Washington State Register

NOVEMBER 20, 1996

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ISSUE 96-22

IN THIS ISSUE

(Subject/Agency index at back of issue)
This issue contains documents officially filed not later than November 6, 1996

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.

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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 (360) 753-7470.

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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 November 1996 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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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 Inquiry 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].

1996 - 1997
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates[1]			Distribution Date	First Agency Hearing Date[3]
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS[2] or 10 p. max. Non-OTS		
For Inclusion in--	*File no later than 12:00 NOON--*			*Count 20 days from--*	*For hearing on or after*
96-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
96-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
96-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
96-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
96-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
96-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
96-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
96-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
96-24	Nov 6	Nov 20	Dec 4	Dec 18, 1996	Jan 7, 1997
97-01	Nov 21	Dec 5	Dec 19, 1996	Jan 2, 1997	Jan 22
97-02	Dec 5	Dec 19, 1996	Jan 2, 1997	Jan 15	Feb 4
97-03	Dec 26, 1996	Jan 8, 1997	Jan 22	Feb 5	Feb 25
97-04	Jan 8	Jan 22	Feb 5	Feb 19	Mar 11
97-05	Jan 22	Feb 5	Feb 19	Mar 5	Mar 25
97-06	Feb 5	Feb 19	Mar 5	Mar 19	Apr 8
97-07	Feb 19	Mar 5	Mar 19	Apr 2	Apr 22
97-08	Mar 5	Mar 19	Apr 2	Apr 16	May 6
97-09	Mar 26	Apr 9	Apr 23	May 7	May 27
97-10	Apr 9	Apr 23	May 7	May 21	Jun 10
97-11	Apr 23	May 7	May 21	Jun 4	Jun 24
97-12	May 7	May 21	Jun 4	Jun 18	Jul 8
97-13	May 21	Jun 4	Jun 18	Jul 2	Jul 22
97-14	Jun 4	Jun 18	Jul 2	Jul 16	Aug 5
97-15	Jun 25	Jul 9	Jul 23	Aug 6	Aug 26
97-16	Jul 9	Jul 23	Aug 6	Aug 20	Sep 9
97-17	Jul 23	Aug 6	Aug 20	Sep 3	Sep 23
97-18	Aug 6	Aug 20	Sep 3	Sep 17	Oct 7
97-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
97-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4
97-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25
97-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9
97-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23
97-24	Nov 5	Nov 19	Dec 3	Dec 17, 1997	Jan 6, 1998

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

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

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

REGULATORY FAIRNESS ACT

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

Small Business Economic Impact Statements (SBEIS)

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

Mitigation

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

When is an SBEIS Required?

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

When is an SBEIS Not Required?

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

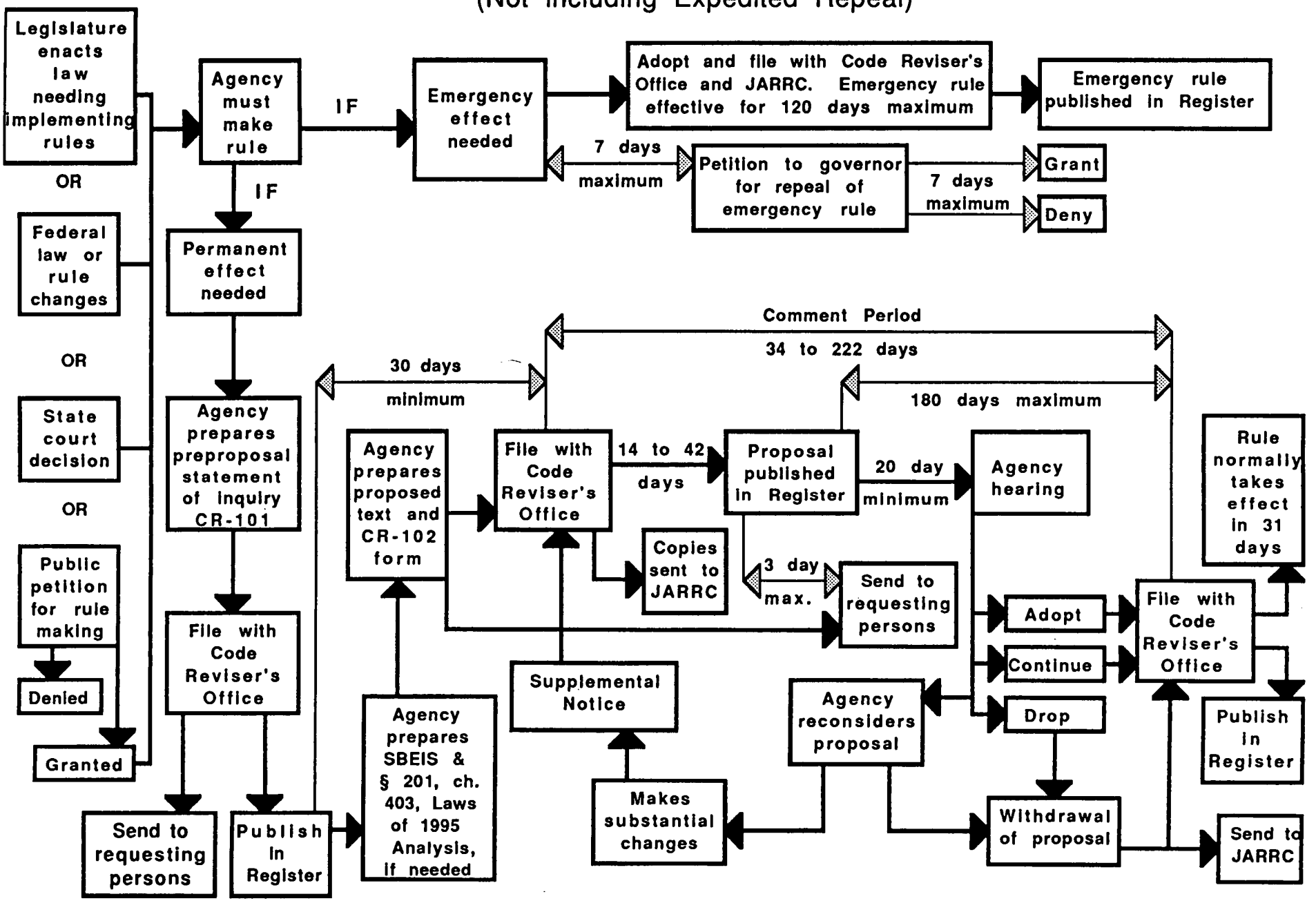
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

RULE-MAKING PROCESS

(Not including Expedited Repeal)



7/23/95

WSR 96-22-012
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed October 28, 1996, 11:04 a.m.]

Subject of Possible Rule Making: Chapter 296-93 WAC, Material lifts.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.87.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As a result of the department's periodic reexamination of its elevator rules, the material lifts rules are being revised. The proposed revisions include rewriting the rules according to clear rule writing technique, adding definitions, updating code requirements, reevaluating fee and permit amounts and providing increased assurances of safety to people and property. The proposed rules will more accurately reflect the environment in which material lifts are installed and operate.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable. This subject is solely regulated by the Department of Labor and Industries. No other state or federal agencies are involved.

Process for Developing New Rule: The primary responsibility for developing this rule is the chief elevator specialist with input from customers, regional staff and the Elevator Advisory Board.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jan M. Gould, Chief Elevator Specialist, phone (360) 902-6128, FAX (360) 902-6132, Department of Labor and Industries, Construction Compliance and Public Safety Division, Elevator Section, P.O. Box 44480, Olympia, WA 98504-4480.

October 28, 1996
Mark O. Brown
Director

WSR 96-22-015
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION
[Filed October 28, 1996, 4:02 p.m.]

Subject of Possible Rule Making: Revision of applicant and/or certificate holder disciplinary procedures and practices including jurisdiction, investigative powers, and procedural appeal rights.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify current or future practices and procedures of the agency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, TDD (360) 664-3631. For telephone assistance contact Larry Davis, (360) 753-6715; or Richard M. Wilson, (360) 753-2298.

October 28, 1996
Larry Davis
Executive Director

WSR 96-22-016
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY
[Filed October 29, 1996, 9:24 a.m.]

Subject of Possible Rule Making: Health Care Authority PEBB administration and PEBB eligibility rules, chapters 182-12 and 182-08 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 41.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Need to file emergency rule to provide for TRS 3 under chapter 182-12 WAC and to amend eligibility section under chapter 182-08 WAC. Permanent rules will be amended and permanently adopted.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate the Health Care Authority.

Process for Developing New Rule: Public hearing and stakeholder meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Elin Meyer, Rules Coordinator, Health Care Authority, P.O. Box 42705, Olympia, WA 98504-2705, phone (360) 923-2801, FAX (360) 923-2606.

October 28, 1996
Elin Meyer
Rules Coordinator

WSR 96-22-026
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed October 30, 1996, 10:40 a.m.]

Subject of Possible Rule Making: To amend WAC 388-97-027 Services requiring prior approval, by removing prior authorization requirements for all home health services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.04.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To align Medical Assistance Administration (MAA) policy with current prior authorization policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department will draft the new rules and circulate copies to any interested party for comments. All comments will be considered before final adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne E. DeJarnette, Administrative Regulations Analyst, Medical Assistance Administration, Mailstop 45530, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 664-2320, FAX (360) 753-7315, TDD 1-800-848-5429.

October 30, 1996
Merry A. Kogut, Supervisor
Rules and Policies Assistance Unit

WSR 96-22-027
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(General Provisions)
[Filed October 30, 1996, 10:42 a.m.]

Subject of Possible Rule Making: (1) Amend chapter 440-22 WAC, sections and add new sections necessary to redefine the terms chemical dependency (CD) counselor and CD intern and add requirement to obtain "certification of qualification" and "letter of enrollment" respectively. Amend chemical dependency (CD) counselor qualification standards in chapter 440-22 WAC, adding a knowledge exam and supervisor/peer review process. Amend the definitions sections for CD counselors and CD interns and the sections describing requirements and process for obtaining "certificate of qualification" and "letter of endorsement" for CD counselors and CD interns respectively. Add new sections to the chapter describing disqualification, denial, expiration, suspension, or revocation of CD counselor certificate of qualification. (2) Amend chapter 440-22 WAC, sections necessary to add the requirement for certified CD programs to adopt the patient placement criteria published by the American Society of Addiction Medicine (ASAM) as the standard for patient admissions, transfers, and discharges. Amend chapter 440-22 WAC by adding a requirement for certified treatment agencies to use patient placement criteria published by the American Society of Addiction Medicine (ASAM) as the standard for making admission placement, transfer, and discharge decisions. (3) Amend WAC 440-22-005, 440-22-225, 440-22-230, 440-22-310, and 440-22-335 to correct language or further explain the current regulations. Amend the following sections of chapter 440-22 WAC to correct or clarify language: WAC 440-22-005(47), definition for "vulnerable adult" to bring it into conformance with an amendment to this definition in RCW 43.43.830; WAC 440-22-225, adding clarification language; WAC 440-22-230, removing an effective date that has been passed; WAC 440-22-310 (2)(i), corrected to clarify rule; and WAC 440-22-335(3), add additional explanatory language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.96A.040 (3), (4), and (9).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The following numbered reasons correspond to the numbered proposals listed above.

(1) The addition of the knowledge exam and supervisor/peer review will bring the WAC standard into agreement with standards currently used by this state's private CD certification boards and by national CD certification boards; and provide additional tools for professional quality assurance by asking CD counselors to pass a knowledge exam and provide supervisor and peer counselor's attestation to the counselor's competency. A grandparenting section will be included excluding currently qualified counselors from the knowledge exam requirement.

Additional amendments will require CD counselor interns to obtain a "letter of enrollment" and CD counselors to obtain a "certificate of qualification" from the department which provides evidence that they meet the minimum respective standards described in chapter 440-22 WAC and are thereby qualified to work in state-approved CD programs. The changes will place responsibility for obtaining these credentials on the interns and counselors. This change will benefit all concerned (counselors, administrators, and DASA program auditors) by (a) reducing the large amount of paperwork currently required in agency personnel files to provide evidence interns and counselors meet the qualification requirements; and (b) will provide a single page credential that interns and counselors can provide to certified CD program employers attesting they are qualified to work in state-approved CD treatment facilities.

New sections will be added to provide the rules for disqualification, denial, expiration, suspension, or revocation of CD counselor certificate of qualification. This is necessary for the provision of due process.

(2) These amendments will add a requirement for all state certified CD treatment programs to adopt and use the patient placement criteria published by the American Society of Addiction Medicine (ASAM) in making patient decisions for admission placement, transfer, and discharge. This will provide Washington state's CD treatment programs with a nationally recognized, state-of-the-art, criteria for making these decisions in line with several other states in the nation. Currently, there is no common standard being employed leaving patients and clinicians alike vulnerable to inappropriate placement, transfer and discharge decisions. The ASAM standards are considered the most widely accepted criteria available within the CD field and will provide a "common language" for all professionals working in state-approved CD programs.

(3) The proposed amendment to WAC 440-22-005(47) (definition for "vulnerable adult") will bring the chapter 440-22 WAC definition into conformance with a recent change in this definition in RCW 43.43.830. WAC 440-22-225 will add wording to clarify acceptable training and work experience for probation assessment officers. WAC 440-22-230 will remove a date reference for youth chemical dependency counselors that has passed. WAC 440-22-310 (2)(i) will change the current placement for the requirement for "patient redisclosure statement" into its own subsection. This will help mitigate confusion that the current placement of this wording in the WAC has caused. WAC 440-22-335(3) will add wording to clarify this requirement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making; proposals (1) and (2) described in the "Subject of Possible Rule Making" section above were requested in a letter to the Division of Alcohol and Substance Abuse cosigned by leadership representing eight of the state's major chemical dependency treatment constituency organizations. Proposed rules are being drafted with the input and assistance of representatives from these groups.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To review draft work to date and provide input on this subject, contact Gary Reynolds, WAC Coordinator, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 438-8054 (voice), FAX (360) 438-8057, Internet reynogl@dshs.wa.gov.

October 25, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

WSR 96-22-033
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed October 31, 1996, 9:29 a.m.]

Subject of Possible Rule Making: Amending the qualifications for obtaining fleet identifier codes by excluding trailing units issued permanent license plates. Amending definitions section to reflect current meaning to terms used in chapter 46.16 RCW and chapter 308-96A WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Governing RCWs have been amended which requires review and update of the rules providing instructions for compliance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals are invited to participate in this preproposed rule-making review by providing written or verbal comments to Jack Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, phone (360) 902-3773, FAX (360) 664-0831, TDD (360) 664-8885. Comments are requested by December 20, 1996.

October 31, 1996
Nancy S. Kelly, Administrator
Title and Registration Services

WSR 96-22-049
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL
[Filed November 1, 1996, 10:00 a.m.]

Subject of Possible Rule Making: Amend WAC 204-90-040 Body requirements, to comply with chapter 225, Laws of 1996 (SSB 5250). A new statute under chapter 46.37 RCW makes hoods and bumpers optional on street rods and kit vehicles. This change will bring the rule into line with the new law.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005, 46.37.513, 46.37.517.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 225, Laws of 1996, effective June 6, 1996, made hoods and bumpers optional equipment on street rods and kit vehicles. This amendment will bring the administrative rule into line with the statute.

Process for Developing New Rule: Agency will add verbiage to comply with the new statute.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ms. Carol Morton, Washington State Patrol, Equipment and Standards Unit, P.O. Box 42635, Olympia, WA 98504-2635, (360) 412-8934, FAX (360) 493-9417.

November 1, 1996
Annette M. Sandberg
Chief

AMENDATORY SECTION (Amending Order 83-05-01, filed 5/13/83)

WAC 204-90-040 Body requirements. (1) Defroster and defogging devices: Every enclosed special motor vehicle shall be equipped with a device capable of defogging and defrosting the windshield area. Vehicles or exact replicas of vehicles manufactured prior to January, 1938, are exempt from this requirement.

(2) Door latches: Every enclosed special motor vehicle equipped with side doors leading directly into a compartment that contains one or more seating accommodations shall be equipped with door latches which firmly and automatically secure the door when pushed closed and which allow each door to be opened both from the inside and outside.

(3) Hoodlatches: A front opening hood shall be equipped with a primary and a secondary latching system to hold the hood in a closed position.

Hoods are optional equipment on vehicles defined as street rods and kit vehicles by the Washington state patrol vehicle inspectors.

(4) Enclosed passenger compartment: A special motor vehicle with an enclosed passenger compartment and powered by an internal combustion engine shall be constructed to prevent the entry of exhaust fumes into the passenger compartment.

(5) Floor pan: A special motor vehicle shall be equipped with a floor pan under the entire passenger compartment capable of supporting the weight of the number of occupants that the vehicle is designed to carry.

(6) Bumpers: A special motor vehicle shall be equipped with a bumper on both the front and rear of the vehicle with the exception of motor vehicles where the original or predominant body configuration, provided by a recognized manufacturer, did not include such bumper or bumpers in the design of the vehicle. Bumpers or exact replicas of bumpers for Type I vehicles meeting the original specifications of a recognized manufacturer shall satisfy the requirements of this section.

Bumpers are optional equipment on vehicles defined as street rods and kit vehicles by the Washington state patrol vehicle inspectors.

Bumpers, unless specifically exempted above, shall be at least 4.5 inches in vertical height, centered on the vehicle's centerline, and extend no less than the width of the respective wheel track distances. Bumpers shall be horizontal load bearing and attach to the vehicle frame to effectively transfer energy when impacted.

The maximum bumper heights will be determined by weight category of gross vehicle weight rating (GVWR) measured from a level surface to the highest point on the bottom of the bumper. For vehicles exempted from the bumper requirement for the reasons stated above, a maximum frame elevation measurement shall be made to the bottom of the frame rail. Maximum heights are as follows:

	Front	Back
Passenger Vehicles	22 Inches	22 Inches
4,500 lbs. and under GVWR	24 Inches	26 Inches
4,501 lbs. to 7,500 lbs. GVWR	27 Inches	29 Inches
7,501 lbs. to 10,000 lbs. GVWR	28 Inches	30 Inches

(7) Fenders: All wheels of a special motor vehicle shall be equipped with fenders designed to cover the entire tire tread width that comes in contact with the road surface. Coverage of the tire tread circumference shall be from at least 15° in front and to at least 75° to the rear of the vertical centerline at each wheel measured from the center of the wheel rotation. At no time shall the tire come in contact with the body, fender, chassis, or suspension of the vehicle.

(8) Frame: A special motor vehicle shall be equipped with a frame. If an existing frame from a recognized manufacturer is not used and a special frame is fabricated, it shall be constructed of wall box or continuous section tubing, wall channel, or unitized construction capable of supporting the vehicle, its load, and the torque produced by the power source under all conditions of operation. ((~~Specially fabricated frames shall meet the Specialty Equipment Manufacturing Association "Recommended practice for chassis contraction of special motor vehicles."~~))

WSR 96-22-051
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF RETIREMENT SYSTEMS
[Filed November 1, 1996, 1:40 p.m.]

Subject of Possible Rule Making: Modification to WAC 415-512-090 to implement change in IRC Section 457 (effective January 1, 1997) which will allow deferred compensation plan participants to elect to postpone what has previously been an irrevocable date to begin payout.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.780(11).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Allow participants to take advantage of new, liberalized postponement of payout provision at earliest date possible.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Internal Revenue Service, changes in deferred compensation plan regulations are periodically submitted to the Internal Revenue Service with a request for a determination that the state's plan, as amended, continues to be an eligible plan for purposes of IRC Section 457.

Process for Developing New Rule: Discussion by program staff of desirability of effecting this change as quickly as possible. This change is of significant benefit to numerous participants. No one is adversely affected by this change.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Paul Neal, Rules Coordinator, Legal/Legislative Affairs, Department of Retirement Systems, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380, phone (360) 586-3368, FAX (360) 753-3166.

