-047	388-504-0460	NEW-P	94-07-114	388-509-0920	AMD-P	94-14-055
388-320-135	AMD-P	94-13-025	388-504-0460	NEW	94-10-065	388-509-0920	AMD	94-17-036
388-320-135	AMD	94-16-047	388-504-0470	NEW-P	94-07-114	388-509-0940	NEW-P	94-07-114
388-320-220	AMD-P	94-13-025	388-504-0470	NEW	94-10-065	388-509-0940	NEW	94-10-065
388-320-220	AMD	94-16-047	388-504-0480	NEW-P	94-07-114	388-509-0960	NEW-P	94-07-114
388-320-240	AMD-P	94-13-025	388-504-0480	NEW	94-10-065	388-509-0960	NEW	94-10-065
388-320-240	AMD	94-16-047	388-504-0485	NEW-P	94-07-114	388-509-0960	PREP	94-13-102
388-500-0005	NEW-P	94-07-114	388-504-0485	NEW	94-10-065	388-509-0960	AMD-E	94-14-053
388-500-0005	NEW	94-10-065	388-505-0501	NEW-P	94-07-114	388-509-0960	AMD-P	94-14-055
388-500-0005	PREP	94-16-081	388-505-0501	NEW	94-10-065	388-509-0960	AMD	94-17-036
388-501-0105	NEW-P	94-07-114	388-505-0505	NEW-P	94-07-114	388-509-0970	NEW-P	94-07-114
388-501-0105	NEW	94-10-065	388-505-0505	NEW	94-10-065	388-509-0970	NEW	94-10-065
388-501-0110	NEW-P	94-07-114	388-505-0510	NEW-P	94-07-114	388-510-1020	NEW-P	94-07-114
388-501-0110	NEW	94-10-065	388-505-0510	NEW	94-10-065	388-510-1020	NEW	94-10-065
388-501-0125	NEW-P	94-07-114	388-505-0520	NEW-P	94-07-114	388-510-1030	NEW-P	94-07-114
388-501-0125	NEW	94-10-065	388-505-0520	NEW	94-10-065	388-510-1030	NEW	94-10-065
388-501-0130	NEW-P	94-07-114	388-505-0530	NEW-P	94-07-114	388-511-1105	NEW-P	94-07-114
388-501-0130	NEW	94-10-065	388-505-0530	NEW	94-10-065	388-511-1105	NEW	94-10-065
388-501-0135	NEW-P	94-07-114	388-505-0540	NEW-P	94-07-114	388-511-1105	PREP	94-18-009
388-501-0135	NEW	94-10-065	388-505-0540	NEW	94-10-065	388-511-1110	NEW-P	94-07-114
388-501-0140	NEW-P	94-07-114	388-505-0560	NEW-P	94-07-114	388-511-1110	NEW	94-10-065
388-501-0140	NEW	94-10-065	388-505-0560	NEW	94-10-065	388-511-1115	NEW-P	94-07-114
388-501-0150	NEW-P	94-07-114	388-505-0570	NEW-P	94-07-114	388-511-1115	NEW	94-10-065
388-501-0150	NEW	94-10-065	388-505-0570	NEW	94-10-065	388-511-1130	NEW-P	94-07-114
388-501-0160	NEW-P	94-07-114	388-505-0580	NEW-P	94-07-114	388-511-1130	NEW	94-10-065
388-501-0160	NEW	94-10-065	388-505-0580	NEW	94-10-065	388-511-1140	NEW-P	94-07-114
388-501-0165	NEW-P	94-07-114	388-505-0580	PREP	94-16-079	388-511-1140	NEW	94-10-065
388-501-0165	NEW	94-10-065	388-505-0590	NEW-P	94-07-114	388-511-1140	PREP	94-18-009
388-501-0170	NEW-P	94-07-114	388-505-0590	NEW	94-10-065	388-511-1150	NEW-P	94-07-114
388-501-0170	NEW	94-10-065	388-505-0595	NEW-P	94-07-114	388-511-1150	NEW	94-10-065
388-501-0175	NEW-P	94-07-114	388-505-0595	NEW	94-10-065	388-511-1160	NEW-P	94-07-114
388-501-0175	NEW	94-10-065	388-506-0610	NEW-P	94-07-114	388-511-1160	NEW	94-10-065
388-501-0180	NEW-P	94-07-114	388-506-0610	NEW	94-10-065	388-511-1160	PREP	94-18-009
388-501-0180	NEW	94-10-065	388-506-0610	PREP	94-13-103	388-511-1170	NEW-P	94-07-114
388-501-0190	NEW-P	94-07-114	388-506-0610	AMD-E	94-14-054	388-511-1170	NEW	94-10-065
388-501-0190	NEW	94-10-065	388-506-0610	AMD-P	94-14-057	388-512-1210	NEW-P	94-07-114

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388-512-1215	NEW-P	94-07-114	388-517-1740	NEW-P	94-07-114	388-527-2720	NEW	94-10-065
388-512-1215	NEW	94-10-065	388-517-1740	NEW	94-10-065	388-528-2810	NEW-P	94-07-114
388-512-1220	NEW-P	94-07-114	388-517-1750	NEW-P	94-07-114	388-528-2810	NEW	94-10-065
388-512-1220	NEW	94-10-065	388-517-1750	NEW	94-10-065	388-529-2910	NEW-P	94-07-114
388-512-1225	NEW-P	94-07-114	388-517-1760	NEW-P	94-07-114	388-529-2910	NEW	94-10-065
388-512-1225	NEW	94-10-065	388-517-1760	NEW	94-10-065	388-529-2920	NEW-P	94-07-114
388-512-1225	PREP	94-16-080	388-518-1805	NEW-P	94-07-114	388-529-2920	NEW	94-10-065
388-512-1230	NEW-P	94-07-114	388-518-1805	NEW	94-10-065	388-529-2930	NEW-P	94-07-114
388-512-1230	NEW	94-10-065	388-518-1810	NEW-P	94-07-114	388-529-2930	NEW	94-10-065
388-512-1235	NEW-P	94-07-114	388-518-1810	NEW	94-10-065	388-529-2940	NEW-P	94-07-114
388-512-1235	NEW	94-10-065	388-518-1820	NEW-P	94-07-114	388-529-2940	NEW	94-10-065
388-512-1240	NEW-P	94-07-114	388-518-1820	NEW	94-10-065	388-529-2950	NEW-P	94-07-114
388-512-1240	NEW	94-10-065	388-518-1830	NEW-P	94-07-114	388-529-2950	NEW	94-10-065
388-512-1245	NEW-P	94-07-114	388-518-1830	NEW	94-10-065	388-529-2960	NEW-P	94-07-114
388-512-1245	NEW	94-10-065	388-518-1840	NEW-P	94-07-114	388-529-2960	NEW	94-10-065
388-512-1250	NEW-P	94-07-114	388-518-1840	NEW	94-10-065	388-538-110	AMD	94-04-038
388-512-1250	NEW	94-10-065	388-518-1850	NEW-P	94-07-114	390-05-190	AMD-E	94-18-060
388-512-1255	NEW-P	94-07-114	388-518-1850	NEW	94-10-065	390-05-210	AMD-E	94-18-060
388-512-1255	NEW	94-10-065	388-519-1905	NEW-P	94-07-114	390-05-235	AMD-P	94-07-088
388-512-1260	NEW-P	94-07-114	388-519-1905	NEW	94-10-065	390-05-235	AMD	94-11-018
388-512-1260	NEW	94-10-065	388-519-1910	NEW-P	94-07-114	390-05-245	NEW-E	94-18-060
388-512-1265	NEW-P	94-07-114	388-519-1910	NEW	94-10-065	390-12-010	AMD	94-05-010
388-512-1265	NEW	94-10-065	388-519-1930	NEW-P	94-07-114	390-14-040	AMD	94-05-010
388-512-1275	NEW-P	94-07-114	388-519-1930	NEW	94-10-065	390-16-011	AMD	94-05-011
388-512-1275	NEW	94-10-065	388-519-1950	NEW-P	94-07-114	390-16-012	AMD	94-05-011
388-512-1280	NEW-P	94-07-114	388-519-1950	NEW	94-10-065	390-16-031	AMD	94-05-011
388-512-1280	NEW	94-10-065	388-521-2105	NEW-P	94-07-114	390-16-032	AMD	94-05-011
388-513-1305	NEW-P	94-07-114	388-521-2105	NEW	94-10-065	390-16-033	AMD	94-05-011
388-513-1305	NEW	94-10-065	388-521-2110	NEW-P	94-07-114	390-16-038	AMD-E	94-18-060
388-513-1310	NEW-P	94-07-114	388-521-2110	NEW	94-10-065	390-16-041	AMD	94-05-011
388-513-1310	NEW	94-10-065	388-521-2120	NEW-P	94-07-114	390-16-050	AMD	94-05-011
388-513-1315	NEW-P	94-07-114	388-521-2120	NEW	94-10-065	390-16-071	NEW-E	94-07-001
388-513-1315	NEW	94-10-065	388-521-2130	NEW-P	94-07-114	390-16-071	NEW-P	94-07-035
388-513-1320	NEW-P	94-07-114	388-521-2130	NEW	94-10-065	390-16-071	NEW	94-11-016
388-513-1320	NEW	94-10-065	388-521-2140	NEW-P	94-07-114	390-16-207	AMD-P	94-07-035
388-513-1330	NEW-P	94-07-114	388-521-2140	NEW	94-10-065	390-16-207	AMD	94-11-016
388-513-1330	NEW	94-10-065	388-521-2150	NEW-P	94-07-114	390-16-238	NEW-P	94-05-097
388-513-1340	NEW-P	94-07-114	388-521-2150	NEW	94-10-065	390-16-238	NEW	94-07-141
388-513-1340	NEW	94-10-065	388-521-2155	NEW-P	94-07-114	390-16-245	NEW-P	94-05-097
388-513-1345	NEW-P	94-07-114	388-521-2155	NEW	94-10-065	390-16-245	NEW	94-07-141