November 1, 1996
Paul Neal
Rules Coordinator

WSR 96-22-087
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed November 6, 1996, 9:20 a.m.]

Subject of Possible Rule Making: Odometer disclosure statements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is a review and update of preexisting rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals are invited to participate in this preproposed rule-making review by providing written or verbal comments to Jack Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, phone (360) 902-3773, FAX (360) 664-0831, TDD (360) 664-8885. Comments are requested by December 20, 1996.

November 6, 1996
Nancy S. Kelly, Administrator
Title and Registration Services

WSR 96-22-094
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 6, 1996, 10:52 a.m.]

Subject of Possible Rule Making: Amending WAC sections concerned with food stamp program disqualification penalties for noncompliance with employment and training program and voluntary quit of employment to bring them into compliance with federal changes; and clarifying and reorganizing rule language to increase ease of use.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510, H.R. 3734 Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). Statutory and/or CFR citations not yet available from the United States Department of Agriculture.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Congress passed new law that prescribes specific disqualification penalties for noncompliance with food stamp employment and training and voluntary quit of employment. The new rules provide specific penalties for the first, second, and third and subsequent noncompliance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: We have been working closely with the federal Food and Consumer Services.

Process for Developing New Rule: Agency study. We have filed the emergency WAC and we will be following up with the regular adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Al Frazier, P.O. Box 45470, (360) 413-3245, FAX (360) 413-3493 or Cindy Mund, P.O. Box 45470, (360) 413-3249, FAX (360) 413-3493, TTY (360) 413-3001.

November 5, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

WSR 96-22-105
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed November 6, 1996, 11:40 a.m.]

Subject of Possible Rule Making: Chapter 296-302 WAC, Safety standards for bakery equipment.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department was petitioned by Lane, Powell, Spears, Lubersky, LLP (law firm) for the Washington food industry to amend chapter 296-302 WAC, Safety standards for bakery equipment, regarding the guarding of vertical dough mixers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: By discussion with the affected industries.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Locke, Industrial Hygienist, Department of Labor and Industries, Division of Consultation and Compliance Services, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5524, FAX (360) 902-5529.

November 6, 1996
Mark O. Brown
Director

WSR 96-22-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed November 6, 1996, 11:41 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, Workers' compensation classifications and reporting rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020(1), 51.16.100, and 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Agency is required by law to maintain and adjust the workers' compensation classification plan as needed to recognize hazard within industry.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and agency will solicit input from affected businesses through focus meetings, mailings, and informal meetings.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The department will schedule informal meetings to discuss possible changes and seek employer participation in the rule development process. Letters will be mailed to the affected employers when meetings are scheduled and how they can participate in the rule development process. No hearings. No meetings have been scheduled as of this date but are anticipated to occur during January 1997.

Individuals interested in participating in focus meetings and informal meetings can contact Frank Romero, Ken Woehl or Gary Brown of the classification services section at (360) 902-4776.

November 6, 1996
Mike Watson
for Mark O. Brown
Director

WSR 96-22-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed November 6, 1996, 11:42 a.m.]

Subject of Possible Rule Making: Chapter 296-17 WAC, Workers' compensation classifications and reporting rules—Drywall industry.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020(1), 51.16.035, and 51.16.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Industry has requested agency to consider pricing premiums of industry on materials installed rather than hours worked. By modifying the basis of premium from hours worked to material installed, greater rate equity and fairness can be achieved in the premium collection system.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and agency has worked with drywall installation contractors and

trade groups to determine the feasibility of converting the premium base from hours worked to material installed. Several contractors participated in a pilot program to determine the administrative ease of converting to such a system. Agency will hold informal public meetings in January and a formal hearing on rules developed from these meetings on February 3, 1997, at 10:00 a.m. at the Labor and Industries Building in Tumwater.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Contractors and trade groups can participate in a series of informal meetings which will be held in January 1997 around the state and a formal public hearing in February on the subject rules. Notice of the informal meetings will be mailed to affected contractors in early December 1996.

Interested parties can contact Ken Woehl, Gary Brown or Frank Romero of the classification services unit at (360) 902-4776.

November 6, 1996
Mike Watson
for Mark O. Brown
Director

WSR 96-22-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
(Landscape Architects)
[Filed November 6, 1996, 11:52 a.m.]

Subject of Possible Rule Making: WAC 308-13-160 Renewal of licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.24.086 and 18.96.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Beginning in 1994, the renewal date for landscape architect licenses was changed from June 30, every three years to the birth date of licensees every three years. The process of converting the expiration date to date of birth is now complete. This amendment will make the instructions current and remove outdated and unnecessary conversion information.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Routine agency review of existing instructional rules for current and applicable information.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may participate in rule drafting by contacting James D. Hanson, Program Administrator, Landscape Architect Registration, P.O. Box 9045, Olympia, WA 98507-9045, phone (360) 753-1153, TDD (360) 586-2788, FAX (360) 664-2551. All interested persons will be added to the agency's mailing list for this rule proposal.

November 6, 1996
James D. Hanson
Program Administrator

WSR 96-22-014
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 28, 1996, 11:06 a.m.]

The Department of Labor and Industries is hereby withdrawing the following proposed amended sections of chapter 296-54 WAC, Safety standards—Logging operations: WAC 296-54-507 Management's responsibility and 296-54-577 Motor truck log transportation—Wrappers and binders.

These proposed amended sections were filed on April 17, 1996, WSR 96-09-101. The public hearings were held on June 4 and 6, 1996.

Mark O. Brown
Director

WSR 96-22-019
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(General Provisions)
(By the Code Reviser's Office)
[Filed October 29, 1996, 3:00 p.m.]

WAC 440-22-408, proposed by the Department of Social and Health Services in WSR 96-09-078, appearing in issue 96-09 of the State Register, which was distributed on May 1, 1996, 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 96-22-020
WITHDRAWAL OF PROPOSED RULES
HORSE RACING COMMISSION
(By the Code Reviser's Office)
[Filed October 29, 1996, 3:02 p.m.]

Chapter 260-24 WAC, proposed by the Horse Racing Commission in WSR 96-09-097, appearing in issue 96-09 of the State Register, which was distributed on May 1, 1996, 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. Radciff, Editor
Washington State Register

WSR 96-22-050
PROPOSED RULES
WASHINGTON STATE PATROL
[Filed November 1, 1996, 10:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-15-117.

Title of Rule: Limousine businesses.

Purpose: (1) Set fees for required vehicle inspections and criminal history background checks; and (2) outline the vehicle inspection process.

Statutory Authority for Adoption: RCW 46.72A.030.

Statute Being Implemented: Chapter 46.72A RCW.

Summary: This new chapter will set rules for vehicle inspection fees and the fee for background checks. It will also set rules for the inspection process.

Reasons Supporting Proposal: Under chapter 87, Laws of 1996 (HB 2551), the Washington State Patrol is authorized to conduct vehicle inspections on limousines which are licensed by the Department of Licensing. The Washington State Patrol will also perform background checks on each chauffeur.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mr. Don Lewis, P.O. Box 42614, Olympia, WA 98504, (360) 753-0279.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 87, Laws of 1996 (HB 2551) transferred the regulation of limousines to the Department of Licensing. Under that statute, the Washington State Patrol is authorized to conduct vehicle safety inspections on limousines. In addition, the state patrol will perform background checks on all chauffeurs. This rule will set the fees for inspections and background checks. It will also outline the inspection process.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Limousine businesses will be paying less under the proposed rules, as opposed to fees previously charged. No small business impact statement is required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State Patrol, Commercial Vehicle Division Conference Room, General Administration Building, Room G21, Olympia, Washington 98504, on December 17, 1996, at 9 a.m. - 12 p.m.

Assistance for Persons with Disabilities: Contact Jan Baca by December 15, 1996, (360) 753-0626.

Submit Written Comments to: Don Lewis, Washington State Patrol, Commercial Vehicle Division, P.O. Box 42614, Olympia, WA 98504-2614, FAX (360) 586-8233, by December 10, 1996.

Date of Intended Adoption: December 27, 1996.

November 1, 1996
Annette M. Sandberg
Chief

Chapter 204-95 WAC
LIMOUSINE BUSINESSES

NEW SECTION

WAC 204-95-030 Fees. The department of licensing, as authorized in RCW 46.72A.030 and 46.72A.090, shall charge and collect the following fees:

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Fees listed in WAC 308-87-060	
Annual Inspection	$25.00
Reinspection	$15.00
Background Check	as set in WAC 446-20-600

The background check shall consist of a fingerprint-based background search at the state level conducted by the Washington state patrol identification section.

PROPOSED

NEW SECTION

WAC 204-95-080 Annual inspections, safety of equipment. Upon the request of a new limousine applicant or a limousine operator applying for annual renewal of their limousine license with the department of licensing, the Washington state patrol shall conduct a safety inspection of the equipment to be used in the limousine service. Applicants or operators must present their vehicle(s) at a Washington state patrol district or detachment office for inspection Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. The vehicle must pass the inspection to qualify for renewal of original limousine operators license with department of licensing. The vehicle inspection will consist for the following:

(1) All standard equipment for vehicles will be checked to include brake systems, functional brake performance test, wheel systems, steering and suspension, fuel system, exhaust system, lighting and signal system, visibility system, body components, interior condition and cleanliness.

(2) If a vehicle fails an initial inspection and must be reinspected, a reinspection fee as provided in WAC 308-87-060 will apply. The applicant or operator must present the original inspection form and reinspection form to the department of licensing.

(3) Upon successful completion of the safety inspection, a commercial vehicle safety alliance decal will be applied to the upper right hand corner of the windshield.

WSR 96-22-062
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed November 4, 1996, 10:47 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-19-001 and 96-19-002.

Title of Rule: WAC 308-125-010 Definitions, 308-125-020 Application process to take examination, 308-125-030 Examination prerequisite general classification, 308-125-040 Examination prerequisite state-certified residential classification, 308-125-045 Examination prerequisite state-licensed classification, 308-125-050 Education courses—Preexamination, 308-125-065 Education/experience credit for teachers of approved real estate appraisal courses, 308-125-070 Experience requirements, 308-125-075 Allowed credits for appraisal experience, 308-125-080 Application for certification, 308-125-085 Temporary practice, 308-125-090 Continuing education required, 308-125-120 Fees and charges, and 308-125-180 Reciprocity.

Purpose: The proposed rule changes provide consistency between chapter 18.140 RCW (as amended July 1, 1996) and chapter 308-125 WAC, provides changes in the licensing division's name, provide clarification as to the current usage of terms, and provide minor procedural changes.

The proposed rule changes also reflect the minimum required levels of experience and education for licensed and certified real estate appraisers, effective January 1, 1998, as recommended by the Appraisal Qualification Board, acting under the auspice of Title 11; 12 U.S.C. Sec. 3301 et seq.

Statutory Authority for Adoption: RCW 18.140.030(1).

Statute Being Implemented: RCW 18.140.030, 18.140.090.

Summary: Amend rules to reflect the July 1, 1996, changes to chapter 18.140 RCW. Amend rules to reflect current usage of terms, the Business and Professional Division name change, and minor procedural changes. Amend rules to reflect future changes in experience, education, and continuing education requirements for real estate appraiser licensing and certification.

Reasons Supporting Proposal: The proposed rule changes will ensure clear and concise language within the WAC to facilitate the underlying purpose as indicated above. The proposed rule changes will also allow the continued certification of this state's real estate appraisers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 753-1062.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-125-010(2), amend to reflect statutory change to the definition of "appraisal."

WAC 308-125-010(3), amend to reflect statutory change to the definition of "appraisal report."

WAC 308-125-010(4), amend to reflect statutory changes to the definition of "appraisal assignment."

WAC 308-125-010(22), add new definition entitled "Review" to reflect statutory change.

WAC 308-125-020(1), amend to reflect change in licensing division's name.

WAC 308-125-020(2), amend to reflect the January 1, 1998, changes in the minimum qualifications for licensure and certification.

WAC 308-125-030 (1), (2), and (3), amend to reflect the January 1, 1998, changes in the minimum qualifications for certification as a state-certified general real estate appraiser, including: Change in course work requirement from one hundred sixty-five hours to one hundred eighty hours; change in appraisal experience requirements from two years/full time to three thousand hours in not less than thirty months; and change in nonresidential appraisal experience requirements from one thousand hours to one thousand five hundred hours.

WAC 308-125-040(2), amend to reflect the January 1, 1998, changes in the minimum qualifications for certification as a state-certified residential real estate appraiser, including: Change in appraisal experience requirements from two years/full time to two thousand five hundred hours in not less than twenty-four months.

WAC 308-125-045 (1) and (2), amend to reflect the January 1, 1998, changes in the minimum qualifications for licensure as state-licensed real estate appraiser, including:

Change in course work requirement from seventy-five hours to ninety hours; change in appraisal experience requirements from two years/full time to two thousand hours in not less than twenty-four months.

WAC 308-125-050(3), delete the "ten year" provision to reflect Appraiser Qualification Board's recommendations for education prerequisites.

WAC 308-125-065 (2) and (4), amend to reflect the January 1, 1998, changes in education/experience credits for teachers of approved real estate appraisal courses by eliminating available experience credits.

WAC 308-125-070 (1), (2), and (3), amend to reflect the January 1, 1998, changes in experience requirements addressed in other sections, change in the relevant date for USPAP conformity, and change in the relevant date for conformity with pre-USPAP standards.

WAC 308-125-070(5), amend to reflect current usage of industry terms and reflect the January 1, 1998, change which excludes experience credits for teachers.

WAC 308-125-075 (1) and (3), amend to reflect current usage of industry terms.

WAC 308-125-080(1), amend to reflect change in licensing division's name.

WAC 308-125-085 (1) and (2), amend to reflect minor procedural change and clarify procedures.

WAC 308-125-090(2), amend to reflect the January 1, 1998, changes to continuing education requirements from twenty classroom hours to twenty-eight classroom hours and further clarify the requirements to include at least fifteen hours of approved USPAP related continuing education.

WAC 308-125-120(12), delete to reflect that walk-in examinations are not available under current procedures.

WAC 308-125-180, amend to reflect minor procedural change.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments will provide for Washington state's future conformity with federally sanctioned guidelines and/or effectuate otherwise minor changes, neither of which impose costs on the relevant industry. Accordingly, under RCW 19.85.030 and 19.85.060, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. Some of the proposed rule changes increase the minimum requirements for licensure or certification to practice in the real estate appraiser industry. The relevant changes reflect the future minimum experience/education requirements for licensure or certification established by the Appraisal Qualifications Board, which operates under the Appraisal Subcommittee of FFIEC (Title 11; 12 U.S.C. §3301 et seq.). For this reason, the significant legislative rules provisions (RCW 34.05.328) apply.

Hearing Location: 405 Black Lake Boulevard, Building #2, Olympia, WA, on December 10, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by December 2, 1996, TDD (360) 753-1966, or (360) 753-1062.

Submit Written Comments to: Cleotis Borner, Jr., P.O. Box 9015, Olympia, WA 98507-9015, FAX (360) 586-0998, by December 9, 1996.

Date of Intended Adoption: December 11, 1996.
October 31, 1996
Cleotis Borner, Jr.
Program Manager

AMENDATORY SECTION (Amending WSR 95-17-078, filed 8/21/95, effective 9/21/95)

WAC 308-125-010 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has in the Certified Real Estate Appraiser Act, (chapter 18.140 RCW).

(2) "Appraisal" ((~~or "real estate appraisal" means an analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real estate for or in expectation of compensation. An appraisal may be classified by subject matter into either a valuation or an analysis. A "valuation" is an estimate of the value of real estate or real property. An "analysis" is a study of real estate or real property other than estimating value~~)) means the act or process of estimating value; an estimate of value; or of or pertaining to appraising and related functions.

(3) "Appraisal report" means any communication, written or oral, of an appraisal((~~. Except all appraisal reports in federally related transactions are required to be written reports~~)), review, or consulting service in accordance with the standards of professional conduct or practice, adopted by the director, that is transmitted to the client upon completion of an assignment.

(4) "Appraisal assignment" means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested third party in rendering an unbiased analysis, opinion, or conclusion relating to the ((~~nature, quality,~~)) value((~~, or utility~~)) of specified interests in, or aspects of, identified real estate. The term "appraisal assignment" may apply to valuation work and analysis work.

(5) "Certified appraisal" means an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal represents to the public that it meets the appraisal standards defined in this chapter.

(6) "Licensed appraisal" means an appraisal prepared or signed by a state-licensed real estate appraiser. A licensed appraisal represents to the public that it meets the appraisal standards defined in this chapter.

(7) "Department" means the department of licensing.

(8) "Director" means the director of the department of licensing.

(9) "Real estate" means an identified parcel or tract of land, including improvements, if any.

(10) "Real property" means one or more defined interests, benefits, or rights inherent in the ownership of real estate.

(11) "Specialized appraisal services" means all appraisal services which do not fall within the definition of appraisal assignment. The term "specialized appraisal service" may apply to valuation work and to analysis work. Regardless of the intention of the client or employer, if the appraiser would be perceived by third parties or the public as acting as a disinterested third party in rendering an unbiased analysis,

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opinion or conclusion, the work is classified as an appraisal assignment and not a specialized appraisal service.

(12) "State-certified real estate appraiser" means a person who develops and communicates real estate appraisals, and who holds a valid certificate issued to him/her for either general or residential real estate under this chapter. A state-certified real estate appraiser may designate or identify an appraisal rendered by him/her as a "certified appraisal" and indicate which type of certification is held.

(13) "State-licensed real estate appraiser" means a person who develops and communicates real estate appraisals, and who holds a valid license issued to him/her for residential real estate under this chapter. A state-licensed real estate appraiser may designate or identify an appraisal rendered by him/her as a "licensed appraisal."

(14) "Advisory committee" means a committee of seven individuals, of whom at least five are real estate appraisers appointed by the director to provide technical assistance relating to real estate appraisal standards and real estate appraiser experience, education, and examination requirements that are appropriate for each classification of state-certified real estate appraiser.

(15) "Classroom hour" means fifty minutes out of each sixty minute hour.

(16) "Full-time" means the equivalent twelve-month period in which an applicant works at least one thousand hours in real estate appraisal.

(17) "Licensed or residential real estate appraiser" classification applies to those individuals qualified to appraise one to four residential units.

(18) "General real estate appraiser" classification applies to those individuals qualified to appraise all types of real property.

(19) "Federally related transaction" means any real estate-related financial transaction which Federal Financial Institutions Regulatory Agency (FFIRA) or the Resolution Trust Company (RTC) engages in, contracts for, or regulates and which requires the services of an appraiser.

(20) "Real estate related-financial transaction" means any transaction involving:

(a) The sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof;

(b) The refinancing of real property or interests in real property; and

(c) The use of real property or interest in property as security for a loan or investment, including mortgage-backed securities.

(21) "Residential properties" means one to four single family residential units and lots where the highest and best use is for one to four family purposes.

(22) "Review" means the act or process of critically studying an appraisal report prepared by another.

AMENDATORY SECTION (Amending WSR 95-17-078, filed 8/21/95, effective 9/21/95)

WAC 308-125-020 Application process to take examination. (1) Any person desiring to take an examination for licensure or certification as a state-licensed or state-certified residential real estate appraiser, or as a state-certified general real estate appraiser, must submit a completed examination application with supporting documents and appropriate fee to the department of licensing, ((~~professional licensing services~~)) business and professions division, at its official address. After the qualifications for the examination have been verified by the department, the applicant shall submit the preapproved examination application, the request for examination and the appropriate fee to the testing service approved by the director.

(2) An applicant must, as of the date his/her application is filed with the department, possess the requisite two years (twenty-four months) and two thousand hours of verifiable real estate appraisal experience: *Provided,* That effective January 1, 1998, the applicant must possess the verifiable real estate experience as required by the examination prerequisite for the requested classification.

(3) An application and the nonrefundable application fee shall be valid for six months from receipt by the department. An applicant may correct any discrepancies in the application other than experience during this six-month period. After six months, if the applicant has not met the prerequisites to sit for the licensure or certification examination, the applicant must submit a new application with the appropriate fee.

(4) Dishonored checks will be considered as an incomplete application.

(5) An applicant shall forfeit all examination fees for any examination or examinations for which the applicant has applied and does not take for any reason, other than through the fault or mistake of the department of licensing or the approved testing agency.

AMENDATORY SECTION (Amending WSR 95-17-078, filed 8/21/95, effective 9/21/95)

WAC 308-125-030 Examination prerequisite general classification. The general real estate appraiser classification applies to the appraisal of all types of real property.

(1) As a prerequisite to taking the examination for certification as a state-certified general real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than one hundred sixty-five classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the one hundred sixty-five classroom hours of course work: *Provided,* That effective January 1, 1998, the required number of classroom hours is one hundred eighty.

(2) An original certification as a state-certified general real estate appraiser shall not be issued to any person who does not possess two years (twenty-four months) of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within the five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however, a minimum of two years (twenty-four months) is required: *Provided,* That effective January 1, 1998, this provision shall read: An original certification as a state-certified general real estate appraiser shall not be

issued to any person who does not possess three thousand hours of appraisal experience obtained continuously over a period of not less than thirty months in Washington or in another state having comparable certification requirements.

(3) To fulfill the experience requirement, a candidate must have at least one thousand hours, accumulated over the previous five years, of nonresidential appraisal experience: *Provided,* That effective January 1, 1998, to fulfill the experience requirement, a candidate must have at least one thousand five hundred hours of nonresidential appraisal experience.

(4) The content for courses required prerequisite to taking the examination for certification as a state-certified general real estate appraiser must include coverage of all topics listed below, with particular emphasis on the appraisal of nonresidential properties:

(a) Influences on real estate value.
(b) Legal considerations in appraisal.
(c) Types of value.
(d) Economic principles.
(e) Real estate markets and analysis.
(f) Valuation process.
(g) Property description.
(h) Highest and best use analysis.
(i) Appraisal math and statistics.
(j) Sales comparison approach.
(k) Site value.
(l) Cost approach.
(m) Income approach.
(i) Estimation of income and expenses.
(ii) Operation statement ratios.
(iii) Direct capitalization.
(iv) Cash flow estimates.
(v) Measures of cash flow.
(vi) Discounted cash flow analysis.
(n) Valuation of partial interests.
(o) Appraisal standards and ethics.
(p) Narrative report writing.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

AMENDATORY SECTION (Amending WSR 94-01-002, filed 12/1/93, effective 1/1/94)

WAC 308-125-040 Examination prerequisite state-certified residential classification. The state-certified residential real estate appraiser classification applies to appraisals of all types of residential property of one to four units without regard to transaction value or complexity and nonresidential property having a transaction value less than two hundred fifty thousand dollars.

(1) As a prerequisite to taking the examination for certification as a state-certified residential real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than one hundred twenty classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the one hundred twenty classroom hours of course work.

(2) An original certification as a state-certified residential real estate appraiser shall not be issued to any person who does not possess two years of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however a minimum of two years (twenty-four months) is required: *Provided,* That effective January 1, 1998, this provision shall read: An original certification as a state-certified residential real estate appraiser shall not be issued to any person who does not possess two thousand five hundred hours of appraisal experience obtained continuously over a period of not less than twenty-four months in Washington or in another state having comparable certification requirements.

(3) The content for courses required prerequisite to taking the examination for certification as a state-certified residential real estate appraiser must include coverage of all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

(a) Influences on real estate value.
(b) Legal considerations in appraisal.
(c) Types of value.
(d) Economic principles.
(e) Real estate markets and analysis.
(f) Valuation process.
(g) Property description.
(h) Highest and best use analysis.
(i) Appraisal statistical concepts.
(j) Sales comparison approach.
(k) Site value.
(l) Cost approach.
(m) Income approach.
(i) Gross rent multiplier analysis.
(ii) Estimation of income and expenses.
(iii) Operating expense ratios.
(iv) Direct capitalization.
(n) Valuation of partial interests.
(o) Appraisal standards and ethics.
(p) Narrative report writing.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-045 Examination prerequisite state-licensed classification. The state-licensed real estate appraiser classification applies to appraisal of noncomplex one to four residential units having a transaction value less than one million dollars and complex one to four residential units having a transaction value less than two hundred fifty thousand dollars and nonresidential property having a transaction value less than two hundred fifty thousand dollars.

(1) As a prerequisite to taking the examination for certification as a state-licensed real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than seventy-five classroom hours of courses in subjects related to real

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estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the seventy-five classroom hours of course work: *Provided,* That effective January 1, 1998, the required number of classroom hours is ninety.

(2) An original certification as a state-licensed real estate appraiser shall not be issued to any person who does not possess two years of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however a minimum of two years (twenty-four months) is required: *Provided,* That effective January 1, 1998, this provision shall read: An original certification as a state-licensed real estate appraiser shall not be issued to any person who does not possess two thousand hours of appraisal experience obtained continuously over a period of not less than twenty-four months in Washington or in another state having comparable certification requirements.

(3) The content for courses required prerequisite to taking the examination for certification as a state-licensed real estate appraiser must include coverage of all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

(a) Influences on real estate value.
(b) Legal considerations in appraisal.
(c) Types of value.
(d) Economic principles.
(e) Real estate markets and analysis.
(f) Valuation process.
(g) Property description.
(h) Highest and best use analysis.
(i) Appraisal statistical concepts.
(j) Sales comparison approach.
(k) Site value.
(l) Cost approach.
(m) Income approach.
(i) Gross rent multiplier analysis.
(ii) Estimation of income and expenses.
(iii) Operating expense ratios.
(n) Valuation of partial interests.
(o) Appraisal standards and ethics.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-050 Educational courses—Preexamination. (1) In order for courses to be accepted under WAC 308-125-030(1), 308-125-040(1), and 308-125-045(1), courses must:

(a) Be a minimum of fifteen classroom hours in length;
(b) Include an examination; and
(c) Be directly related to real estate appraising.

(2) The following limitations may apply to course work submitted to the department for approval:

(a) A correspondence course may be acceptable to meet classroom hour requirements only if each course meets the following conditions:

(i) The course has been presented by an accredited college or university which offers correspondence courses in other disciplines;

(ii) An individual successfully completes a written examination administered at a location by an official approved by the college or university; and

(iii) The content and length of the course meet the requirements for real estate appraisal-related courses established by the appraiser qualifications board and approved by the director.

(b) Video and remote television educational courses may be used to meet the classroom hour requirements only if each course meets the following conditions:

(i) The course has been presented by an accredited college or university which offers similar courses in other disciplines;

(ii) An individual successfully completes a written examination administered at a location by an official approved by the college or university; and

(iii) The content and length of the course meet the requirements for real estate appraisal-related courses established by the appraiser qualifications board and approved by the director.

(c) An applicant shall not receive "dual credit" for courses that have the same or very similar content and are deemed comparable by the department, even if an applicant completes the courses through different course providers.

(3) ((~~For the purposes of this section, only those courses completed within the ten years immediately preceding the date of application will be accepted for meeting educational requirements.~~

~~(4)~~)) Copies of official transcript of college records or certificates of course completion will be considered as satisfactory evidence for education requirements.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-065 Education/experience credit for teachers of approved real estate appraisal courses. (1) An applicant may receive education credit for teaching an approved real estate appraisal course. One hour of education credit for each hour of teaching an approved real estate appraisal course shall be given.

(2) An applicant may receive experience credit for teaching an approved real estate appraisal course. One hour of experience credit for each hour of teaching an approved real estate appraisal course shall be given: *Provided,* That this provision will expire on January 1, 1998.

(3) Once an applicant has received credit for teaching an approved real estate appraisal course, an applicant shall not receive credit for teaching that course or any substantially similar course on any subsequent occasion.

(4) Credit for teaching an approved real estate appraisal course may be used to satisfy education or experience credit, but shall not be used to satisfy both: *Provided,* That this provision will expire on January 1, 1998.

AMENDATORY SECTION (Amending WSR 95-17-078, filed 8/21/95, effective 9/21/95)

WAC 308-125-070 Experience requirements. (1) A minimum of two years (twenty-four months) full-time experience is required. To attain the requisite experience an applicant may accumulate hours worked during the preceding five years; however, no more than one thousand hours may be credited in any twelve-month period: *Provided,* That this provision will expire on January 1, 1998.

(2) Any work product claimed for experience credit dated January 1, 1990, and later shall conform to the Uniform Standards of Professional Appraisal Practice: *Provided,* That effective January 1, 1998, the relevant year is 1991.

(3) Any work product claimed for experience credit dated prior to January 1, 1990, shall conform to the following standards: *Provided,* That effective January 1, 1998, the relevant year is 1991.

(a) Reports shall be in writing.

(b) Reports shall contain the legal address of the subject property.

(c) Reports shall state the effective date of the appraisal.

(d) Reports shall contain a definition of value to be estimated.

(e) Reports shall contain a certification signed by the appraiser.

(f) Reports shall contain a description of the site, land, or buildings as applicable.

(g) Reports shall address all three approaches to value by either utilization of the approach or indication that the approach is not applicable or inappropriate to the specific property.

(h) Reports shall include adjustments and the value of the direct sales for the direct sales approach, which either sets forth the reasoning for value or states that the value is evident in ancillary supporting documentation or the report.

(i) Reports shall include analysis of market rents, expenses, vacancy rates, and capitalization rates when the income approach is used.

(j) Reports shall include analysis of building costs and site value when the cost approach is used.

(k) Reports shall include reasoning and supporting documentation for the final value estimate.

(l) Reports shall be signed and dated by the appraiser.

(4) An appraiser applying for certification must verify his/her completion of the required experience via affidavit, under oath subject to penalty of perjury on a form provided by the department.

To demonstrate experience the department may require submission of a log which details hours claimed for experience credit. The department may also require an affidavit from an employer concerning the applicant's length of experience.

(5) An appraiser performing appraisal work enabling the appraiser to apply for appraisal experience on an hourly basis, includes, but is not limited to, the following:

Fee and staff appraisal, ad valorem tax appraisal, technical review appraisal, appraisal ((~~analyst~~)) analysis, real estate ((~~counseling~~)) consulting, highest and best use analysis, feasibility analysis/study, ((~~market analysis~~)) condemnation/ study, teacher of appraisal courses: *Provided,* That effective January 1, 1998, experience credit for teachers is not available.

(6) The department reserves the right to contact an employer for confirmation of experience claimed. This will require an employer to confirm via affidavit the experience of an applicant.

(7) The department may request submission of written reports or file memoranda claimed by the applicant in the applicant's application for experience credit.

AMENDATORY SECTION (Amending WSR 94-15-058, filed 7/18/94, effective 8/18/94)

WAC 308-125-075 Allowed credits for appraisal experience. (1) The department shall not grant to state-licensed or state-certified appraisers and applicants experience credits for appraisal experience that exceeds the following hourly allotments for each appraisal:

(a)	Single family residential (noncomplex)	12 hours
(b)	Single family residential (complex & 2-4)	20 hours
(c)	Single family lot (URAR form)	8 hours
(d)	Single family lot (narrative)	10 hours
(e)	Large land tract (not subdivided)	25 hours
(f)	Subdivisions	60 hours
(g)	Improved commercial/industrial land	25 hours
(h)	Commercial (form)	40 hours
(i)	Commercial (narrative)	80 hours
(j)	Regional mall/high rise office bldg/Hotel	120 hours
(k)	Technical appraisal review (single family)	4 hours
(l)	Technical appraisal review (commercial)	16 hours
(m)	Feasibility study	80 hours
(n)	((~~Market analysis/consulting~~)) Real estate consulting (nonresidential)	40 hours
(o)	Agricultural	60 hours

(2) The department shall not grant to state-licensed or state-certified appraisers and applicants experience credits for Eminent Domain Appraisals that exceed the following hourly allotments for each appraisal:

(a)	Vacant (single family lot)	32 hours
(b)	Vacant (large land tract)	40 hours
(c)	Single family residential	56 hours
(d)	Multi-family residential	80 hours
(e)	Agricultural (improved)	96 hours
(f)	Industrial (improved)	96 hours
(g)	Commercial (improved)	96 hours
(h)	Very complex damages or benefits	160 hours
(i)	Special purpose improved	72 hours

(3) The department shall not grant to state-licensed or state-certified appraisers and applicants experience credits for Eminent Domain Technical Appraisal Reviews that exceed the following hourly allotments for each appraisal:

(a)	Vacant (single family lot)	8 hours
(b)	Vacant (large land tract)	12 hours
(c)	Single family residential	16 hours
(d)	Multi-family residential	24 hours
(e)	Agricultural (improved)	32 hours
(f)	Industrial (improved)	30 hours
(g)	Commercial (improved)	30 hours
(h)	Very complex damages or benefits	40 hours
(i)	Special purpose improved	24 hours

(4) Experience credits for appraisal experience not listed in subsections (1), (2), or (3) shall be determined by the department on a case-by-case basis.

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AMENDATORY SECTION (Amending WSR 92-18-018, filed 8/24/92, effective 9/24/92)

WAC 308-125-080 Application for certification. (1) Upon receipt of notice of passage of the examination, applicants must submit a complete original certification application with the certification fee to the department of licensing, ((~~professional licensing services~~)) business and professions division, at its official address. The department will verify qualifications under chapter 18.140 RCW and the rules promulgated thereunder.

(2) Each original and renewal certificate issued under RCW 18.140.130 shall expire on the applicant's second birthday following issuance of the certificate.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-085 Temporary practice. (1) A real estate appraiser from another state who is licensed or certified by another state may apply for registration to receive temporary licensing or certification in Washington by paying a fee, providing a license history, and filing ((~~a notarized~~)) an application with the department on a form provided by the department.

(2) Licensing and certification privileges granted under the provisions of this section shall expire ninety days from issuance. Licensing or certification shall not be renewed, nor shall an applicant receive more than two registrations within any twelve-month period. The twelve-month period begins at the time of the first issuance.

(3) Persons granted temporary licensing or certification privileges under this section shall not advertise or otherwise hold themselves out as being licensed or certified by the state of Washington.

(4) Persons granted temporary licensure or certification are subject to all provisions under this chapter. A temporary permit issued under this section allows an appraiser to perform independent appraisal services required by a contract for appraisal services submitted to the department with the application for temporary permit.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-090 Continuing education required. (1) As a prerequisite to renewal of certification or licensure, the holder of a certificate or license shall present evidence satisfactory to the director of successful completion of the continuing education requirements of this section.

(2) The continuing education requirements for renewal of certification or licensure shall be the completion by the applicant of twenty classroom hours of instruction in courses or seminars which have received the approval of the director. Courses must be completed within the term of certification or licensure immediately preceding renewal: *Provided,* That effective January 1, 1998, the number of classroom hours is twenty-eight; further, every other renewal period, the holder of a certificate or license will present evidence of successful completion of at least fifteen hours of approved USPAP related continuing education. The hours of USPAP education may be included in the total education hours submitted for both the current and previous renewal periods.

(3) In order for courses or seminars to be accepted under subsection (2) of this section, the course or seminar must be a minimum of four hours in length and be directly related to real estate appraising.

(4) An examination is not required for courses or seminars taken for continuing education classroom hours.

(5) The requirement under subsection (2) of this section may be met by participation other than as a student in educational process and programs approved by the director including teaching, program development, and authorship of textbooks and other written instructional materials.

(6) Courses or seminars taken to satisfy the continuing education requirement for general real estate appraisers, should include coverage of real estate appraisal related topics, such as:

(a) Ad valorem taxation.
(b) Arbitrations.
(c) Business courses related to practice of real estate.
(d) Construction estimating.
(e) Ethics and standards of professional practice.
(f) Land use planning, zoning, and taxation.
(g) Management, leasing, brokerage, timesharing.
(h) Property development.
(i) Real estate appraisal (valuations/evaluations).
(j) Real estate financing and investment.
(k) Real estate law.
(l) Real estate litigation.
(m) Real estate related computer applications.
(n) Real estate securities and syndication.
(o) Real property exchange.
(p) Such other presentations approved by the director.

(7) Courses or seminars taken to satisfy the continuing education requirement for residential real estate appraisers should include coverage of real estate appraisal related topics, such as:

(a) Ad valorem taxation.
(b) Business courses related to practice of real estate.
(c) Construction estimation.
(d) Ethics and standards of professional practice.
(e) Land use planning, zoning, taxation.
(f) Property development.
(g) Real estate financing and investment.
(h) Real estate law.
(i) Real estate related computer applications.
(j) Real estate securities and syndication.
(k) Real property exchange.
(l) Real estate feasibility and marketability studies.
(m) Such other presentations approved by the director.
(n) Real estate securities and syndication.
(o) Real estate property exchange.
(p) Such other presentations approved by the director.

(8) Courses or seminars taken to satisfy the continuing education requirement for licensed real estate appraisers should include coverage of real estate appraisal related topics, such as:

(a) Ad valorem taxation.
(b) Arbitration.
(c) Business courses related to practice of real estate appraisal.
(d) Construction estimating.
(e) Ethnics and standards of professional practice.
(f) Land use planning, zoning, and taxation.

(g) Management, leasing brokerage, timesharing.
(h) Property development.
(i) Real estate appraisal (valuations/evaluations).
(j) Real estate law.
(k) Real estate litigation.
(l) Real estate financing and investment.
(m) Real estate appraisal related computer applications.
(n) Real estate securities and syndication.
(o) Real property exchange.
(p) Such other presentations approved by the director.

AMENDATORY SECTION (Amending WSR 92-18-018, filed 8/24/92, effective 9/24/92)

WAC 308-125-120 Fees and charges. The following fees shall be paid under the provisions of chapter 18.140 RCW:

Title of Fee	Fee
(1) Application for examination	$175.00
(2) Examination	75.00
(3) Reexamination	75.00
(4) Original certification	100.00*
(5) Certification renewal	275.00*
(6) Late renewal penalty	35.00
(7) Duplicate certificate	25.00
(8) Certification history record	25.00
(9) Application for reciprocity	175.00
(10) Original certification via reciprocity	100.00*
(11) Temporary practice	150.00
(((~~(12) Walk-in for examination~~	~~25.00~~))

* Proposed fees for these categories marked with an asterisk include an estimated $25.00 to be submitted by the state to Federal Government. Title XI, SEC. 1109 requires each state to submit a roster listing of state certified appraisers to the Appraiser Subcommittee "no less than annually." The state is also required to collect from such individuals who perform appraisals in federally related transactions, an annual registry fee of "not more than $50," such fees to be transmitted by the state to the federal government on an annual basis.

AMENDATORY SECTION (Amending WSR 93-17-020, filed 8/10/93, effective 9/10/93)

WAC 308-125-180 Reciprocity. A person licensed or certified as a real estate appraiser under the rules or laws of another state may obtain certification in the state of Washington when the following condition is met:

The state in which the appraiser is licensed or certified has an appraiser licensure or certification program which meets federal guidelines and the state has a written reciprocal agreement with the state of Washington.

A person seeking licensure or certification under this section must provide a ((~~notarized~~)) statement from the state in which the person is licensed or certified establishing licensure or certification.

WSR 96-22-063
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
[Filed November 4, 1996, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-03-044.

Title of Rule: Conduct and management of emergency air search and rescue/disaster relief.

Purpose: To ensure the proper training, registration, conduct and management of aerial search and rescue.

Other Identifying Information: Chapter 468-200 WAC.

Statutory Authority for Adoption: Chapter 47.68 RCW.

Statute Being Implemented: Chapter 47.68 RCW.

Summary: Implements the mandate of chapter 47.68 RCW. Allows the Aviation Division to ensure registration, accountability, contact ability, and training of search and rescue volunteers.