388-513-1345	NEW	94-10-065	388-521-2160	NEW-P	94-07-114	390-16-300	AMD-P	94-05-097
388-513-1350	NEW-P	94-07-114	388-521-2160	NEW	94-10-065	390-16-308	AMD-P	94-07-035
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388-513-1350	PREP	94-15-029	388-521-2170	NEW	94-10-065	390-16-308	AMD-W	94-07-089
388-513-1360	NEW-P	94-07-114	388-522-2205	NEW-P	94-07-114	390-16-308	AMD	94-11-016
388-513-1360	NEW	94-10-065	388-522-2205	NEW	94-10-065	390-16-309	NEW-E	94-07-001
388-513-1365	NEW-P	94-07-114	388-522-2210	NEW-P	94-07-114	390-16-309	NEW-P	94-07-035
388-513-1365	NEW	94-10-065	388-522-2210	NEW	94-10-065	390-16-309	NEW-W	94-08-080
388-513-1365	PREP	94-15-030	388-522-2230	NEW-P	94-07-114	390-16-309	NEW	94-11-016
388-513-1380	NEW-P	94-07-114	388-522-2230	NEW	94-10-065	390-16-310	AMD-P	94-07-035
388-513-1380	NEW	94-10-065	388-523-2305	NEW-P	94-07-114	390-16-310	AMD-P	94-07-088
388-513-1380	PREP	94-17-128	388-523-2305	NEW	94-10-065	390-16-310	AMD-W	94-07-089
388-513-1395	NEW-P	94-07-114	388-523-2320	NEW-P	94-07-114	390-16-310	AMD	94-11-016
388-513-1395	NEW	94-10-065	388-523-2320	NEW	94-10-065	390-16-311	NEW-P	94-07-142
388-513-1396	NEW-P	94-07-114	388-524-2405	NEW-P	94-07-114	390-16-311	NEW	94-11-017
388-513-1396	NEW	94-10-065	388-524-2405	NEW	94-10-065	390-16-313	NEW-E	94-18-060
388-515-1505	NEW-P	94-07-114	388-524-2420	NEW-P	94-07-114	390-16-314	NEW-E	94-18-060
388-515-1505	NEW	94-10-065	388-524-2420	NEW	94-10-065	390-16-315	AMD-P	94-05-097
388-515-1510	NEW-P	94-07-114	388-525-2505	NEW-P	94-07-114	390-16-324	NEW-P	94-03-087
388-515-1510	NEW	94-10-065	388-525-2505	NEW	94-10-065	390-16-324	NEW-W	94-04-121
388-515-1530	NEW-P	94-07-114	388-525-2520	NEW-P	94-07-114	390-17-050	REP-E	94-18-060
388-515-1530	NEW	94-10-065	388-525-2520	NEW	94-10-065	390-17-052	REP-E	94-18-060
388-517-1710	NEW-P	94-07-114	388-525-2570	NEW-P	94-07-114	390-17-071	NEW	94-05-010
388-517-1710	NEW	94-10-065	388-525-2570	NEW	94-10-065	390-17-300	AMD-P	94-03-087
388-517-1710	PREP	94-16-082	388-526-2610	NEW-P	94-07-114	390-17-300	AMD-W	94-04-121
388-517-1715	NEW-P	94-07-114	388-526-2610	NEW	94-10-065	390-17-300	AMD	94-07-141
388-517-1715	NEW	94-10-065	388-527-2710	NEW-P	94-07-114	390-17-315	AMD-P	94-03-087
388-517-1715	PREP	94-16-082	388-527-2710	NEW	94-10-065	390-17-315	AMD-W	94-04-121
388-517-1720	NEW-P	94-07-114	388-527-2710	PREP	94-13-104	390-17-315	AMD	94-07-141
388-517-1720	NEW	94-10-065	388-527-2710	AMD-E	94-14-052	390-17-320	NEW-P	94-07-035
388-517-1730	NEW-P	94-07-114	388-527-2710	AMD-P	94-14-056	390-17-320	NEW	94-11-016
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390-20-148	NEW	94-11-016	392-140-196	REP-P	94-11-066	392-140-544	NEW	94-17-131
390-20-052	AMD-P	94-07-035	392-140-196	REP	94-14-050	392-140-545	NEW-P	94-13-210
390-20-052	AMD	94-11-016	392-140-197	REP-P	94-11-066	392-140-545	NEW	94-17-131
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390-24-031	REP	94-05-010	392-140-198	REP-P	94-11-066	392-140-548	NEW	94-17-131
390-24-160	AMD	94-05-010	392-140-198	REP	94-14-050	392-140-549	NEW-P	94-13-210
390-37-070	AMD	94-05-010	392-140-199	REP-P	94-11-066	392-140-549	NEW	94-17-131
390-37-105	AMD	94-05-010	392-140-199	REP	94-14-050	392-140-551	NEW-P	94-13-210
390-37-142	AMD	94-05-010	392-140-200	REP-P	94-11-066	392-140-551	NEW	94-17-131
392-109	PREP	94-15-012	392-140-200	REP	94-14-050	392-140-552	NEW-P	94-13-210
392-121	PREP	94-17-097	392-140-201	REP-P	94-11-066	392-140-552	NEW	94-17-131
392-121-106	AMD-P	94-18-015	392-140-201	REP	94-14-050	392-140-553	NEW-P	94-13-210
392-121-10601	NEW-P	94-18-015	392-140-202	REP-P	94-11-066	392-140-553	NEW	94-17-131
392-121-10602	NEW-P	94-18-015	392-140-202	REP	94-14-050	392-140-555	NEW-P	94-13-210
392-121-10603	NEW-P	94-18-015	392-140-500	NEW-P	94-04-122	392-140-555	NEW	94-17-131
392-121-10604	NEW-P	94-18-015	392-140-500	NEW	94-12-002	392-140-557	NEW-P	94-13-210
392-121-107	AMD-P	94-18-015	392-140-501	NEW-P	94-04-122	392-140-557	NEW	94-17-131
392-121-108	AMD-P	94-18-015	392-140-501	NEW	94-12-002	392-140-559	NEW-P	94-13-210
392-121-111	AMD-P	94-18-015	392-140-503	NEW-P	94-04-122	392-140-559	NEW	94-17-131
392-121-122	AMD-P	94-18-015	392-140-503	NEW	94-12-002	392-141	PREP	94-14-076
392-121-123	AMD-P	94-18-015	392-140-504	NEW-P	94-04-122	392-141-160	AMD-P	94-14-093
392-121-136	AMD-P	94-18-015	392-140-504	NEW	94-12-002	392-141-160	AMD	94-17-058
392-121-137	NEW-P	94-18-015	392-140-505	NEW-P	94-04-122	392-141-175	AMD-P	94-14-093
392-121-138	NEW-P	94-18-015	392-140-505	NEW	94-12-002	392-141-175	AMD	94-17-058
392-121-161	REP-P	94-18-015	392-140-506	NEW-P	94-04-122	392-157-005	NEW	94-04-097
392-121-181	REP-P	94-18-015	392-140-506	NEW	94-12-002	392-157-010	NEW	94-04-097
392-121-182	AMD-P	94-18-015	392-140-507	NEW-P	94-04-122	392-157-015	NEW	94-04-097
392-121-183	AMD-P	94-18-015	392-140-507	NEW	94-12-002	392-157-020	NEW	94-04-097
392-121-184	AMD-P	94-18-015	392-140-508	NEW-P	94-04-122	392-157-025	NEW	94-04-097
392-121-187	NEW-P	94-13-107	392-140-508	NEW	94-12-002	392-157-030	NEW	94-04-097
392-121-187	NEW	94-17-096	392-140-509	NEW-P	94-04-122	392-157-035	NEW	94-04-097
392-121-188	NEW-P	94-18-015	392-140-509	NEW	94-12-002	392-157-040	NEW	94-04-097
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392-127-700	REP	94-04-096	392-140-510	NEW	94-12-002	392-157-050	NEW	94-04-097
392-127-703	REP	94-04-096	392-140-511	NEW-P	94-04-122	392-157-055	NEW	94-04-097
392-127-705	REP	94-04-096	392-140-511	NEW	94-12-002	392-157-060	NEW	94-04-097
392-127-710	REP	94-04-096	392-140-512	NEW-P	94-04-122	392-157-065	NEW	94-04-097
392-127-715	REP	94-04-096	392-140-512	NEW	94-12-002	392-157-070	NEW	94-04-097
392-127-720	REP	94-04-096	392-140-516	NEW-P	94-04-122	392-157-075	NEW	94-04-097
392-127-725	REP	94-04-096	392-140-516	NEW	94-12-002	392-157-080	NEW	94-04-097
392-127-730	REP	94-04-096	392-140-517	NEW-P	94-04-122	392-157-085	NEW	94-04-097
392-127-735	REP	94-04-096	392-140-517	NEW	94-12-002	392-157-090	NEW	94-04-097
392-127-740	REP	94-04-096	392-140-518	NEW-P	94-04-122	392-157-095	NEW	94-04-097
392-127-745	REP	94-04-096	392-140-518	NEW	94-12-002	392-157-100	NEW	94-04-097
392-127-750	REP	94-04-096	392-140-519	NEW-P	94-04-122	392-157-105	NEW	94-04-097
392-127-755	REP	94-04-096	392-140-519	NEW	94-12-002	392-157-110	NEW	94-04-097
392-127-760	REP	94-04-096	392-140-525	NEW-P	94-11-066	392-157-115	NEW	94-04-097
392-127-765	REP	94-04-096	392-140-525	NEW	94-14-050	392-157-120	NEW	94-04-097