Reasons Supporting Proposal: The adoption of this WAC will ensure that each and every volunteer meets minimum training, registration, utilization during times of search or other disasters.

Name of Agency Personnel Responsible for Drafting: Bill Brubaker, Washington State Department of Transportation, Aviation Division, (206) 764-4131; Implementation and Enforcement: Washington State Department of Transportation, Aviation Division, (206) 764-4131.

Name of Proponent: Washington State Department of Transportation, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule explains the authority of the Department of Transportation to conduct emergency air operations (air search and rescue/disaster relief). It establishes a mechanism to register volunteers seeking to serve, ensure proper training, qualifications and contact mechanism. Besides ensuring a cadre of trained volunteers it ensures that all volunteers are treated equitable.

Proposal Changes the Following Existing Rules: Only a portion of previously used volunteers were registered with the Aviation Division. This will now ensure that all volunteers are properly registered. Training standards and requirements have not been previously documented. This WAC now documents those standards.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This new WAC establishes a formalized foundation for a program that is already underway and funded. Although it will increase the number of volunteers trained and registered it will not necessarily increase the departmental expenditures to accomplish the WAC implementation.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Department of Transportation, Transportation Building, Room 1D2, Olympia, Washington 98504, on December 17, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980, by December 13, 1996.

Submit Written Comments to: Bill Brubaker, Department of Transportation, Aviation Division, FAX (206) 764-4001, by December 13, 1996.

Date of Intended Adoption: December 17, 1996.

November 4, 1996
S. A. Moon
Deputy Secretary
for Operations

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AMENDATORY SECTION (Amending Order 160, filed 1/3/96, effective 2/3/96)

WAC 468-200-080 Registration. Registration is a prerequisite for emergency workers involved in the conduct of air search & rescue/disaster relief missions conducted under the authority of this chapter or chapter 47.68 RCW.

(1) Aircraft pilots and observers shall register with the aviation division by completing and filing a form as designated by the aviation division.

(2) Main base support personnel, assigned and working at the aviation division designated incident command post must also be registered with the aviation division.

(3) Ground personnel engaging in search and rescue field activities in remote or isolated locations must be registered emergency workers having complied with the registration requirements of chapter 38.52 RCW and chapter 118-04 WAC.

(4) The information provided during registration may be used by authorized officials to conduct criminal history, flying record, driving record, and background checks.

(5) Failure to truthfully respond to statements set forth on the registration form may result in the denial of registration or revocation of registration.

(6) Registration required under chapter 47.68 RCW and this chapter shall be ((~~at the discretion of~~)) accomplished by the aviation division on a form supplied or approved by the aviation division. Registration shall be completed upon the successful completion of the required training program as approved by the aviation division.

(a) An employee of the state or of a political subdivision of the state who is required to perform emergency duties as a normal part of their job shall not be required to register.

(b) When such individuals are outside the jurisdiction of their employment during a disaster, emergency, mission or incident, except when acting under the provisions of a mutual aid agreement, they should report to the on-scene authorized official and announce their capabilities and willingness to serve as a volunteer during the emergency or disaster. The on-scene authorized official shall register the individual as a temporary worker.

(c) Employees of the National Park Service, U.S. Forest Service, Bureau of Land Management performing their normal assigned duties in jurisdictions under their control shall not be required to register.

(d) Members of active duty, reserve, or National Guard components of the Department of Defense performing duties while in a "paid duty" status shall not be required to register.

(e) Members of active duty or reserve components of the U.S. Coast Guard performing duties while in a "paid duty" status shall not be required to register.

(f) Temporary registration may be authorized in those emergency situations requiring immediate or on-scene recruiting of volunteers to assist in time-critical or life threatening situations.

AMENDATORY SECTION (Amending Order 160, filed 1/3/96, effective 2/3/96)

WAC 468-200-160 Establishment of state standards. When ((~~appropriate~~)) additional state standards may be established for classes of individual emergency workers involved in air search and rescue and air responses to disaster situations. Upon establishment of ((~~a~~)) any such state standards, training programs within the state shall, at a minimum, comply with ((~~that~~)) these standards.

AMENDATORY SECTION (Amending Order 160, filed 1/3/96, effective 2/3/96)

WAC 468-200-350 Appeal procedure. Any individual who or organization which feels that the provisions of this chapter have not been fairly or equitably administered may appeal, in writing, to the director of aviation. The director will review the complaint and respond within thirty days. Appeals generally will be limited to training, certification, and registration matters. Due to the nature of emergency response the decision of the appointed incident commander on any emergency response mission shall be final. Organizations and individuals may seek a meeting with the director of aviation after the incident for future review and clarification.

WSR 96-22-066
WITHDRAWAL OF PROPOSED RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION
[Filed November 4, 1996, 4:05 p.m.]

I would like to withdraw chapter 392-162 WAC filed in WSR 96-20-050.

Richard M. Wilson
Rules Coordinator

WSR 96-22-068
PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed November 4, 1996, 4:38 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-19-019.

Title of Rule: WAC 388-215-1385 Deprivation—Unemployment—Work quarters.

Purpose: This change brings the state of Washington into compliance with federal AFDC rules pertaining to the definition of "quarter of work" for AFDC-E qualifying parents. It expands the definition of a "quarter of work" to include "quarter of coverage," which is the method the Social Security Administration uses to determine Social Security insurance credits.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Statute Being Implemented: 45 CFR 233.100 (a)(3)(iv).

Summary: Title IV-A of the Social Security Act and 45 CFR 233.100 (a)(3)(iv) include "quarter of coverage" as part of the work quarter definition for AFDC-E qualifying parents.

Reasons Supporting Proposal: It is client beneficial because it provides another method of determining whether a client meets the work quarters requirement for AFDC-E.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, Division of Income Assistance, (360) 413-3093.

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

Rule is necessary because of federal law, 45 CFR 233.100 (a)(3)(iv).

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-215-1385 Deprivation—Unemployment—Work quarters, expands the definition of work quarter for AFDC-E qualifying parents to include "quarter of coverage," which is the method the Social Security Administration uses to determine Social Security insurance credits. It brings the state of Washington into compliance with federal AFDC rules. It is client beneficial because it provides another method of determining whether a client has met the work quarters requirement for AFDC-E.

Proposal Changes the Following Existing Rules: This proposal changes the existing rule by allowing work quarters to be determined for an AFDC-E qualifying parent by using the quarter of coverage method that the Social Security Administration employs to determine insurance credits.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule change does not impact small businesses. It only affects recipients of Aid to Families with Dependent Children.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201 does not apply to the Department of Social and Health Services.

Hearing Location: OB-2 Auditorium, 1115 Washington Street South, Olympia, WA 98504, on December 10, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Merry Kogut, Supervisor, by November 26, 1996, TDD (360) 902-8324, or (360) 902-8317.

Submit Written Comments to and Identify WAC Numbers: L. Baldwin, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, FAX (360) 902-8292, by December 1, 1996.

Date of Intended Adoption: December 11, 1996.

October 1, 1996
Merry A. Kogut, Supervisor
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-215-1385 Deprivation—Unemployment—Work quarters. The qualifying parent shall have one of the following:

(1) Six or more quarters of work within any thirteen calendar quarter period ending within one year before the application for assistance.

(a) A **"quarter of work"** means a calendar quarter in which the parent earned or received earned income of fifty dollars or more, or which is a "quarter of coverage" under Social Security Administration criteria, or participated in the OPPORTUNITIES program; FIP related education, training, or employment services; or JOBS program.

(b) A **"calendar quarter"** means three consecutive months ending March 31, June 30, September 30, or December 31.

(2) Receipt of or eligibility for unemployment compensation within one year of application for assistance.

WSR 96-22-069
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed November 4, 1996, 4:42 p.m.]

PROPOSED

Supplemental Notice to WSR 96-19-086.

Preproposal statement of inquiry was filed as WSR 96-05-058.

Title of Rule: Whistleblower complaints in health care settings.

Purpose: Will put in place procedures to protect the identity of whistleblowers who in good faith submit complaints against health care facilities or health care providers licensed by the Department of Health.

Statutory Authority for Adoption: RCW 43.70.075 and 43.70.040.

Statute Being Implemented: RCW 43.70.075.

Summary: This rule will put in place protections for the identity of "whistleblowers," employees or consumers, who in good faith submit complaints against a health care facility or health care provider to the Department of Health.

Reasons Supporting Proposal: HB 1046 passed in 1995 requiring the department to "adopt rules for procedures for filing, investigation and resolution of whistleblower complaints."

Name of Agency Personnel Responsible for Drafting: Kathy Stout and Pat Brown, Olympia, Washington, (360) 705-6652 and (360) 664-4265; Implementation and Enforcement: Kathy Stout, Pat Brown, and Jack Cvitanovic, Olympia, Washington, (360) 705-6652, 664-4265, and 705-6712.

Name of Proponent: [Department of Health], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule will establish procedures to protect the identity of employees or consumers of health care providers or facilities who file complaints in good faith regarding improper quality of care witnessed or received. By having identity protections in place, this rule is intended to encourage complaints of alleged improper quality of care.

Proposal Changes the Following Existing Rules: This is a supplemental notice to WSR 96-19-086, proposed rules filed September 18, 1996. The changes to the originally proposed rules include: (1) Definition of employee was changed. (2) Definition of facilities was expanded to include rural health facilities regulated pursuant to chapter 70.175 RCW. (3) Deletion of WAC 246-15-030 (1)(b), "The tracking system will not note the identity of the complainant." (4) Resolution procedures were changed to include release of information subject to public disclosure and other applicable laws.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not

subject any licensed health care professionals or facilities to additional fees, educational or equipment requirements, or additional licensing requirements. This rule establishes procedures the department will follow to preserve the identity of a whistleblower who submits a complaint in good faith.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction; does not establish, alter or revoke a qualification or standard for facility or professional licensure; and does not make a significant amendment to a policy or regulatory program.

Hearing Location: Department of Health, Target Plaza Training Room, 2725 Harrison Avenue, Suite 500, Olympia, WA 98502, on December 10, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jennell Prentice by December 1, 1996, TDD (360) 664-0064, or (360) 705-6661.

Submit Written Comments to: Jennell Prentice, P.O. Box 47852, Olympia, WA 98504-7852, FAX (360) 705-6654, by December 9, 1996.

Date of Intended Adoption: December 13, 1996.

November 4, 1996
Bruce Miyahara
Secretary

Chapter 246-15 WAC
WHISTLEBLOWER COMPLAINTS IN HEALTH CARE SETTINGS

NEW SECTION

WAC 246-15-001 Purpose and scope. Regulations for whistleblower protection are hereby adopted pursuant to RCW 43.70.075. The purpose of these regulations is to protect the identity of persons who communicate in good faith to the department alleging the improper quality of care by a health care facility or provider as defined in this chapter, and set forth the process the department will use in receiving, investigating and resolving complaints.

NEW SECTION

WAC 246-15-010 Definitions. The words and phrases in this chapter have the following meanings unless the context clearly indicates otherwise.

(1) "Consumer" means:

(a) An individual receiving health care or services from a health care facility or health care professional;

(b) A person pursuant to RCW 7.70.065 authorized to provide informed consent to health care on behalf of (a) of this subsection who is not competent to consent.

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

(3) "Employee" means an individual employed by a health care facility or health care professional at the time the:

(a) Alleged improper quality of care occurred; or

(b) Alleged improper quality of care is discovered.

(4) "Good faith" means an honest and reasonable belief in the truth of the allegation.

(5) "Health care" means any care, service, or procedure provided by a health care facility or a health care provider:

(a) To diagnose, treat, or maintain a patient's physical or mental condition; or

(b) That affects the structure or function of the human body.

(6) "Health care facility" includes the following:

(a) Adult residential rehabilitation centers regulated pursuant to chapter 71.12 RCW;

(b) Alcoholism treatment facilities regulated pursuant to chapter 71.12 RCW;

(c) Alcoholism hospitals regulated pursuant to chapter 71.12 RCW;

(d) Ambulance and aid services regulated pursuant to chapter 18.73 RCW;

(e) Boarding homes regulated pursuant to chapter 18.20 RCW;

(f) Childbirth centers regulated pursuant to chapter 18.46 RCW;

(g) Home care agencies regulated pursuant to chapter 70.127 RCW;

(h) Home health agencies regulated pursuant to chapter 70.127 RCW;

(i) Hospice agencies regulated pursuant to chapter 70.127 RCW;

(j) Hospitals regulated pursuant to chapter 70.41 RCW;

(k) Pharmacies regulated pursuant to chapter 18.64 RCW;

(l) Private psychiatric hospitals regulated pursuant to chapter 71.12 RCW;

(m) Residential treatment facilities for psychiatrically impaired children and youth regulated pursuant to chapter 71.12 RCW;

(n) Rural health care facilities regulated pursuant to chapter 70.175 RCW.

(7) "Health care provider," "health care professional," "professional" or "provider" mean a person who is licensed, certified, registered or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession.

(8) "Improper quality of care," as defined in RCW 43.70.075, means any practice, procedure, action, or failure to act that violates any state law or rule of the applicable state health licensing authority under Title 18 RCW or chapters 70.41, 70.96A, 70.127, 70.175, 71.05, 71.12, and 71.24 RCW, and enforced by the department of health. Improper quality of care shall not include good faith personnel actions related to employee performance or actions taken according to established terms and conditions of employment. Good faith personnel action will not prevent investigations of alleged improper quality of care.

(9) "Whistleblower" means a consumer, employee, or health care professional who in good faith reports alleged quality of care concerns to the department of health.

NEW SECTION

WAC 246-15-020 Rights and responsibilities—Whistleblower and department. (1) A person who in good faith communicates a complaint or information as defined in this chapter as provided in RCW 43.70.075:

(a) Shall be immune from civil liability on claims based upon that communication to the department under RCW 4.24.510;

(b) Shall be entitled to recover costs and reasonable attorneys' fees incurred in establishing a defense under RCW 4.24.510 if prevailing upon the defense; and

(c) Shall be afforded the protections and remedies of the human rights commission pursuant to chapter 49.60 RCW. The department shall refer whistleblowers expressing concern about reprisal or retaliatory action to the human rights commission.

(2) The department shall protect the identity of the whistleblower by revealing it only:

(a) To appropriate department staff or disciplining authority member;

(b) By court order; or

(c) If the complaint is not in good faith.

NEW SECTION

WAC 246-15-030 Procedures for filing, investigation, and resolution of whistleblower complaints. In filing, investigating and resolving a whistleblower complaint, the department will follow its usual procedures for complaint processing while protecting a whistleblower's identity consistent with WAC 246-15-020.

(1) Filing.

(a) Upon receipt of a complaint from a whistleblower alleging improper quality of care, department staff will enter the complaint into the tracking system for complaints against health care providers or facilities and create a file on that complaint.

(b) Staff will affix a permanent cover to the letter of complaint, or other form of notice, in the complaint file, noting the statutory citation for protection of identity of the complainant.

(c) Staff will assess priority of the case and conduct the initial case planning based on the complainant information.

(2) Investigation.

(a) For cases assigned to an investigation, staff will develop an investigative plan. The investigator will gather pertinent information and perform other functions as appropriate to the allegation. The investigator may interview witnesses or others with information relevant to the investigation, review records and consult with staff of other agencies.

(b) At the conclusion of the investigation, the investigator will prepare the necessary documents, such as an investigative report summarizing the findings, and other documents necessary for the department to take further action.

(3) Resolution. The regulatory authority for the health facility or provider will:

(a) Review investigative findings to determine violation of any statutes or rules;

(b) Take appropriate disciplinary action as necessary;

(c) Ensure upon case closure, that the permanent cover affixed in subsection (1)(c) of this section will remain;

(d) Will code or obliterate references to the whistleblower complainant in investigative materials or in the investigative report as necessary to protect the whistleblower's identity prior to any public disclosure; and

(e) Make the case file available to the public upon case closure, subject to public disclosure and other relevant laws.

WSR 96-22-070
PROPOSED RULES
DEPARTMENT OF HEALTH
(State Board of Health)
[Filed November 4, 1996, 4:44 p.m.]

PROPOSED

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Human immunodeficiency virus (HIV) testing—Ordering—Laboratory screening—Interpretation—Reporting.

Purpose: WAC 246-100-207 (3)(a) has been identified as being out of conformance with RCW 70.24.325, both of which regulate HIV testing for insurance purposes.

Statutory Authority for Adoption: RCW 70.24.380.

Statute Being Implemented: RCW 70.24.325.

Summary: Adoption of this rule would bring WAC and RCW into conformance by removing the limitation of testing only blood for insurance purposes that is currently found in the WAC. This limitation is inappropriate as the RCW applies to HIV testing performed on any specimen.

Reasons Supporting Proposal: This action proposes the elimination of a current conflict between RCW and WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Peppert, P.O. Box 47840, Olympia, WA 98504-7880 [98504-7840], (360) 586-0427.

Name of Proponent: Washington State Department of Health, Division of Community and Family Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-100-207 (3)(a) has been identified as being out of conformance with RCW 70.24.325, both of which pertain to HIV testing for insurance purposes. The WAC inadvertently limits testing to only the testing of blood. The RCW applies to testing performed [on] any specimen. Anticipated effects include broadening the use of new HIV testing technologies used in HIV tests for other purposes to HIV testing for insurance purposes.

Proposal Changes the Following Existing Rules: This action strikes the phrase "drawing blood," and replaces it with the phrase "obtaining a specimen."

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule amendment is exempt from this requirement as stipulated in RCW 19.85.025(2) as the rule incorporates without material change RCW 70.24.325.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The rule amendment adopts without material change RCW 70.24.325, section 1, chapter 387, Laws of 1989.

Hearing Location: WestCoast Sea-Tac Hotel, 18220 Pacific Highway South, Seattle, WA 98188, on December 11, 1996, at 3:30 p.m.

Assistance for Persons with Disabilities: Contact Gary Livingston by December 9, 1996, TDD (800) 833-6388, or (206) 464-5406.

Submit Written Comments to: John Peppert, P.O. Box 47840, Olympia, WA 98504-7840.

Date of Intended Adoption: December 11, 1996.

October 29, 1996
Sylvia Beck
Executive Director

AMENDATORY SECTION (Amending Order 225B, filed 12/23/91, effective 1/23/92)

PROPOSED

WAC 246-100-207 Human immunodeficiency virus (HIV) testing—Ordering—Laboratory screening—Interpretation—Reporting. (1) Any person ordering or prescribing an HIV test for another, except for seroprevalent studies under chapter 70.24 RCW or provided under subsections (2) and (3) of this section, shall:

(a) Provide or refer for pretest counseling described under WAC 246-100-209;

(b) Obtain or ensure informed specific consent of the individual to be tested separate from other consents prior to ordering or prescribing an HIV test, unless excepted under provisions in chapter 70.24 RCW; and

(c) Provide or refer for post-test counseling described under WAC 246-100-209 if HIV test is positive for or suggestive of HIV infection.

(2) Blood banks, tissue banks, and others collecting or processing blood, sperm, tissues, or organs for transfusion/transplanting shall:

(a) Obtain or ensure informed specific consent of the individual prior to ordering or prescribing an HIV test, unless excepted under provisions in chapter 70.24 RCW;

(b) Explain that the reason for HIV testing is to prevent contamination of the blood supply, tissue, or organ bank donations; and

(c) At the time of notification regarding a positive HIV test, provide or ensure at least one individual counseling session.

(3) Persons subject to regulation under Title 48 RCW and requesting an insured, subscriber, or potential insured or subscriber to furnish the results of an HIV test for underwriting purposes, as a condition for obtaining or renewing coverage under an insurance contract, health care service contract, or health maintenance organization agreement shall:

(a) Before ((~~drawing blood~~)) obtaining a specimen to perform an HIV test, provide written information to the individual tested explaining:

(i) What an HIV test is;

(ii) Behaviors placing a person at risk for HIV infection;

(iii) The purpose of HIV testing in this setting is to determine eligibility for coverage;

(iv) The potential risks of HIV testing; and

(v) Where to obtain HIV pretest counseling.