392-127-770	REP	94-04-096	392-140-527	NEW-P	94-11-066	392-157-125	NEW	94-04-097
392-127-775	REP	94-04-096	392-140-527	NEW	94-14-050	392-157-130	NEW	94-04-097
392-127-780	REP	94-04-096	392-140-529	NEW-P	94-11-066	392-157-135	NEW	94-04-097
392-127-785	REP	94-04-096	392-140-529	NEW	94-14-050	392-157-140	NEW	94-04-097
392-127-790	REP	94-04-096	392-140-530	NEW-P	94-11-066	392-157-145	NEW	94-04-097
392-127-795	REP	94-04-096	392-140-530	NEW	94-14-050	392-157-150	NEW	94-04-097
392-127-800	REP	94-04-096	392-140-531	NEW-P	94-11-066	392-157-155	NEW	94-04-097
392-127-805	REP	94-04-096	392-140-531	NEW	94-14-050	392-157-160	NEW	94-04-097
392-127-815	REP	94-04-096	392-140-533	NEW-P	94-11-066	392-157-165	NEW	94-04-097
392-127-820	REP	94-04-096	392-140-533	NEW	94-14-050	392-157-170	NEW	94-04-097
392-127-825	REP	94-04-096	392-140-535	NEW-P	94-11-066	392-157-175	NEW	94-04-097
392-127-830	REP	94-04-096	392-140-535	NEW	94-14-050	392-157-180	NEW	94-04-097
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392-140-190	REP-P	94-11-066	392-140-536	NEW	94-14-050	392-163-400	AMD	94-07-103
392-140-190	REP	94-14-050	392-140-537	NEW-P	94-11-066	392-163-405	AMD-P	94-04-094
392-140-191	REP-P	94-11-066	392-140-537	NEW	94-14-050	392-163-405	AMD	94-07-103
392-140-191	REP	94-14-050	392-140-538	NEW-P	94-11-066	392-163-440	AMD-P	94-04-094
392-140-192	REP-P	94-11-066	392-140-538	NEW	94-14-050	392-163-440	AMD	94-07-103
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392-169-005	NEW	94-04-095	392-202-120	AMD-P	94-16-022	415-112-409	NEW-P	94-13-048
392-169-010	NEW	94-04-095	392-320-005	NEW-P	94-04-025	415-112-415	AMD-P	94-07-144
392-169-015	NEW	94-04-095	392-320-005	NEW	94-07-102	415-112-415	AMD	94-11-009
392-169-020	NEW	94-04-095	392-320-010	NEW-P	94-04-025	415-112-415	PREP	94-16-018
392-169-022	NEW	94-04-095	392-320-010	NEW	94-07-102	415-112-415	AMD-P	94-18-101
392-169-023	NEW	94-04-095	392-320-015	NEW-P	94-04-025	415-112-840	NEW-P	94-05-013
392-169-025	NEW	94-04-095	392-320-015	NEW	94-07-102	415-112-840	NEW-P	94-07-144
392-169-030	NEW	94-04-095	392-320-020	NEW-P	94-04-025	415-112-840	NEW	94-09-040
392-169-035	NEW	94-04-095	392-320-020	NEW	94-07-102	415-112-850	NEW	94-11-009
392-169-040	NEW	94-04-095	392-320-025	NEW-P	94-04-025	419-70	AMD-C	94-18-107
392-169-045	NEW	94-04-095	392-320-025	NEW	94-07-102	419-70-010	AMD-P	94-13-043
392-169-050	NEW	94-04-095	392-320-030	NEW-P	94-04-025	419-70-020	AMD-P	94-13-043
392-169-055	NEW	94-04-095	392-320-030	NEW	94-07-102	419-70-040	AMD-P	94-13-043
392-169-057	NEW	94-04-095	392-320-035	NEW-P	94-04-025	419-72	AMD-C	94-18-106
392-169-060	NEW	94-04-095	392-320-035	NEW	94-07-102	419-72-010	AMD-P	94-13-044
392-169-065	NEW	94-04-095	392-320-040	NEW-P	94-04-025	419-72-015	AMD-P	94-13-044
392-169-070	NEW	94-04-095	392-320-040	NEW	94-07-102	419-72-020	AMD-P	94-13-044
392-169-075	NEW	94-04-095	392-320-045	NEW-P	94-04-025	419-72-025	AMD-P	94-13-044
392-169-080	NEW	94-04-095	392-320-045	NEW	94-07-102	419-72-030	AMD-P	94-13-044
392-169-085	NEW	94-04-095	392-320-050	NEW-P	94-04-025	419-72-035	AMD-P	94-13-044
392-169-090	NEW	94-04-095	392-320-050	NEW	94-07-102	419-72-040	AMD-P	94-13-044
392-169-095	NEW	94-04-095	392-320-055	NEW-P	94-04-025	419-72-045	AMD-P	94-13-044