(b) Obtain informed specific written consent for an HIV test. The written informed consent shall include:

(i) An explanation of confidential treatment of test result reports limited to persons involved in handling or determining applications for coverage or claims for the applicant or claimant; and

(ii) Requirements under subsection (3)(c) of this section.

(c) Establish procedures to inform an applicant of the following:

(i) Post-test counseling specified under WAC 246-100-209(4) is required if an HIV test is positive or indeterminate;

(ii) Post-test counseling is done at the time any positive or indeterminate HIV test result is given to the tested individual;

(iii) The applicant is required to designate a health care provider or health care agency to whom positive or indeterminate HIV test results are to be provided for interpretation and post-test counseling; and

(iv) When an individual applicant does not identify a designated health care provider or health care agency and the applicant's HIV test results are positive or indeterminate, the insurer, health care service contractor, or health maintenance organization shall provide the test results to the local health department for interpretation and post-test counseling.

(4) Laboratories and other places where HIV testing is performed shall demonstrate complete and satisfactory participation in an HIV proficiency testing program approved by the Department Laboratory Quality Assurance Section, Mailstop K17-9, 1610 N.E. 150th, Seattle, Washington 98155.

(5) The department laboratory quality assurance section shall accept substitutions for EIA screening only as approved by the United States Food and Drug Administration (FDA) and a published list or other written FDA communication.

(6) Medical laboratories testing for the presence of HIV shall:

(a) Send an HIV test prevalence results report by telephone or in writing to the department office on AIDS (Mailstop K17-9, 1610 N.E. 150th, Seattle, Washington 98155), quarterly or more often; and

(b) Include in the report:

(i) Number of samples tested;

(ii) Number of samples repeatedly reactive by enzyme immuno assay (EIA);

(iii) Number of samples tested by western blot assay (WBA) or other confirmatory test as approved by department office on AIDS;

(iv) Number of positive test results by WBA or other confirmatory test as approved by department office on AIDS;

(v) Number of specimens tested by viral culture; and

(vi) Number of positive test results from viral cultures.

(7) Persons informing a tested individual of positive laboratory test results indicating HIV infection shall do so only when:

(a) HIV is isolated by viral culture technique; or

(b) HIV antibodies are identified by a sequence of tests which are reactive and include:

(i) A repeatedly reactive screening test such as the enzyme immunoassay (EIA); and

(ii) An additional, more specific, assay such as a positive western blot assay (WBA) or other tests as defined and described in the AIDS office manual, April, 1988, Department of Health, Office on AIDS, P.O. Box 47840, Olympia, Washington 98504-7840.

(c) Such information consists of relevant, pertinent facts communicated in such a way that it will be readily understood by the recipient.

WSR 96-22-083
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed November 6, 1996, 9:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-13-090.

Title of Rule: Chapter 16-167 WAC, Intrastate commerce in foods, adopts federal food regulations as state standards to ensure uniformity.

Purpose: Updates adoption of federal regulations as state standards by adopting 1995 revisions to Title 21 CFR, 1995 pesticide tolerances adopted by EPA under Title 40 CFR and the newest Food and Drug Administration compliance policy guidelines as state standards for the production and sale of food products in intrastate commerce.

Statutory Authority for Adoption: RCW 69.04.392, [69.04.]394, [69.04.]396, and [69.04.]398.

Statute Being Implemented: Chapter 69.04 RCW.

Summary: Updates the adoption of federal regulations as state requirements from the 1994 versions previously adopted under chapter 16-167 WAC so that we are consistent with the newest federal regulations to ensure consistency between federal and state food standards and regulation.

Reasons Supporting Proposal: Consistency with the federal requirements will help ensure that food products produced and processed in Washington state will be able to move freely in interstate commerce and ensure that the public receives safe food products to consume.

Name of Agency Personnel Responsible for Drafting and Implementation: Verne E. Hedlund, 1111 Washington Street, Olympia, WA 98504, (360) 902-1860; and Enforcement: Michael Donovan, 1111 Washington Street, Olympia, WA 98504, (360) 902-1883.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule that was first adopted in 1994 updates and adopts most current and up-to-date federal regulations under Title 21 CFR as directed under RCW 69.04.392, [69.04.]394, and [69.04.]398. This includes food additives, color additives, food labeling, food standards and current good manufacturing practices regulations. It also adopts the pesticide tolerances prescribed by the United States Environmental Protection Agency and published under Title 40 CFR. The rule also adopts the United States Food and Drug Administration's current policy guidelines. This will ensure that Washington is operating under the most up-to-date and current federal requirements to help ensure uniformity with the federal regulatory agencies.

Proposal Changes the Following Existing Rules: Adopts latest 1996 version of the federal regulations including changes made since the rules were adopted first in 1994. Changes include the chapter 123 on seafood HACCP regulations and chapter 165 on beverages.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 69.04.392, [69.04.]394, [69.04.]396 and [69.04.]398 directs the adoption by reference of these requirements, we are adopting them also by rule for educational purposes.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Natural Resources Building, 1111 Washington Street, Room 259, Olympia, WA 98504, on December 11, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by December 4, 1996, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Verne E. Hedlund, P.O. Box 42560, Olympia, WA 98504-2560, FAX (360) 902-2087, by December 11, 1996.

Date of Intended Adoption: December 26, 1996.

November 5, 1996
Candace A. Jacobs
Assistant Director

PROPOSED

AMENDATORY SECTION (Amending Order 5065, filed 12/27/94, effective 1/27/95)

WAC 16-167-010 Purpose and authority. (1) Consistent with the concept of uniformity where possible with the federal regulations adopted under the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq. the following federal regulations are specifically made applicable to all persons subject to chapters 69.04 and 69.07 RCW by virtue of RCW 69.04.392, 69.04.394, 69.04.396 and 69.04.398. Although those regulations are automatically applicable to all persons subject to chapters 69.04 and 69.07 RCW, the department is nevertheless adopting as its own rules the following existing regulations of the federal government published in the Code of Federal Regulations revised as of April 1, ((~~1994~~)) 1996.

(2) The purpose of this rule is to adopt the following portion of the federal regulations promulgated under Title 21 CFR, Title 40 CFR and FDA Compliance Policy Guidelines as Washington standards for food safety to ensure uniformity with United States standards and to protect the consuming public from possible harm due to the purchase or consumption of adulterated or misbranded food.

(3) These rules are promulgated under authority of RCW 69.04.392, 69.04.394, 69.04.396, 69.04.398 and 69.07.020.

AMENDATORY SECTION (Amending Order 5065, filed 12/27/94, effective 1/27/95)

WAC 16-167-020 Pesticide chemicals. The following federal regulations are adopted as Washington tolerances for pesticide chemicals: 40 CFR Revised as of July 1, ((~~1993~~)) 1995.

(1) Parts 180 - Tolerances and Exemptions from Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities.

(a) Subpart A - Definitions and Interpretative Regulations.

(b) Subpart C - Specific Tolerances.

(2) Part 185 - Tolerances for Pesticides in Food.

(3) Part 186 - Tolerances for Pesticides in Animal Feeds.

AMENDATORY SECTION (Amending Order 5065, filed 12/27/94, effective 1/27/95)

WAC 16-167-030 Food additives. The following federal regulations prescribing the conditions under which such food additives may safely be used are adopted as Washington food additive regulations. 21 CFR Chapter 1 Revised as of April 1, ((~~1994~~)) 1996.

(1) Part 170 - Food Additives.

(2) Part 172 - Food Additives Permitted for Direct Addition to Food for Human Consumption.

(3) Part 173 - Secondary Direct Food Additives Permitted in Food for Human Consumption.

(4) Part 174 - Indirect Food Additives: General.

(5) Part 175 - Indirect Food Additives: Adhesives and Components of Coatings.

(6) Part 176 - Indirect Food Additives: Paper and Paperboard Components.

(7) Part 177 - Indirect Food Additives: Polymers.

(8) Part 178 - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers.

(9) Part 179 - Irradiation in the Production, Processing and Handling of Food.

(10) Part 180 - Food Additives Permitted in Food on an Interim Basis or in Contact with Food Pending Additional Study.

(11) Part 181 - Prior-Sanctioned Food Ingredients.

(12) Part 182 - Substances Generally Recognized as Safe.

(13) Part 184 - Direct Food Substances Affirmed as Generally Recognized as Safe.

(14) Part 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe.

(15) Part 189 - Substances Prohibited From Use in Human Food.

AMENDATORY SECTION (Amending Order 5065, filed 12/27/94, effective 1/27/95)

WAC 16-167-040 Color additives. The following federal regulations prescribing the use or limited use of such color additives are adopted as Washington color additive regulations. 21 CFR Chapter 1 Subchapter A-General Revised as of April 1, ((~~1994~~)) 1996.

(1) Part 70 - Color Additives.

(2) Part 73 - Listing of Color Additives Exempt From Certification.

(3) Part 74 - Listing of Color Additives Subject to Certification.

(4) Part 81 - General Specifications and General Restrictions for Provisional Color Additives for Use in Foods, Drugs and Cosmetics.

(5) Part 82 - Listing of Provisionally Listed Colors and Specifications.

AMENDATORY SECTION (Amending Order 5065, filed 12/27/94, effective 1/27/95)

WAC 16-167-050 General requirements. The following federal regulations concerning food are adopted as Washington requirements for regulating food in intrastate commerce.

(1) 21 CFR Chapter 1 Subchapter A-General Revised as of April 1, ((~~1994~~)) 1996.

(a) Part 1 - General Enforcement Regulations.

(i) Subpart A General Provisions.

(ii) Subpart B General Labeling Requirements.

(b) Part 2 - General Administrative Rulings and Decisions.

(i) Subpart A General Provisions.

(ii) Subpart B Human and Animal Foods.

(c) Part 7 - Enforcement Policy.

(2) 21 CFR Chapter 1 Subchapter B-Food for Human Consumption.

(a) Part 100 - General.

(b) Part 101 - Food Labeling.

(c) Part 102 - Common or Usual Name for Nonstandardized Foods.

(d) Part 103 - Quality Standards for Foods With no Identity Standards.

(e) Part 104 - Nutritional Quality Guidelines for Foods.

(f) Part 105 - Foods for Special Dietary Use.

(g) Part 106 - Infant Formal Quality Control Procedures.

(h) Part 107 - Infant Formula.

(i) Part 108 - Emergency Permit Control.

(j) Part 109 - Unavoidable Contaminants in Food for Human Consumption and Food Packaging Material.

(k) Part 110 - Current Good Manufacturing Practice in Manufacturing. Packing and Holding Human Food.

(l) Part 113 - Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers.

(m) Part 114 - Acidified Foods.

(n) Part 123 - Fish and Fishery Products.

(o) Part 129 - Processing and Bottling Bottled Drinking Water.

((~~(o)~~)) (p) Part 130 - Food Standards: General.

((~~(p)~~)) (q) Part 131 - Milk and Cream.

((~~(q)~~)) (r) Part 133 - Cheeses and Related Cheese Products.

((~~(r)~~)) (s) Part 135 - Frozen Desserts.

((~~(s)~~)) (t) Part 136 - Bakery Products.

((~~(t)~~)) (u) Part 137 - Cereal Flours and Related Products.

((~~(u)~~)) (v) Part 139 - Macaroni and Noodle Products.

((~~(v)~~)) (w) Part 145 - Canned Fruits.

((~~(w)~~)) (x) Part 146 - Canned Fruit Juices.

((~~(x)~~)) (y) Part 150 - Fruit Butters, Jellies, Preserves and Related Products.

((~~(y)~~)) (z) Part 152 - Fruit Pies.

((~~(z)~~)) (aa) Part 155 - Canned Vegetables.

((~~(aa)~~)) (bb) Part 156 - Vegetable Juices.

((~~(bb)~~)) (cc) Part 158 - Frozen Vegetables.

((~~(cc)~~)) (dd) Part 160 - Eggs and Egg Products.

((~~(dd)~~)) (ee) Part 161 - Fish and Shellfish.

((~~(ee)~~)) (ff) Part 163 - Cacao Products.

((~~(ff)~~)) (gg) Part 164 - Tree Nut and Peanut Products.

((~~(gg)~~)) (hh) Part 165 - Beverages.

(ii) Part 166 - Margarine.

((~~(hh)~~)) (jj) Part 168 - Sweeteners and Table Syrups.

((~~(ii)~~)) (kk) Part 169 - Food Dressings and Flavorings.

NEW SECTION

WAC 16-167-900 Where can publications adopted by WSDA under this chapter be obtained? (1) Title 21 CFR and Title 40 CFR can be purchased from the Superintendent of Documents, U.S. Printing Office, Mail Stop SSOP, Washington D.C. 20402-9328.

(2) The compliance policy guidelines can be obtained by writing the Center for Food Safety and Applied Nutrition, Director, Office of Constituent Operations, Industry Activities Staff, HFS-S65 200 "C" Street SW, Washington D.C. 20204.

(3) Information can also be obtained from FDA's homepage at HTTP://WWW.FDA.GOV/FDAHOMEPAGE.-HTML

WSR 96-22-084
PROPOSED RULES
PERSONNEL RESOURCES BOARD
[Filed November 6, 1996, 9:10 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-19-078.

Title of Rule: See rules shown below.

Purpose: These rules pertain to labor relations, appeals, layoff and probationary/trial service periods.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: These revisions are intended to reinstate language that was inadvertently removed, remove existing language to be in compliance with 1993 legislative changes and clarify that the probationary and trial service periods are extended when an employee is on shared leave.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The revisions regarding appeals are necessary to bring Title 251 WAC into compliance with 1993 legislative action and to remove existing language that is confusing. The revisions regarding labor relations is to reinstate language that was inadvertently removed. It is necessary to reinstate this language in order to resolve disputes and clarify the policy on duplicate avenues of appeals regarding mediation and arbitration requests. The revisions regarding probationary and trial service periods are for clarification purposes. Currently, leave without pay extends these periods. These revisions would also extend the probationary and trial service period while an employee is on shared leave.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not required.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on December 12, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by December 5, 1996, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by December 10, 1996.

Date of Intended Adoption: December 12, 1996.

November 4, 1996
Dennis Karras
Secretary

PROPOSED

AMENDATORY SECTION (Amending WSR 96-09-055, filed 4/12/96, effective 6/1/96)

WAC 251-14-110 Arbitration—Collective bargaining impasse—Grievance disputes. (1) When the director or designee is unable to resolve the collective bargaining impasse, the institution or the certified exclusive representative may submit such impasse to the board for arbitration. The board will hold a hearing at which the parties may submit evidence and argument in support of their respective positions. The decision of the board shall be final and binding.

(2) When the director or designee is unable to resolve a grievance dispute, the exclusive representative, employee or employer may submit such dispute to the board for arbitration in accordance with WAC 251-14-130.

AMENDATORY SECTION (Amending WSR 90-02-052, filed 12/29/89, effective 2/1/90)

WAC 251-06-070 Allocation appeal((~~—Higher education personnel board~~)). (1) The employee or employee representative may file a written appeal with the ((~~board~~)) director under provisions of WAC 251-06-050 or 251-06-060 when:

(a) The response required in WAC 251-06-060(2) is not issued to the employee or employee representative within the required sixty calendar day period following receipt of the employee request; or

(b) The response fails to address the specific reason(s) that the request was not approved; or

(c) The employee disagrees with the results of a position review conducted by the personnel officer. The written appeal should include information which will assist the board in determining the proper allocation of the position.

(2) ((~~Allocation appeals will be processed under the procedure provided in WAC 251-12-075 (1) or (2).~~)) The director shall investigate the case and issue a determination. Within thirty calendar days of the date of service of the director's determination, the employee, employee representative or institution may file written exceptions with the personnel appeals board as provided in Title 358 WAC.

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AMENDATORY SECTION (Amending WSR 93-19-078, filed 9/14/93, effective 10/1/93)

WAC 251-10-060 Layoff lists—State-wide. (1) A permanent employee of any institution of higher education, related board, or state agency who is on layoff status or is scheduled for layoff shall, upon his/her request, be placed on the state-wide layoff list(s) at any higher education institutions or related boards: *Provided,* That:

(a) The employee must demonstrate the ability to meet the minimum qualifications and pass the qualifying examination; and

(b) The list must be for:

(i) Class(es) in which he/she has held permanent status; or

(ii) Lower class(es) in the same class series; or

(iii) Equivalent classes under the jurisdiction of the state department of personnel; or

(iv) Class(es) at the same or lower level as the class from which laid off and in which permanent status has not been held; and

(c) The option must be exercised by the affected employee within thirty calendar days of the effective date of layoff.

(2) Employees shall be ranked by their total layoff seniority as measured by their last period of unbroken service in the classified service of the state. The list shall consist of two categories, provided that, employees who have held permanent status in the class or in higher level classes in the series shall be certified prior to employees who have not held permanent status, and certification within each category shall be in order of:

(a) Employees of higher education institutions/related boards;

(b) Employees of other state agencies.

(3) The duration of eligibility on this list shall be two years from the date of placement on the list.

(4) Referral from this list shall be on a rule of ((~~five~~)) seven.

(5) Employees appointed from this list shall be required to serve a trial service period of six months. If the trial service period is not satisfactorily completed, the employee shall be placed on the institution-wide layoff list at the institution/related board from which he/she came or the corresponding state agency department of personnel register. Failure to satisfactorily complete the trial service period shall not affect the employees' status on other state-wide layoff lists upon which they previously have been placed.

(6) Employees appointed from this list shall be credited with unused sick leave accrued at the time of layoff. Vacation leave shall be computed as provided in WAC 251-22-060.

(7) The institution will provide each employee scheduled for layoff with a copy of this rule and the comparable state department of personnel rule and a listing of institutions, related boards, or offices of the state department of personnel which they may contact. It shall be the responsibility of the employee to contact the institution/related board, or the state department of personnel if he/she has an interest in being placed on the respective state-wide layoff list(s).

(8) Certification from the state-wide layoff list shall be as provided in WAC 251-18-240.

AMENDATORY SECTION (Amending WSR 88-22-057 (Order 174), filed 11/1/88)

WAC 251-11-110 Presumption of resignation—Unauthorized absence. An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of three consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee. Within seven calendar days after the date of service, the employee may petition the appointing authority in writing for reinstatement upon proof that the absence was involuntary or unavoidable. If a permanent employee petitions within the seven calendar days and is not reinstated, notification shall be given advising of the right to appeal to the ((~~higher education~~)) personnel appeals board ((~~per the provision of WAC 251-12-075~~)) as provided in Title 358 WAC.

AMENDATORY SECTION (Amending WSR 89-22-020, filed 10/24/89, effective 12/1/89)

WAC 251-12-075 Appeals from alleged violations of ((~~HEPB~~)) higher education personnel law or rules. Any employee, employee representative or appointing authority desiring to appeal an alleged violation of the higher education personnel law or rules adopted thereunder, may appeal such alleged violation ((~~to the board~~)). ((~~Such~~)) ((~~a~~))Appeals must be in writing and must be filed ((~~in the office of the director~~)) with the personnel appeals board as provided in Title 358 WAC within thirty calendar days after the effective date of the action appealed. ((~~The director shall forward the written notice of appeal to the board which shall determine that one of the following actions be taken:~~))

(((~~(1) The case may be handled in the same manner as appeals from demotion, suspension, layoff, reduction or dismissal, as provided in WAC 251-12-080 through 251-12-260; or~~))

(((~~(2) The director may investigate the case and based upon that investigation issue a determination. Within thirty calendar days of the date of service either party may file written exceptions with the board detailing the specific items of the determination to which exception is taken. A hearing on the exceptions will be scheduled before the board which may do one or more of the following:~~))

(((~~(a) Limit argument to the exceptions;~~)))

(((~~(b) Request clarification of information upon which the director's determination was based;~~)))

(((~~(c) Remand the case for further investigation;~~)))

(((~~(d) Rehear the case in its entirety; or~~)))

(((~~(3) Both parties to the appeal may be requested to submit evidence upon which the board may take action without a hearing.~~)))

AMENDATORY SECTION (Amending WSR 89-22-020, filed 10/24/89, effective 12/1/89)

WAC 251-12-080 Appeals from demotion, suspension, layoff, reduction in salary, separation, dismissal. Any permanent employee who is demoted, suspended, laid off, reduced in salary, separated or dismissed, may appeal such action. Appeals must be in writing and must be filed ((~~in the office of the director~~)) with the personnel appeals

board as provided in Title 358 WAC within thirty calendar days after the effective date of the action appealed.

AMENDATORY SECTION (Amending WSR 96-09-055, filed 4/12/96, effective 6/1/96)

WAC 251-14-130 Arbitration—Grievance—Procedure. Whenever arbitration of a grievance is requested of the personnel resources board pursuant to an agreement as authorized by WAC 251-14-060(2), the procedure set forth below shall apply:

(1) The request for arbitration shall be in the form of a complaint. It shall be filed on a form supplied by the board, or in a writing containing the same information as required on the form within thirty calendar days or less from the date the director of personnel or designee indicates in writing that the mediation is at impasse. The request shall state the following:

(a) The name, address and telephone number of the party filing the request, and the name, address and telephone number of any principal representative.

(b) The name, address and telephone number of the opposing party, and, if known, the opposing party's principal representative.

(c) Clear and concise statements of the facts upon which the grievance is based, including times, dates, places and participants in occurrences.

(d) A listing of the applicable sections of the collective bargaining agreement, rules, policies, etc., upon which the grievance is based and which are claimed to be violated. A copy of the collective bargaining agreement or of the pertinent sections of the agreement shall be attached to the request for arbitration.

(e) A statement of the specific issue(s) to be arbitrated.

(f) A statement of the relief sought.

(g) The signature and, if any, the title of the person filing the request for arbitration.

(h) A copy of the original grievance and the ((~~agency's~~)) institution's last written response to the grievance shall be attached to the request for arbitration.

(2) By mutual agreement the parties to the grievance may extend the thirty-day time frame for requesting arbitration established in subsection (1) of this section. Agreements to extend the time frame shall be reported in writing by the parties to the director of personnel.

(3) The board's hearings coordinator shall review the request for arbitration to determine compliance with subsection (1) of this section. If the hearings coordinator determines the request is incomplete, the person filing the request is notified of the portions which need to be supplemented or changed to comply with subsection (1) of this section. When the hearings coordinator determines that the request substantially complies with subsection (1) of this section, he or she shall mail, or otherwise cause to be served, the request on the opposing party(ies). Any refusal by the hearings coordinator to serve the request for arbitration on the opposing party is reviewable by the board upon motion of the requesting party.

(4) After the request for arbitration is served on the opposing party(ies), the board or the board's designee may direct the parties or their representatives to engage in a prehearing conference(s) in accordance with WAC 251-12-232.

(5) The board's hearings coordinator shall schedule the arbitration for hearing pursuant to WAC 251-12-105.

(6) Within thirty calendar days from the date of service of the acknowledgment of the arbitration request, the respondent shall submit a written statement of issue(s) to be arbitrated. If no response is received, the petitioners' statement of issue(s) will be deemed to be the issue(s) at the arbitration hearing unless otherwise determined by the personnel resources board.

(7) Upon stipulation between the parties, the board or designee may grant the grievant's request to waive the right to an evidentiary hearing and thereafter require the parties to submit written evidence upon which the board or designee may act without a hearing.

(8) If the matter is heard directly by the board, a final and binding decision will be issued. If the matter is heard by the board's designee, a recommended decision will be issued. Within thirty calendar days of its service, either party may request the board to review the designee's decision. The review will be limited to specific areas of the decision to which the party takes exception. The requesting party must provide written argument in support of the exceptions. The board will consider the exceptions and may in its discretion hear oral argument. Thereafter, the board will issue a decision which shall be final and binding on the parties. The designee's decision will become final and binding forty calendar days after it was served on the parties if no exceptions are filed, unless the board calls a hearing to reconsider the decision.

(9) The grievant shall have the burden of proof and go forward with the evidence.

(10) The board or its designee shall be the judge of relevancy and materiality of evidence offered. Technical rules of evidence shall not apply to the proceedings.

(11) The provisions of chapter 251-12 WAC (Appeals) shall apply to the conduct of grievance arbitration hearings, except as otherwise provided in this section.

AMENDATORY SECTION (Amending WSR 80-15-026 (Order 85), filed 10/8/80)

WAC 251-14-120 Requests for mediation and arbitration. Mediation and arbitration requests per WAC 251-14-100(2) and 251-14-110(2) shall not be allowed if the same charges or issues are pending before the board or the personnel appeals board for processing per WAC 251-12((-~~090~~)) or 251-14-090.

AMENDATORY SECTION (Amending WSR 88-02-018 (Order 165), filed 12/30/87, effective 2/1/88)

WAC 251-19-050 Appointment—Probationary. (1) Probationary appointment shall be made only upon appointment of eligibles from the:

(a) Open-competitive or noncompetitive list.

(b) Institution-wide layoff list - when the employee was in probationary status at the time of layoff.

(c) State-wide layoff list.

(d) Combined eligible list as provided in WAC 251-18-180(10) and 251-18-240 (3)(b)(ii) when the person appointed

PROPOSED

is neither a permanent employee of the institution nor an employee moving pursuant to WAC 251-19-110.

(2) The probationary period will continue for the length of time as determined under WAC 251-06-090, unless interrupted as provided in these rules. All positions in a class shall require the same probationary period. In the event an employee is on leave without pay and/or shared leave for more than ten work days during the probationary period, the completion date of the probationary period shall be extended by an amount of time equal to the period of leave without pay and/or shared leave.

(3) Qualified probationary employees may be reappointed during the probationary period to other classes. Upon such reappointment the following shall apply:

(a) The employee shall begin a probationary period in the new class;

(b) The salary in the new class shall be established as provided in WAC 251-08-080;

(c) The former periodic increment date shall be abolished and a new periodic increment date established in the same manner as provided in WAC 251-08-100(2).

AMENDATORY SECTION (Amending WSR 93-19-078, filed 9/14/93, effective 10/1/93)

WAC 251-19-060 Trial service period. (1) A trial service period of six months shall be required upon appointment of a permanent employee to a new class at the institution, unless

(a) During the current period of employment at the institution, permanent status has been held in the class to which the employee is moving, or

(b) The class is lower in that same class series, or

(c) The employee is being reallocated per the provisions of WAC 251-06-080 (1)(a), or

(d) The employee is moving to the class as part of a recognized apprenticeship program as provided in WAC 251-19-140(5).

(2) A trial service period of six months shall be required upon employee movement as specified in WAC 251-19-110.

(3) A trial service period shall be required upon appointment from an institution-wide promotional list as provided in WAC 251-18-180 (3)(b).

(4) The trial service period provides the employing official an opportunity to observe and evaluate the new employee's work. Employees who do not perform satisfactorily during the trial service period may be reverted as follows:

(a) With preemptive rights to the former position in which permanent status was last held, or to a vacant position in that class (except when reversion is from a position the appointment to which was a result of disciplinary demotion or employee movement as specified in WAC 251-19-110). The personnel officer shall determine which position to preempt. However, if the employee was in a trial service appointment in another class prior to the current trial service period, the personnel officer may provide the employee the opportunity to complete the first interrupted trial service period.

(b) Reversion must be preceded by written notice at least one work day (eight hours), before the effective date.

(c) If the former position to which the employee has preemptive rights has been abolished and a vacant position in the class is not available, or if there is no class to which the reverted employee has preemptive rights, the affected employee shall be accorded such bumping rights and placement on layoff lists as would be provided in layoff from his/her former class.

(5) Reversion from trial service must be preceded by:

(a) Written notice detailing deficiencies in performance, which shall include the specific changes required; and

(b) A reasonable opportunity to overcome identified deficiencies.

(6) An employee who is reverted may appeal to the board regarding:

(a) Whether the employer complied with the requirements of subsection (5)(a) and (b) of this section; and

(b) Whether the claimed deficiencies existed at the time of reversion.

(7) The board may uphold the reversion action, extend the trial service period, overturn the reversion, grant permanent status or order such other actions as may be determined appropriate pursuant to the best standards of personnel administration.

(8) In the event an employee is on leave without pay status and/or shared leave for more than ten work days during the trial service period, the completion date of the trial service period shall be extended by an amount of time equal to the period of leave without pay and/or shared leave.

(9) Successful completion of the trial service period shall result in permanent status in the class.

(10) Salary and periodic increment date shall be determined as follows:

(a) Upon promotional trial service appointment, the salary shall be established as provided in WAC 251-08-110; and the existing periodic increment date shall be eliminated and a new date established to be effective the date of completion of trial service;

(b) Upon trial service reversion the salary shall be established as provided in WAC 251-08-115(4) and the former periodic increment date shall be reestablished;

(c) Upon trial service appointment to a class at the same salary level, the salary and periodic increment date shall remain unchanged.

WSR 96-22-086
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed November 6, 1996, 9:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-14-034.

Title of Rule: Chapter 308-96A WAC, concerning disabled person special parking privileges.

Purpose: The proposed rule making is to make administrative changes to disabled person parking privileges to reflect amendments to the statute and changes to the administration of the program.

Other Identifying Information: Section 1, chapter 384, Laws of 1995.

Statutory Authority for Adoption: RCW 46.01.110 and 46.16.381.

Statute Being Implemented: RCW 46.16.381.

Summary: The proposed rules include a definition of licensed physician who may sign applications for disabled person parking privileges; to delete definitions of organizations that may obtain parking placards, which are now defined by statute; and recognize a change in validation dating of the placards.

Reasons Supporting Proposal: The proposed rule amendments will update the rules to reflect amendments to RCW 46.16.381 and administrative changes to the program.

Name of Agency Personnel Responsible for Drafting: Jack L. Lince, 1125 Washington Street S.E., Olympia, WA, (360) 902-3773; Implementation: Sandi Britton, 1125 Washington Street S.E., Olympia, WA, (360) 902-3811; and Enforcement: Nancy Kelly, 1125 Washington Street S.E., Olympia, WA, (360) 902-3754.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules are proposed.

Proposal Changes the Following Existing Rules: WAC 308-96A-306, delete definitions now defined in RCW 46.16.381; add definition for licensed physician; and administrative changes; WAC 308-96A-315, change validation date from day, month, and year to month and year; WAC 308-96A-330 and 308-96A-335, add adult family homes to authorized associations; and WAC 308-96A-340, administrative changes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in an industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The content of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 303, 1125 Washington Street S.E., Olympia, WA, on December 10, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jack Lince by December 6, 1996, TDD (360) 664-8885.

Submit Written Comments to: Jack L. Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, FAX (360) 664-0831, by December 6, 1996.

Date of Intended Adoption: December 17, 1996.

November 6, 1996
Nancy S. Kelly, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 92-03-076, filed 1/14/92, effective 2/14/92)

WAC 308-96A-306 Definitions—Disabled person special parking privileges. For the purposes of determining eligibility for special disabled person parking placards and license plates, the following definitions apply:

(1) "Public transportation authorities" are those entities operating motor vehicles ((~~or other devices capable of being moved on a public highway. The vehicles shall be~~)) owned or ((~~operated~~)) leased by Washington state, or a town, city, county, municipality, or metropolitan or municipal corporation within the state, or United States government agencies or Indian nations ((~~and must be~~)) used for the primary purpose of ((~~carrying passengers and their baggage or freight incident to business or programs conducted by those authorities: *Provided*, That those~~)) transporting persons with disabilities described in RCW 46.16.381. Public transportation authorities may contract with private carriers to perform services entitling the carriers to the special parking privileges.

(2) "Private carriers" are those entities contracting with public transportation authorities to ((~~perform their services~~)) transport persons with disabilities described in RCW 46.16.381.

(3) ((~~"Nursing homes" are those entities licensed as nursing homes with the department of social and health services. For purposes of this chapter, nursing homes include adult family homes licensed by the department of social and health services as provided in chapter 70.128 RCW.~~

~~(4) "Senior citizen centers" are bona fide senior citizen centers recognized by the bureau of aging and adult services or a specific county government.~~

~~(5) "Private nonprofit agencies" are those entities on file with the secretary of state's office as a nonprofit organization.~~)) "Adult family homes" means a regular family abode licensed under chapter 70.128 RCW.

(4) "Licensed physician" means, for the purpose of determining a disability that limits or impairs the ability to walk and meets one of the criteria set forth in RCW 46.16.381, a health care provider licensed, certified, registered, or otherwise authorized by the department of health to provide health care in the ordinary course of business or practice as a profession. Licensed physician includes, but is not limited to, medical doctors, chiropractors, osteopaths, physician's assistants, and nurse practitioners, but does not include those persons licensed in the professions of optometry, fitting and dispensing of hearing aids, dentistry, or dental hygienist.

AMENDATORY SECTION (Amending WSR 92-03-076, filed 1/14/92, effective 2/14/92)

WAC 308-96A-315 Temporary placards. A temporary disabled person parking placard ((~~valid for no more than two weeks~~)) may be issued upon visual verification of a qualifying disability. The placard shall be valid for the month of issuance and if such period is less than two weeks, for the next succeeding month and may not be extended without a physician's certificate of disability. Out-of-state visitors may be issued temporary placards by providing evidence they have valid disabled person parking privileges in their home state or country.

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AMENDATORY SECTION (Amending WSR 93-14-083, filed 6/30/93, effective 7/31/93)

WAC 308-96A-330 Application for organization disabled person parking placards. Application for public transportation authority, nursing homes, adult family homes, senior citizen centers, boarding homes, and private nonprofit agencies for disabled person special parking placards shall be made on forms provided by the department and signed by an appropriate official of the organization. The applicant shall certify that the organization satisfies the eligibility requirements for special disabled person parking placards provided in RCW 46.16.381 and chapter 308-96A WAC.

AMENDATORY SECTION (Amending WSR 92-03-076, filed 1/14/92, effective 2/14/92)

WAC 308-96A-335 Organization special parking privilege placards ((~~for public transportation authorities, nursing homes, senior citizen centers, and private nonprofit agencies~~))—Transfer, limitations. One special disabled person parking placard may be issued to public transportation authorities, nursing homes, adult family homes, senior citizen centers, and private nonprofit agencies for each vehicle the organization uses to transport eligible disabled persons. When a placard is no longer being used by the organization to transport qualified disabled persons, the responsible official of the organization must notify the department and surrender the placard. A written statement verifying the placard has been destroyed may be accepted.

AMENDATORY SECTION (Amending WSR 92-03-076, filed 1/14/92, effective 2/14/92)

WAC 308-96A-340 Disabled person parking privileges—Validation term. (1) A permanent disabled person special parking placard shall be issued for a term not to exceed five years from the month and year in which the placard is issued. The placard may be renewed by providing written ((~~notice~~)) application to the department. The ((~~notice~~)) application must be signed by the applicant and state that the applicant continues to have disability conditions listed in RCW 46.16.381 ((~~(1)(a) through (g)~~)). Upon ((~~receipt of the written notice and~~)) approval ((~~by the department~~)), the department shall issue a new placard valid for an additional five-year term.

(2) A temporary disabled person special parking placard shall be issued for the term of the applicant's temporary disability, but shall not exceed six months from the date the placard is issued. Upon expiration of such placard, an additional temporary placard may be issued upon verification by a licensed physician that the applicant continues to have a qualifying temporary disability.

(3) An applicant is eligible for a special disabled person parking license plate ((~~may be issued~~)) for the same term as the permanent disabled person parking placard issued ((~~for~~)) to the applicant. The license fees and taxes for the vehicle displaying a disabled person parking license plate must be paid when due or the license plate is invalid.

(4) A permanent or temporary disabled person parking placard is invalid after the ((~~date~~)) month and year indicated on the placard. A special disabled person parking license plate is invalid when the vehicle license fees and taxes are past due, the license plate is canceled, or when the permanent disabled person parking placard issued in conjunction with the license plate is invalid.

((~~(5) Temporary and permanent disabled person parking permits, decals, and special license plates issued prior to July 28, 1991, shall be valid through January 31, 1993. Temporary and permanent disabled person parking permits, decals, and special license plates issued prior to July 28, 1991, shall be invalid after January 31, 1993. Any person that has a valid disabled person parking permit, decal, or special license plate issued prior to July 28, 1991, may submit a written notice requesting a disabled person parking placard as provided in subsection (1) of this section for renewal of a permanent placard. A special disabled person parking license plate may be retained when a permanent disabled person parking placard is obtained.~~))

WSR 96-22-088
PROPOSED RULES
PUGET SOUND AIR POLLUTION CONTROL AGENCY

[Filed November 6, 1996, 9:58 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: Amend Sections 5.03, 6.04, 8.07 of Regulation I; Sections 1.11, 2.01, 2.05 of Regulation III.

Purpose: Technical amendments to clarify sections of Regulations I and III.

Other Identifying Information: 5.03 Registration Required; 6.04 Notice of Construction Review Fees; 8.07 Fire Extinguisher Training; 1.11 Reporting Requirements; 2.01 Applicability; 2.05 Registered Sources of Toxic Air Contaminants.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Summary: This proposal will clarify sections of Regulation I concerning Registration, Notice of Construction, and Fire Extinguisher Training; and Regulation III dealing with Toxic Air Contaminant Sources.

Reasons Supporting Proposal: Sections of Regulation I concerning Registration, Notice of Construction, and Fire Extinguisher Training; and Regulation III concerning Toxic Air Contaminant Sources need clarification.

Name of Agency Personnel Responsible for Drafting: John Anderson, 110 Union Street, #500, Seattle, 98101, (206) 689-4051; Implementation: Dave Kircher, 110 Union Street, #500, Seattle, 98101, (206) 689-4050; and Enforcement: Neal Shulman, 110 Union Street, #500, Seattle, 98101, (206) 689-4078.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The state implementation plan will be updated to reflect these amendments.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal would clarify sections of Regulation

I concerning Registration, Notice of Construction, and Fire Extinguisher Training; and Regulation III concerning Toxic Air Contaminant Sources.

Proposal Changes the Following Existing Rules: Revisions to Registration and Notice of Construction requirements clarify the applicability of the rule to mobile sources and clarify the application of fees. The change to the fire extinguisher training provisions will allow, with prior approval of the Control Officer, the use of additional fuels for training purposes. Finally, changes to Regulation III clarify which requirements apply to registered and operating permit sources.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Puget Sound Air Pollution Control Agency Offices, 110 Union Street, #500, Seattle, WA 98101, on December 12, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Agency Receptionist, 689-4010, by December 6, 1996, TDD (800) 833-6388, or (800) 833-6385 (braille).

Submit Written Comments to: Dennis McLerran, Puget Sound Air Pollution Control Agency, 110 Union Street, #500, Seattle, WA 98101, FAX (206) 343-7522, by December 2, 1996.

Date of Intended Adoption: December 12, 1996.

November 5, 1996
John K. Anderson
Senior Engineer

AMENDATORY SECTION
REGULATION I SECTION 5.03 REGISTRATION REQUIRED

(a) The registration requirements of this article do not apply to ((~~mobile sources~~)) motor vehicles; nonroad engines or nonroad vehicles as defined in Section 216 of the federal Clean Air Act; or to sources that require an operating permit under Article 7.

(b) It shall be unlawful for any person to cause or allow the operation of any source required to register under Section 5.03, unless it conforms to all the requirements of Article 5. Except as provided in Section 5.03(a), the owner or operator of each of the following stationary air contaminant sources shall register the source with the Agency by paying the annual fee required by Section 5.07 and submitting any reports required by Section 5.05.