392-169-100	NEW	94-04-095	392-320-055	NEW	94-07-102	419-72-050	AMD-P	94-13-044
392-169-105	NEW	94-04-095	392-320-060	NEW-P	94-04-025	419-72-055	AMD-P	94-13-044
392-169-110	NEW	94-04-095	392-320-060	NEW	94-07-102	419-72-060	AMD-P	94-13-044
392-169-115	NEW	94-04-095	392-330-010	NEW-P	94-08-074	419-72-065	AMD-P	94-13-044
392-169-120	NEW	94-04-095	392-330-010	NEW	94-12-019	419-72-068	NEW-P	94-13-044
392-169-125	NEW	94-04-095	392-330-020	NEW-P	94-08-074	419-72-070	AMD-P	94-13-044
392-190-056	NEW-P	94-18-040	392-330-020	NEW	94-12-019	419-72-075	AMD-P	94-13-044
392-190-057	NEW-P	94-18-040	392-330-030	NEW-P	94-08-074	419-72-080	AMD-P	94-13-044
392-190-058	NEW-P	94-18-040	392-330-030	NEW	94-12-019	419-72-090	REP-P	94-13-044
392-196-011	AMD-P	94-11-120	392-330-040	NEW-P	94-08-074	419-72-095	REP-P	94-13-044
392-196-015	REP-P	94-11-120	392-330-040	NEW	94-12-019	434-55	PREP	94-12-085
392-196-015	REP	94-16-019	392-330-050	NEW-P	94-08-074	434-55-015	AMD-P	94-16-148
392-196-020	AMD-P	94-11-120	392-330-050	NEW	94-12-019	434-55-016	AMD-P	94-16-148
392-196-020	AMD	94-16-019	392-330-060	NEW-P	94-08-074	434-55-030	REP-P	94-16-148
392-196-025	REP-P	94-11-120	392-330-060	NEW	94-12-019	434-55-040	AMD-P	94-16-148
392-196-025	REP	94-16-019	392-330-070	NEW-P	94-08-074	434-55-055	AMD-P	94-16-148
392-196-030	REP-P	94-11-120	392-330-070	NEW	94-12-019	434-55-060	AMD-P	94-16-148
392-196-030	REP	94-16-019	392-330-080	NEW-P	94-08-074	434-55-065	AMD-P	94-16-148
392-196-035	REP-P	94-11-120	392-330-080	NEW	94-12-019	434-55-066	AMD-P	94-16-148
392-196-035	REP	94-16-019	415-02-030	AMD-P	94-05-012	434-55-070	NEW-P	94-16-148
392-196-037	REP-P	94-11-120	415-02-030	AMD	94-09-039	434-55-080	NEW-P	94-16-148
392-196-037	REP	94-16-019	415-02-110	NEW-P	94-05-012	434-60-210	NEW	94-07-018
392-196-040	REP-P	94-11-120	415-02-110	NEW	94-09-039	434-60-215	NEW	94-07-018
392-196-040	REP	94-16-019	415-100-190	NEW-P	94-07-143	434-60-220	NEW	94-07-018
392-196-045	REP-P	94-11-120	415-100-190	NEW	94-11-008	434-60-230	NEW	94-07-018
392-196-045	REP	94-16-019	415-104-111	NEW-P	94-05-013	434-60-240	NEW	94-07-018
392-196-050	REP-P	94-11-120	415-104-111	NEW	94-09-040	434-60-250	NEW	94-07-018
392-196-050	REP	94-16-019	415-108-010	AMD-P	94-07-144	434-60-260	NEW	94-07-018
392-196-055	AMD-P	94-11-120	415-108-010	AMD	94-11-009	434-60-270	NEW	94-07-018
392-196-055	AMD	94-16-019	415-108-461	NEW-P	94-13-048	434-60-280	NEW	94-07-018
392-196-060	AMD-P	94-11-120	415-108-461	NEW-S	94-13-197	434-60-290	NEW	94-07-018
392-196-060	AMD	94-16-019	415-108-461	NEW	94-16-086	434-60-300	NEW	94-07-018
392-196-066	REP-P	94-11-120	415-108-462	NEW-P	94-13-048	434-60-310	NEW	94-07-018
392-196-066	REP	94-16-019	415-108-462	NEW-S	94-13-197	434-60-320	NEW	94-07-018
392-196-077	NEW-P	94-11-120	415-108-462	NEW	94-16-086	434-60-330	NEW	94-07-018
392-196-077	NEW	94-16-019	415-108-510	AMD-P	94-07-144	434-60-340	NEW	94-07-018
392-196-080	REP-P	94-11-120	415-108-510	AMD	94-11-009	434-60-350	NEW	94-07-018
392-196-080	REP	94-16-019	415-108-530	NEW-P	94-07-144	434-110-010	AMD-P	94-16-149
392-196-085	REP-P	94-11-120	415-108-530	NEW	94-11-009	434-110-060	AMD-P	94-16-149
392-196-085	REP	94-16-019	415-108-540	NEW-P	94-07-144	434-110-070	AMD-E	94-12-086