(1) Aerosol can-filling facilities;

(2) Agricultural chemical facilities engaging in the manufacturing of liquid or dry fertilizers or pesticides;

(3) Agricultural drying and dehydrating operations;

(4) Alumina processing;

(5) Ammonium sulfate manufacturing plants;

(6) Any category of stationary sources to which a federal standard of performance (NSPS) under 40 CFR Part 60, other than Subpart S (Primary Aluminum Reduction Plants), BB (Kraft Pulp Mills) or AAA (New Residential Wood Heaters), applies;

(7) Any source category subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) under 40 CFR Part 61, other than Subpart M (Asbestos on roadways, asbestos demolition or renovation activities, or asbestos spraying), or 40 CFR Part 63;

(8) Any source that has elected to opt out of the operating permit program by limiting its potential-to-emit (synthetic minor) or is required to report periodically to demonstrate nonapplicability to EPA requirements under Sections 111 or 112 of the federal Clean Air Act;

(9) Any source with the potential to emit any of the following pollutants at a rate of emission equal to or greater than any one of the following rates (tons/year):

carbon monoxide	100
nitrogen oxides	40
sulfur dioxide	40
particulate matter (PM)	25
fine particulate matter (PM10)	15
volatile organic compounds (VOC)	40
lead	0.6
fluorides	3
sulfuric acid mist	7
hydrogen sulfide (H_2S)	10
total reduced sulfur (including H_2S)	10

(10) Asphalt and asphalt products production facilities;

(11) Automobile or light-duty truck surface coating operations;

(12) Baker's yeast manufacturing;

(13) Brick and clay manufacturing plants, including tiles and ceramics;

(14) Cattle feedlots with operational facilities that have an inventory of 1,000 or more cattle in operation between June 1 and October 1, where vegetation forage growth is not sustained over the majority of the lot during the normal growing season;

(15) Chemical manufacturing plants;

(16) Coal preparation plants;

(17) Coffee roasting facilities;

(18) Composting operations, including commercial, industrial and municipal, but exempting agricultural and residential composting activities;

(19) Concrete product manufacturers and ready-mix and premix concrete plants;

(20) Crematoria or animal carcass incinerators;

(21) Dry cleaning plants;

(22) Ethylene dichloride, polyvinyl chloride, or vinyl chloride plants;

(23) Explosives production;

(24) Flexible polyurethane foam production;

(25) Flexible vinyl and urethane coating and printing operations;

(26) Gasoline stations, bulk gasoline plants, and gasoline loading terminals;

(27) Gelcoat, polyester, resin, or vinylester coating manufacturing operations at commercial or industrial facilities;

(28) Glass manufacturing plants;

(29) Grain, seed, animal feed, legume, and flour processing operations and handling facilities;

(30) Ink manufacturers;

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(31) Landfills, active and inactive, including covers, gas collection systems, or flares;

(32) Lead-acid battery manufacturing plants;

(33) Lime manufacturing plants;

(34) Metal casting facilities and foundries, ferrous and nonferrous;

(35) Metallic and nonmetallic mineral processing plants, including rock crushing plants and sand and gravel operations;

(36) Metallurgical processing plants;

(37) Mills such as lumber, plywood, shake, shingle, woodchip, veneer operations, dry kilns, pulpwood insulating board, or any combination thereof;

(38) Mineral wool production;

(39) Mineralogical processing plants;

(40) Municipal waste combustors;

(41) Nitric acid plants;

(42) Paper manufacturers, except Kraft and sulfite pulp mills;

(43) Petroleum refineries;

(44) Pharmaceuticals production;

(45) Plastics and fiberglass product fabrication facilities;

(46) Pneumatic materials conveying operations and industrial house-keeping vacuuming systems that exhaust more than 1,000 acfm to the atmosphere;

(47) Portland cement plants;

(48) Primary copper smelters, lead smelters, magnesium refining and zinc smelters, but excluding primary aluminum plants;

(49) Rendering plants;

(50) Semiconductor manufacturing;

(51) Shipbuilding and ship repair (surface coating);

(52) Soil vapor extraction (active), thermal soil contaminant desorption, or groundwater air stripping remediation projects;

(53) Sulfuric acid plants;

(54) Surface-coating manufacturers;

(55) Surface spray-coating operations, including automotive, metal, cans, pressure-sensitive tape, labels, coils, wood, plastic, rubber, glass, paper, and other substrates;

(56) Synthetic fiber production facilities;

(57) Synthetic organic chemical manufacturing industries;

(58) Tire recapping facilities;

(59) Vegetable oil production;

(60) Wastewater treatment plants;

(61) Wood treatment;

(62) Any source that has equipment or control equipment, with an approved Notice of Construction under Article 6 of Regulation I; or

(63) Any source, including any listed above, that has been determined through review by the Control Officer to warrant registration, due to the amount and nature of air contaminants produced, or the potential to contribute to air pollution, with special reference to effects on health, economic and social factors, and physical effects on property.

AMENDATORY SECTION

REGULATION I SECTION 6.04 NOTICE OF CONSTRUCTION REVIEW FEES

A Notice of Construction and Application for Approval is incomplete until the Agency has received a plan examination fee as shown below:

Refuse Burning Equipment: (rated capacity)	
12 tons per day or less	$5,000.00
greater than 12 tons per day but less than 250 tons per day	$20,000.00
250 tons per day or greater	$50,000.00
Storage Tanks: (gallons)	
less than 20,000	$200.00
20,000 or more	$500.00
Spray Painting Operation (per booth)	$300.00
Gasoline Station	$300.00
Dry Cleaner (per machine)	$200.00
Landfill Gas System	$1,000.00
Composting Facility	$1,000.00
Soil Thermal Desorption Unit (initial)	$2,000.00
Relocation of Approved Desorption Unit to New Address	$700.00
Minor NOC Change not Involving a Change in Equipment	$300.00
Relocation of Previously Permitted Portable Source to a New Address, except Soil Thermal Desorption Units	$300.00
NOC Applicability Determination	$100.00
Other (not classified above)	$300.00
Additional Charges:	
SEPA Threshold Determination	$100.00
Air Toxics Review (under Regulation III, Section 2.07 (c)(2))	$500.00
Air Toxics Review (under Regulation III, Section 2.07 (c)(3))	$5,000.00
Major Source, Major Modification, or Emission Increases greater than Prevention of Significant Deterioration Thresholds (see Regulation I, Section 6.07(d))	$5,000.00
Opacity/Grain Loading Correlation (see Regulation I, Section 9.09(c))	$5,000.00
Emissions Units Subject to an NSPS or NESHAP (except residential wood heaters, asbestos renovation or demolition, chromic acid anodizing, chromium electroplating, perchloroethylene dry cleaning, or cold solvent cleaners)	$1,000.00
Public Notice (plus publication fees)	$200.00

AMENDATORY SECTION
REGULATION I SECTION 8.07 FIRE EXTINGUISHER TRAINING

(a) Applicability. This section applies to small, short-duration fires for teaching the proper use of hand-held fire extinguishers.

(b) General Requirements. Hand-held fire extinguisher training may be conducted provided the following requirements are met:

(1) Training shall not occur during any stage of an air pollution episode or period of impaired air quality;

(2) Combustible materials used during the fire extinguisher training shall be limited to:

(A) Less than 2 gallons of clean kerosene or diesel fuel oil per training exercise (alternate combustible materials may be used with the prior written approval of the Control Officer),

(B) As much gaseous fuel (propane or natural gas) as required for the training exercise,

(C) Less than 0.5 cubic yards of clean, solid combustible materials per training exercise. Examples of solid combustible materials are seasoned wood, untreated scrap lumber, and unused computer paper.

(3) All training must be conducted by local fire officials or a qualified instructor. Instructor qualifications and a training plan must be available to PSAPCA upon request;

(4) Prior to the training, the person(s) conducting the exercise must notify the local fire department, fire marshal, or fire district and must meet all applicable local ordinances and permitting requirements; and

(5) Person(s) conducting hand-held fire extinguisher training shall be responsible for responding to citizen inquiries and resolving citizen complaints caused by the training activity.

AMENDATORY SECTION
REGULATION III SECTION 1.11 REPORTING REQUIREMENTS

(a) This section applies to all sources of toxic air contaminants that ((~~which~~)) are subject to Article 5 or Article 7 of Regulation I.

(b) In addition to the reporting requirements of Article 5 or Article 7 of Regulation I, the owner or operator of an air contaminant source shall make reports to the Agency concerning the types and amounts of toxic air contaminants emitted and other relevant information needed to calculate such emissions.

(c) The owner or operator of an air contaminant source shall, upon request of the Agency, provide such existing or reasonably available information as necessary to assist the Agency to determine if the emissions of toxic air contaminants from the source may result in the exceedance of an ASIL contained in Appendix A of this Regulation III.

AMENDATORY SECTION
REGULATION III SECTION 2.01 APPLICABILITY

(a) Article 2 of this Regulation III shall apply to all sources of toxic air contaminants except that Section 2.05 shall not apply to the following:

(1) Asbestos Removal Operations subject to Article 4 of Regulation III

(2) Hard and Decorative Chromium Electroplating and Chromium Anodizing subject to Section 3.01 of Regulation III

(3) Solvent Metal Cleaners subject to Section 3.05 of Regulation III

(4) Perchloroethylene Dry Cleaners subject to Section 3.03 of Regulation III

(5) Petroleum Solvent Dry Cleaning Systems subject to Section 3.07 of Regulation II

(6) Gasoline Storage and Dispensing Operations subject to Article 2 of Regulation II

(7) Graphic Arts Systems subject to Section 3.05 of Regulation II

(8) Can and Paper Coating Operations subject to Section 3.03 of Regulation II

(9) Motor Vehicle and Mobile Equipment Coating Operations subject to Section 3.04 of Regulation II

(10) Polyester/Vinylester/Gelcoat/Resin Operations subject to Section 3.08 of Regulation II

(11) Coatings and Ink Manufacturing subject to Section 3.11 of Regulation II

(12) Ethylene Oxide Sterilizers and Aerators subject to Section 3.07 of Regulation III

(b) Any demonstration required by this Article shall be conducted in accordance with Section 2.07 of this Regulation.

AMENDATORY SECTION
REGULATION III SECTION 2.05 ((~~REGISTERED~~)) SOURCES OF TOXIC AIR CONTAMINANTS

(a) This section applies to all sources of toxic air contaminants that are subject to ((~~required to be registered by~~)) Article 5 or Article 7 of Regulation I, unless covered by specific rules referenced in Section 2.01 above.

(b) The Control Officer shall have the authority to conduct a screening evaluation of any source in accordance with Section 2.07 of this Regulation to determine if the toxic air contaminant emissions from the source would result in the exceedance of an ASIL contained in Appendix A of this Regulation III. The owner or operator of the source shall be informed of the results of any such screening evaluation.

(c) If, as a result of the screening evaluation conducted under (b) above, the Control Officer determines that the toxic air contaminant emissions from a source may result in the exceedance of an ASIL contained in Appendix A of this Regulation III, the Control Officer may issue an order requiring the owner or operator of the source to perform an analysis in accordance with Section 2.07 of this Regulation and may establish a schedule for submission of the analysis.

(d) It shall be unlawful for any person required to perform an analysis under (c) above, to cause or allow the continued operation of the source after the submission date established by the Control Officer, unless one of the following conditions is met:

(1) A dispersion modeling analysis demonstrates to the Control Officer that the toxic air contaminant emissions from the source will not result in the exceedance of any ASIL contained in Appendix A of this Regulation III; or

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(2) A dispersion modeling analysis demonstrates to the Control Officer that the toxic air contaminant emissions from the source will not result in the exceedance of any ASIL contained in Appendix A of this Regulation III after the installation of the Best Available Control Technology (BACT) and a compliance schedule for employing BACT is approved by the Control Officer; or

(3) BACT is employed on the source or a compliance schedule for employing BACT is approved by the Control Officer, and a risk analysis demonstrates to the Control Officer that the toxic air contaminant emissions from the source will not cause air pollution as defined in Section 1.07 of Regulation I.

WSR 96-22-089
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 6, 1996, 10:43 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 458-40-540 Forest land values—1997.

Purpose: WAC 458-40-540 readjusts forest land values in accordance with the statutory formula; the land values are used by county assessors for property tax purposes in 1997.

Statutory Authority for Adoption: RCW 82.32.330 and 84.33.096.

Statute Being Implemented: RCW 84.33.120.

Summary: This rule is proposed to be amended to comply with existing statutory law.

Reasons Supporting Proposal: The amendment to WAC 458-40-540 is necessary to bring the rule current under statutory law.

Name of Agency Personnel Responsible for Drafting: James A. Winterstein, 711 Capitol Way South, #303, Olympia, WA, (360) 586-4283; Implementation and Enforcement: Gary O'Neil, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 458-40-540 adjusts the forest land values in accordance with the statutory formula found in RCW 84.33.120. These land values are used by the county assessors in assessing property tax for 1997.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes to WAC 458-40-540 conform to the mandates of the legislature and the department is given no discretionary latitude in issuing the rule amendments. The department is not aware of any new or additional administrative responsibilities placed on a business as a result of these changes.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not come under the provisions of section 201. It is excepted under subsection (5)(b)(vi).

Hearing Location: Department of Revenue Conference Room, Target Place Building No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on December 11, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sandra Yuen by December 4, 1996, TDD 1-800-451-7985, or (360) 753-3217.

Submit Written Comments to: James A. Winterstein, Counsel, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, by December 11, 1996.

Date of Intended Adoption: December 31, 1996.

November 6, 1996
Russell W. Brubaker
Assistant Director
Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 96-02-055, filed 12/29/95, effective 1/1/96)

WAC 458-40-540 Forest land values—((~~1996~~)) 1997. The forest land values, per acre, for each grade of forest land for the ((~~1996~~)) 1997 assessment year are determined to be as follows:

LAND GRADE	OPERABILITY CLASS	((~~1996~~)) 1997 VALUES ROUNDED
1	1	((~~$220~~)) $232
	2	((~~215~~)) 226
	3	((~~204~~)) 215
	4	((~~148~~)) 156
2	1	((~~186~~)) 196
	2	((~~179~~)) 188
	3	((~~171~~)) 180
	4	((~~124~~)) 131
3	1	((~~145~~)) 153
	2	((~~141~~)) 148
	3	((~~139~~)) 146
	4	((~~106~~)) 112
4	1	((~~110~~)) 117
	2	((~~107~~)) 113
	3	((~~106~~)) 112
	4	((~~81~~)) 85
5	1	((~~80~~)) 84
	2	((~~74~~)) 78
	3	((~~73~~)) 77
	4	((~~48~~)) 51
6	1	((~~41~~)) 43
	2	((~~37~~)) 39
	3	((~~37~~)) 39
	4	((~~35~~)) 37

	1	((~~20~~)) 21
7	2	((~~20~~)) 21
	3	((~~19~~)) 20
	4	((~~19~~)) 20
8		1

WSR 96-22-090
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 6, 1996, 10:44 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-19-087.

Title of Rule: WAC 458-40-660 Timber excise tax—Stumpage value tables and 458-40-690 Timber excise tax—Credit for property tax.

Purpose: WAC 458-40-660 contains the proposed stumpage values for the first half of 1997. Harvesters of timber use these values to calculate the timber excise tax. WAC 458-40-690 is proposed to be amended to conform with the statute and rule that allow refunds of excise tax overpaid by the taxpayer.

Statutory Authority for Adoption: RCW 82.32.330 and 84.33.096.

Statute Being Implemented: RCW 84.33.091, 82.32.060, and 84.33.077.

Summary: The stumpage value tables are being amended to comply with the statutory requirement of semiannual revision. WAC 458-40-690 is being amended to conform to current law and rule.

Reasons Supporting Proposal: The stumpage values (WAC 458-40-660) are required to be published twice annually by the department. The personal property credit rule currently prohibits refunds of overpaid taxes and requires a credit be given instead. The amendment will allow refunds to also be given.

Name of Agency Personnel Responsible for Drafting: James A. Winterstein, 711 Capitol Way South, #303, Olympia, WA, (360) 586-4283; Implementation and Enforcement: Gary O'Neil, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment of WAC 458-40-660 complies with RCW 84.33.091 that requires the department to publish stumpage values on a semiannual basis. The tables set out for each stumpage value area the amount that each species or subclassification of timber would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Harvesters of timber use the tables as a basis for calculating the amount of timber excise tax owed. The amendment of WAC 458-40-690 relates to the personal property tax credit allowed against timber excise tax as set out in RCW 84.33.077 and [84.33.]078. The current rule prohibits the granting of a refund of overpaid timber excise taxes except when the taxpayer has no public timber sales pending against which to apply an unused credit. The proposed amendment will conform the rule to other law and rule (RCW 82.32.060 and WAC 458-20-229) relating to refunds of excise taxes and allow a refund to be made.

Proposal Changes the Following Existing Rules: See above description.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The stumpage value table is required by law. The agency is given no discretion in implementing the table. The rules do not impose a responsibility or require a small business to perform something that is not already required by law.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. These are significant legislative rules pursuant to subsection (5)(a)(i) of section 201, chapter 403, Laws of 1995, (RCW 34.05.328 (5)(a)(i)).

Hearing Location: Department of Revenue, Conference Room, Target Place Building No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on December 11, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sandra Yuen by December 4, 1996, TDD 1-800-451-7985, or (360) 753-3217.

Submit Written Comments to: James A. Winterstein, Counsel, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, by December 11, 1996.

Date of Intended Adoption: December 31, 1996.

November 6, 1996
Russell W. Brubaker
Assistant Director
Legislation and Policy Division

AMENDATORY SECTION (Amending Order 86-4, filed 12/31/86)

WAC 458-40-690 Timber excise tax—Credit for property tax. In accordance with RCW 84.33.077 and 84.36.473, persons engaged in business as harvesters of timber from public land shall be allowed a tax credit against the timber excise tax imposed under chapter 84.33 RCW for any personal property taxes paid to a county on such public timber sales. The credit shall be allowed only for property taxes paid on public timber purchased on or after August 1, 1982. The credit shall be taken only on excise taxes due on timber harvested from public land. No excise tax credits shall be allowed against excise taxes due on timber harvested from private land.

(1) Amount of credit. The total dollar amount of all excise tax credits claimed on one or more sales shall not exceed the total amount of all personal property taxes levied and paid on such timber. No excise tax credit shall be allowed for property tax penalties or interest charges imposed on delinquent property taxes. No excise tax credits shall be allowed prior to payment of personal property taxes, and the amount of credit allowed shall not exceed the amount of property tax actually paid as certified by the county treasurer.

(2) Excess credits and refunds. If the amount of the credit exceeds the amount of timber excise tax due for the calendar quarter in which the credit is claimed, the excess credit ((~~shall~~)) may be carried forward to the new quarterly

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reporting period and applied against the amount of timber excise tax due, if any, on public timber or may be refunded to the taxpayer in accordance with RCW 82.32.060 and WAC 458-20-229. ((~~Excise tax refunds for unused credit shall be made only if the taxpayer has no public timber sales pending against which to apply the unused credit.~~))

(3) Credit application procedures. Taxpayers who wish to claim such timber excise tax credits must apply on forms prepared by the department. The application must be certified by the county assessor and treasurer of the county in which the property taxes were paid. Application forms shall be made available in the offices of county assessors, county treasurers, and the department. The applications must be submitted with timber excise tax returns for taxes due on public timber.

AMENDATORY SECTION (Amending WSR 96-14-063, filed 6/28/96, effective 7/1/96)

WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments. (1) **Introduction.** This section sets forth the stumpage value tables and the stumpage value adjustments that are used to calculate the amount of timber excise tax owed by a timber harvester.