392-196-086	NEW-P	94-11-120	415-108-540	NEW	94-11-009	434-110-070	AMD-P	94-16-149
392-196-086	NEW	94-16-019	415-108-550	NEW-P	94-08-087	434-110-075	AMD-E	94-12-086
392-196-089	NEW-P	94-11-120	415-108-550	NEW	94-12-014	434-110-075	AMD-P	94-16-149
392-196-089	NEW	94-16-019	415-108-560	NEW-P	94-08-087	434-110-120	AMD-P	94-16-149
392-196-095	REP-P	94-11-120	415-108-560	NEW	94-12-014	434-120-120	NEW-W	94-10-054
392-196-095	REP	94-16-019	415-108-570	NEW-P	94-08-087	434-130-010	NEW-P	94-16-147
392-196-100	AMD-P	94-11-120	415-108-570	NEW	94-12-014	434-130-020	NEW-P	94-16-147
392-196-100	AMD	94-16-019	415-108-580	NEW-P	94-05-013	434-130-030	NEW-P	94-16-147
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434-130-090	NEW-P	94-16-147	458-16-240	AMD	94-07-008	458-30-220	PREP	94-13-096
434-130-100	NEW-P	94-16-147	458-16-245	NEW	94-07-008	458-30-225	PREP	94-13-096
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434-663-005	NEW-W	94-03-081	458-16-280	AMD	94-07-008	458-30-235	PREP	94-13-096
434-663-020	NEW-W	94-03-081	458-16-282	AMD	94-07-008	458-30-240	PREP	94-13-096
434-663-030	NEW-W	94-03-081	458-16-284	NEW	94-07-008	458-30-242	PREP	94-13-096
434-663-050	NEW-W	94-03-081	458-16-286	NEW	94-07-008	458-30-245	PREP	94-13-096
434-663-060	NEW-W	94-03-081	458-16-290	AMD	94-07-008	458-30-250	PREP	94-13-096
434-663-070	NEW-W	94-03-081	458-16-300	AMD	94-07-008	458-30-255	PREP	94-13-096
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434-663-210	NEW	94-04-102	458-16-330	NEW	94-07-008	458-30-265	PREP	94-13-096
434-663-220	NEW	94-04-102	458-16A-010	PREP	94-10-060	458-30-267	PREP	94-13-096
434-663-230	NEW	94-04-102	458-16A-020	PREP	94-10-060	458-30-270	PREP	94-13-096
434-663-240	NEW	94-04-102	458-18-220	AMD	94-05-063	458-30-275	PREP	94-13-096
434-663-250	NEW	94-04-102	458-19-005	NEW	94-07-066	458-30-280	PREP	94-13-096
434-663-260	NEW	94-04-102	458-19-010	NEW	94-07-066	458-30-285	PREP	94-13-096
434-663-300	NEW	94-04-102	458-19-015	NEW	94-07-066	458-30-290	PREP	94-13-096
434-663-310	NEW	94-04-102	458-19-020	NEW	94-07-066	458-30-295	PREP	94-13-096
434-663-320	NEW	94-04-102	458-19-025	NEW	94-07-066	458-30-300	PREP	94-13-096
434-663-400	NEW	94-04-102	458-19-030	NEW	94-07-066	458-30-305	PREP	94-13-096
434-663-410	NEW	94-04-102	458-19-035	NEW	94-07-066	458-30-310	PREP	94-13-096
434-663-420	NEW	94-04-102	458-19-040	NEW	94-07-066	458-30-315	PREP	94-13-096
434-663-430	NEW	94-04-102	458-19-045	NEW	94-07-066	458-30-317	PREP	94-13-096
434-663-440	NEW	94-04-102	458-19-050	NEW	94-07-066	458-30-320	PREP	94-13-096
434-663-450	NEW	94-04-102	458-19-055	NEW	94-07-066	458-30-325	PREP	94-13-096
434-663-460	NEW	94-04-102	458-19-060	NEW	94-07-066	458-30-330	PREP	94-13-096
434-663-470	NEW	94-04-102	458-19-065	NEW	94-07-066	458-30-335	PREP	94-13-096
434-663-480	NEW	94-04-102	458-19-070	NEW	94-07-066	458-30-340	PREP	94-13-096
434-663-490	NEW	94-04-102	458-19-075	NEW	94-07-066	458-30-345	PREP	94-13-096
434-663-500	NEW	94-04-102	458-19-080	NEW	94-07-066	458-30-350	PREP	94-13-096
434-663-510	NEW	94-04-102	458-20-101	PREP	94-18-131	458-30-355	PREP	94-13-096
434-663-520	NEW	94-04-102	458-20-102	AMD-E	94-05-083	458-30-500	PREP	94-13-096
434-663-530	NEW	94-04-102	458-20-102	AMD-P	94-06-004	458-30-510	PREP	94-13-096
434-663-600	NEW	94-04-102	458-20-102	AMD-E	94-13-030	458-30-520	PREP	94-13-096
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456-10-325	AMD-P	94-03-057	458-20-185	AMD-P	94-07-025	458-61-015	NEW	94-04-088
456-10-325	AMD	94-07-043	458-20-185	AMD	94-10-061	458-61-020	REP	94-04-088
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456-10-360	AMD	94-07-043	458-20-186	AMD	94-10-062	458-61-030	AMD	94-04-088
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458-61-220	AMD	94-04-088	461-08-144	NEW	94-12-028	468-10-190	REP	94-14-101
458-61-225	NEW	94-04-088	461-08-156	NEW-E	94-07-060	468-10-200	REP-P	94-12-070
458-61-230	AMD	94-04-088	461-08-156	NEW-P	94-07-095	468-10-200	REP	94-14-101
458-61-235	NEW	94-04-088	461-08-156	NEW	94-12-028	468-10-210	REP-P	94-12-070
458-61-240	REP	94-04-088	461-08-160	AMD-E	94-07-060	468-10-210	REP	94-14-101
458-61-250	AMD	94-04-088	461-08-160	AMD-P	94-07-095	468-10-220	REP-P	94-12-070
458-61-255	NEW	94-04-088	461-08-160	AMD	94-12-028	468-10-220	REP	94-14-101
458-61-270	REP	94-04-088	461-08-165	REP-E	94-07-060	468-10-230	REP-P	94-12-070
458-61-280	REP	94-04-088	461-08-165	REP-P	94-07-095	468-10-230	REP	94-14-101
458-61-290	AMD	94-04-088	461-08-165	REP	94-12-028	468-10-232	REP-P	94-12-070
458-61-300	AMD	94-04-088	461-08-167	NEW-E	94-07-060	468-10-232	REP	94-14-101
458-61-310	REP	94-04-088	461-08-167	NEW-P	94-07-095	468-10-234	REP-P	94-12-070
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458-61-330	AMD	94-04-088	461-08-237	NEW-E	94-07-060	468-10-240	REP-P	94-12-070
458-61-335	AMD	94-04-088	461-08-237	NEW-P	94-07-095	468-10-240	REP	94-14-101
458-61-340	AMD	94-04-088	461-08-237	NEW	94-12-028	468-10-240	REP-P	94-12-070
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458-61-375	NEW	94-04-088	463-39-070	NEW	94-16-031	468-10-260	REP	94-14-101
458-61-376	NEW	94-04-088	463-39-090	NEW-P	94-12-036	468-10-270	REP-P	94-12-070
458-61-380	REP	94-04-088	463-39-090	NEW	94-16-031	468-10-270	REP	94-14-101
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458-61-410	AMD	94-04-088	463-39-115	AMD	94-16-031	468-10-280	REP-P	94-12-070
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criteria	PROP 94-03-099	definitions	PROP 94-12-082
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	PERM 94-07-029	criteria	PROP 94-12-082
<u>Instant game number 119 - Lots of Bucks</u>			PERM 94-15-049
criteria	PROP 94-12-082	definitions	PROP 94-12-082
	PERM 94-15-049		PERM 94-15-049
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	PERM 94-15-049		PERM 94-15-049
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	PERM 94-15-049	criteria	PROP 94-12-082
<u>Instant game number 120 - Lucky Deal</u>			PERM 94-15-049
criteria	PROP 94-03-099	definitions	PROP 94-12-082
	PERM 94-07-029		PERM 94-15-049
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	PERM 94-15-049		PERM 94-15-049
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	PERM 94-07-029	criteria	PROP 94-12-082
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ticket validation	PROP 94-03-099	definitions	PROP 94-16-121
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