(2) **Stumpage value tables.** The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((~~July 1 through December 31, 1996~~)) January 1 through June 30, 1997:

((~~**TABLE 1 Stumpage Value Table**~~
~~**Stumpage Value Area 1**~~
~~July 1 through December 31, 1996~~

~~Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]~~

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir	DF	1	$770	$763	$756	$749	$742
		2	720	713	706	699	692
		3	593	586	579	572	565
		4	351	344	337	330	323
Western Redcedar[2]	RC	1	672	665	658	651	644
		2	547	540	533	526	519
		3	486	479	472	465	458
		4	473	466	459	452	445
Western Hemlock[3]	WH	1	562	555	548	541	534
		2	494	487	480	473	466
		3	438	431	424	417	410
		4	421	414	407	400	393
Other Conifer	OC	1	562	555	548	541	534
		2	494	487	480	473	466
		3	432	425	418	411	404
		4	421	414	407	400	393
Red Alder	RA	1	230	223	216	209	202
		2	203	196	189	182	175
		3	133	126	119	112	105
Black Cottonwood	BC	1	85	78	71	64	57
		2	61	54	47	40	33
		3	47	40	33	26	19
Other Hardwood	OH	1	103	96	89	82	75
		2	94	87	80	73	66
		3	69	62	55	48	41
Douglas fir Poles and Piles	DFL	1	1032	1025	1018	1011	1004
Western Redcedar Poles and Piles	RCL	1	1032	1025	1018	1011	1004
Chipwood[4]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] ~~Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.~~
[2] ~~Includes Alaska Cedar.~~
[3] ~~Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."~~
[4] ~~Stumpage value per ton.~~
[5] ~~Stumpage value per 8 lineal feet or portion thereof.~~
[6] ~~Stumpage value per lineal foot.~~

~~**TABLE 2 Stumpage Value Table**~~
~~**Stumpage Value Area 2**~~
~~July 1 through December 31, 1996~~

~~Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]~~

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir	DF	1	$770	$763	$756	$749	$742
		2	707	700	693	686	679
		3	606	599	592	585	578
		4	341	334	327	320	313
Western Redcedar[2]	RC	1	672	665	658	651	644
		2	547	540	533	526	519
		3	486	479	472	465	458
		4	473	466	459	452	445
Western Hemlock[3]	WH	1	552	545	538	531	524
		2	511	504	497	490	483
		3	495	488	481	474	467
		4	473	466	459	452	445
Other Conifer	OC	1	552	545	538	531	524
		2	510	503	496	489	482
		3	492	485	478	471	464
		4	474	467	460	453	446
Red Alder	RA	1	230	223	216	209	202
		2	203	196	189	182	175
		3	133	126	119	112	105
Black Cottonwood	BC	1	85	78	71	64	57
		2	61	54	47	40	33
		3	47	40	33	26	19
Other Hardwood	OH	1	103	96	89	82	75
		2	94	87	80	73	66
		3	69	62	55	48	41
Douglas fir Poles and Piles	DFL	1	1032	1025	1018	1011	1004
Western Redcedar Poles and Piles	RCL	1	1032	1025	1018	1011	1004
Chipwood[4]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45

DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Alaska Cedar.
[3] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[4] Stumpage value per ton.
[5] Stumpage value per 8 lineal feet or portion thereof.
[6] Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir	DF	1	$696	$689	$682	$675	$668
		2	677	670	663	656	649
		3	589	582	575	568	561
		4	340	333	326	319	312
Western Redcedar[2]	RC	1	672	665	658	651	644
		2	547	540	533	526	519
		3	486	479	472	465	458
		4	473	466	459	452	445
Western Hemlock[3]	WH	1	537	530	523	516	509
		2	500	493	486	479	472
		3	436	429	422	415	408
		4	428	421	414	407	400
Other Conifer	OC	1	540	533	526	519	512
		2	535	528	521	514	507
		3	429	422	415	408	401
		4	428	421	414	407	400
Red Alder	RA	1	230	223	216	209	202
		2	203	196	189	182	175
		3	133	126	119	112	105
Black Cottonwood	BC	1	85	78	71	64	57
		2	61	54	47	40	33
		3	47	40	33	26	19
Other Hardwood	OH	1	103	96	89	82	75
		2	94	87	80	73	66
		3	69	62	55	48	41
Douglas fir Poles and Piles	DFL	1	1032	1025	1018	1011	1004
Western Redcedar Poles and Piles	RCL	1	1032	1025	1018	1011	1004
Chipwood[4]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Alaska Cedar.
[3] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[4] Stumpage value per ton.
[5] Stumpage value per 8 lineal feet or portion thereof.
[6] Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir[2]	DF	1	$691	$684	$677	$670	$663
		2	688	681	674	667	660
		3	586	579	572	565	558
		4	334	327	320	313	306
Lodgepole Pine	LP	1	219	212	205	198	191
Ponderosa Pine	PP	1	564	557	550	543	536
		2	264	257	250	243	236
Western Redcedar[3]	RC	1	672	665	658	651	644
		2	547	540	533	526	519
		3	486	479	472	465	458
		4	473	466	459	452	445
Western Hemlock[4]	WH	1	547	540	533	526	519
		2	500	493	486	479	472
		3	494	487	480	473	466
		4	422	415	408	401	394
Other Conifer	OC	1	546	539	532	525	518
		2	489	482	475	468	461
		3	486	479	472	465	458
		4	422	415	408	401	394
Red Alder	RA	1	230	223	216	209	202
		2	203	196	189	182	175
		3	133	126	119	112	105
Black Cottonwood	BC	1	85	78	71	64	57
		2	61	54	47	40	33
		3	47	40	33	26	19
Other Hardwood	OH	1	103	96	89	82	75
		2	94	87	80	73	66
		3	69	62	55	48	41
Douglas fir Poles and Piles	DFL	1	1032	1025	1018	1011	1004
Western Redcedar Poles and Piles	RCL	1	1032	1025	1018	1011	1004
Chipwood[5]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[7]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot.

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TABLE 5—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir[2]	DF	1	$683	$676	$669	$662	$655
		2	670	663	656	649	642
		3	606	599	592	585	578
		4	369	362	355	348	341
Lodgepole Pine	LP	1	219	212	205	198	191
Ponderosa Pine	PP	1	564	557	550	543	536
		2	264	257	250	243	236
Western Redcedar[3]	RC	1	672	665	658	651	644
		2	547	540	533	526	519
		3	486	479	472	465	458
		4	473	466	459	452	445
Western Hemlock[4]	WH	1	552	545	538	531	524
		2	500	493	486	479	472
		3	479	472	465	458	451
		4	383	376	369	362	355
Other Conifer	OC	1	551	544	537	530	523
		2	499	492	485	478	471
		3	471	464	457	450	443
		4	383	376	369	362	355
Red Alder	RA	1	230	223	216	209	202
		2	203	196	189	182	175
		3	133	126	119	112	105
Black Cottonwood	BC	1	85	78	71	64	57
		2	61	54	47	40	33
		3	47	40	33	26	19
Other Hardwood	OH	1	103	96	89	82	75
		2	94	87	80	73	66
		3	69	62	55	48	41
Douglas fir Poles and Piles	DFL	1	1032	1025	1018	1011	1004
Western Redcedar Poles and Piles	RCL	1	1032	1025	1018	1011	1004
Chipwood[5]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[7]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot.

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir[2]	DF	1	$303	$296	$289	$282	$275
Engelmann Spruce	ES	1	248	241	234	227	220
Lodgepole Pine	LP	1	219	212	205	198	191
Ponderosa Pine	PP	1	564	557	550	543	536
		2	264	257	250	243	236
Western Redcedar[3]	RC	1	314	307	300	293	286
True Firs[4]	WH	1	257	250	243	236	229
Western White Pine	WP	1	403	396	389	382	375
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles and Piles	RCL	1	516	509	502	495	488
Small Logs[5]	SML	1	24	23	22	21	20
Chipwood[5]	CHW	1	13	12	11	10	9
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts[6]	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees[7]	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	DFX	1	0.25	0.25	0.25	0.25	0.25

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
[8] Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas Fir[2]	DF	1	$303	$296	$289	$282	$275
Engelmann Spruce	ES	1	248	241	234	227	220
Lodgepole Pine	LP	1	219	212	205	198	191
Ponderosa Pine	PP	1	564	557	550	543	536
		2	264	257	250	243	236
Western Redcedar[3]	RC	1	314	307	300	293	286
True Firs[4]	WH	1	257	250	243	236	229
Western White Pine	WP	1	403	396	389	382	375

Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles and Piles	RCL	1	516	509	502	495	488
Small Logs[5]	SML	1	22	21	20	19	18
Chipwood[5]	CHW	1	13	12	11	10	9
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts[6]	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees[7]	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	DFX	1	0.25	0.25	0.25	0.25	0.25

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
[8] Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
July 1 through December 31, 1996

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$677	$670	$663	$656	$649
		2	674	667	660	653	646
		3	572	565	558	551	544
		4	320	313	306	299	292
Lodgepole Pine	LP	1	219	212	205	198	191
Ponderosa Pine	PP	1	564	557	550	543	536
		2	264	257	250	243	236
Western Redcedar[3]	RC	1	658	651	644	637	630
		2	533	526	519	512	505
		3	472	465	458	451	444
		4	459	452	445	438	431
Western Hemlock[4]	WH	1	533	526	519	512	505
		2	486	479	472	465	458
		3	480	473	466	459	452
		4	408	401	394	387	380
Other Conifer	OC	1	532	525	518	511	504
		2	475	468	461	454	447
		3	472	465	458	451	444
		4	408	401	394	387	380
Red Alder	RA	1	216	209	202	195	188
		2	189	182	175	168	161
		3	119	112	105	98	91
Black Cottonwood	BC	1	71	64	57	50	43
		2	47	40	33	26	19
		3	33	26	19	12	5
Other Hardwood	OH	1	89	82	75	68	61
		2	80	73	66	59	52
		3	55	48	41	34	27
Douglas-fir Poles and Piles	DFL	1	1018	1011	1004	997	990
Western Redcedar Poles and Piles	RCL	1	1018	1011	1004	997	990
Chipwood[5]	CHW	1	21	20	19	18	17
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot.))

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir	DF	1	$701	$694	$687	$680	$673
		2	660	653	646	639	632
		3	523	516	509	502	495
		4	267	260	253	246	239
Western Redcedar[2]	RC	1	498	491	484	477	470
		2	495	488	481	474	467
		3	455	448	441	434	427
		4	449	442	435	428	421
Western Hemlock[3]	WH	1	396	389	382	375	368
		2	379	372	365	358	351
		3	379	372	365	358	351
		4	271	264	257	250	243
Other Conifer	OC	1	396	389	382	375	368
		2	379	372	365	358	351
		3	379	372	365	358	351
		4	271	264	257	250	243
Red Alder	RA	1	211	204	197	190	183
		2	180	173	166	159	152
		3	99	92	85	78	71
Black Cottonwood	BC	1	64	57	50	43	36
		2	42	35	28	21	14
		3	32	25	18	11	4
Other Hardwood	OH	1	101	94	87	80	73
		2	95	88	81	74	67
		3	68	61	54	47	40
Douglas-fir Poles and Piles	DFL	1	959	952	945	938	931
Western Redcedar Poles and Piles	RCL	1	959	952	945	938	931
Chipwood[4]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45

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DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Alaska-Cedar.
[3] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[4] Stumpage value per ton.
[5] Stumpage value per 8 lineal feet or portion thereof.
[6] Stumpage value per lineal foot.

TABLE 2—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir	DF	1	$774	$767	$760	$753	$746
		2	619	612	605	598	591
		3	531	524	517	510	503
		4	379	372	365	358	351
Western Redcedar[2]	RC	1	498	491	484	477	470
		2	495	488	481	474	467
		3	455	448	441	434	427
		4	449	442	435	428	421
Western Hemlock[3]	WH	1	439	432	425	418	411
		2	439	432	425	418	411
		3	423	416	409	402	395
		4	347	340	333	326	319
Other Conifer	OC	1	439	432	425	418	411
		2	439	432	425	418	411
		3	423	416	409	402	395
		4	347	340	333	326	319
Red Alder	RA	1	211	204	197	190	183
		2	180	173	166	159	152
		3	99	92	85	78	71
Black Cottonwood	BC	1	64	57	50	43	36
		2	42	35	28	21	14
		3	32	25	18	11	4
Other Hardwood	OH	1	101	94	87	80	73
		2	95	88	81	74	67
		3	68	61	54	47	40
Douglas-fir Poles and Piles	DFL	1	959	952	945	938	931
Western Redcedar Poles and Piles	RCL	1	959	952	945	938	931
Chipwood[4]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Alaska-Cedar.
[3] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[4] Stumpage value per ton.
[5] Stumpage value per 8 lineal feet or portion thereof.
[6] Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir	DF	1	$652	$645	$638	$631	$624
		2	643	636	629	622	615
		3	506	499	492	485	478
		4	407	400	393	386	379
Western Redcedar[2]	RC	1	498	491	484	477	470
		2	495	488	481	474	467
		3	455	448	441	434	427
		4	449	442	435	428	421
Western Hemlock[3]	WH	1	507	500	493	486	479
		2	437	430	423	416	409
		3	430	423	416	409	402
		4	316	309	302	295	288
Other Conifer	OC	1	507	500	493	486	479
		2	437	430	423	416	409
		3	430	423	416	409	402
		4	316	309	302	295	288
Red Alder	RA	1	211	204	197	190	183
		2	180	173	166	159	152
		3	99	92	85	78	71
Black Cottonwood	BC	1	64	57	50	43	36
		2	42	35	28	21	14
		3	32	25	18	11	4
Other Hardwood	OH	1	101	94	87	80	73
		2	95	88	81	74	67
		3	68	61	54	47	40
Douglas-fir Poles and Piles	DFL	1	959	952	945	938	931
Western Redcedar Poles and Piles	RCL	1	959	952	945	938	931
Chipwood[4]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[5]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[6]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[6]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Alaska-Cedar.
[3] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[4] Stumpage value per ton.
[5] Stumpage value per 8 lineal feet or portion thereof.
[6] Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$682	$675	$668	$661	$654
		2	665	658	651	644	637
		3	578	571	564	557	550
		4	433	426	419	412	405
Lodgepole Pine	LP	1	190	183	176	169	162
Ponderosa Pine	PP	1	489	482	475	468	461
		2	245	238	231	224	217
Western Redcedar[3]	RC	1	498	491	484	477	470
		2	495	488	481	474	467
		3	455	448	441	434	427
		4	449	442	435	428	421
Western Hemlock[4]	WH	1	507	500	493	486	479
		2	452	445	438	431	424
		3	410	403	396	389	382
		4	371	364	357	350	343
Other Conifer	OC	1	507	500	493	486	479
		2	452	445	438	431	424
		3	410	403	396	389	382
		4	371	364	357	350	343
Red Alder	RA	1	211	204	197	190	183
		2	180	173	166	159	152
		3	99	92	85	78	71
Black Cottonwood	BC	1	64	57	50	43	36
		2	42	35	28	21	14
		3	32	25	18	11	4
Other Hardwood	OH	1	101	94	87	80	73
		2	95	88	81	74	67
		3	68	61	54	47	40
Douglas-fir Poles and Piles	DFL	1	959	952	945	938	931
Western Redcedar Poles and Piles	RCL	1	959	952	945	938	931
Chipwood[5]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[7]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska-Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$682	$675	$668	$661	$654
		2	590	583	576	569	562
		3	545	538	531	524	517
		4	383	376	369	362	355
Lodgepole Pine	LP	1	190	183	176	169	162
Ponderosa Pine	PP	1	489	482	475	468	461
		2	245	238	231	224	217
Western Redcedar[3]	RC	1	498	491	484	477	470
		2	495	488	481	474	467
		3	455	448	441	434	427
		4	449	442	435	428	421
Western Hemlock[4]	WH	1	507	500	493	486	479
		2	497	490	483	476	469
		3	389	382	375	368	361
		4	371	364	357	350	343
Other Conifer	OC	1	507	500	493	486	479
		2	497	490	483	476	469
		3	389	382	375	368	361
		4	371	364	357	350	343
Red Alder	RA	1	211	204	197	190	183
		2	180	173	166	159	152
		3	99	92	85	78	71
Black Cottonwood	BC	1	64	57	50	43	36
		2	42	35	28	21	14
		3	32	25	18	11	4
Other Hardwood	OH	1	101	94	87	80	73
		2	95	88	81	74	67
		3	68	61	54	47	40
Douglas-fir Poles and Piles	DFL	1	959	952	945	938	931
Western Redcedar Poles and Piles	RCL	1	959	952	945	938	931
Chipwood[5]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[7]	TFX	1	0.50	0.50	0.50	0.50	0.50

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska-Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot.

PROPOSED

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TABLE 6—Stumpage Value Table
Stumpage Value Area 6
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$281	$274	$267	$260	$253
Engelmann Spruce	ES	1	217	210	203	196	189
Lodgepole Pine	LP	1	190	183	176	169	162
Ponderosa Pine	PP	1	489	482	475	468	461
		2	245	238	231	224	217
Western Redcedar[3]	RC	1	303	296	289	282	275
True Firs[4]	WH	1	238	231	224	217	210
Western White Pine	WP	1	378	371	364	357	350
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles and Piles	RCL	1	516	509	502	495	488
Small Logs[5]	SML	1	30	29	28	27	26
Chipwood[5]	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts[6]	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees[7]	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	DFX	1	0.25	0.25	0.25	0.25	0.25

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska-Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
[8] Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$281	$274	$267	$260	$253
Engelmann Spruce	ES	1	217	210	203	196	189
Lodgepole Pine	LP	1	190	183	176	169	162
Ponderosa Pine	PP	1	489	482	475	468	461
		2	245	238	231	224	217
Western Redcedar[3]	RC	1	303	296	289	282	275
True Firs[4]	WH	1	238	231	224	217	210
Western White Pine	WP	1	378	371	364	357	350
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles and Piles	RCL	1	516	509	502	495	488
Small Logs[5]	SML	1	22	21	20	19	18
Chipwood[5]	CHW	1	1	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts[6]	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees[7]	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	DFX	1	0.25	0.25	0.25	0.25	0.25

[1] Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
[2] Includes Western Larch.
[3] Includes Alaska-Cedar.
[4] Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
[5] Stumpage value per ton.
[6] Stumpage value per 8 lineal feet or portion thereof.
[7] Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
[8] Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1997

Stumpage Values per Thousand Board Feet Net Scribner Log Scale[1]

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number 1	2	3	4	5
Douglas-Fir[2]	DF	1	$668	$661	$654	$647	$640
		2	651	644	637	630	623
		3	564	557	550	543	536
		4	419	412	405	398	391
Lodgepole Pine	LP	1	190	183	176	169	162
Ponderosa Pine	PP	1	489	482	475	468	461
		2	245	238	231	224	217
Western Redcedar[3]	RC	1	484	477	470	463	456
		2	481	474	467	460	453
		3	441	434	427	420	413
		4	435	428	421	414	407
Western Hemlock[4]	WH	1	493	486	479	472	465
		2	438	431	424	417	410
		3	396	389	382	375	368
		4	357	350	343	336	329
Other Conifer	OC	1	493	486	479	472	465
		2	438	431	424	417	410
		3	396	389	382	375	368
		4	357	350	343	336	329
Red Alder	RA	1	197	190	183	176	169
		2	166	159	152	145	138
		3	85	78	71	64	57
Black Cottonwood	BC	1	50	43	36	29	22
		2	28	21	14	7	1
		3	18	11	4	1	1
Other Hardwood	OH	1	87	80	73	66	59
		2	81	74	67	60	53
		3	54	47	40	33	26
Douglas-fir Poles and Piles	DFL	1	945	938	931	924	917

Western Redcedar Poles and Piles	RCL	1	945	938	931	924	917
Chipwood[5]	CHW	1	1	1	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts[6]	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees[7]	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees[8]	TFX	1	0.50	0.50	0.50	0.50	0.50

1 Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
2 Includes Western Larch.
3 Includes Alaska-Cedar.
4 Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."
5 Stumpage value per ton.
6 Stumpage value per 8 lineal feet or portion thereof.
7 Stumpage value per lineal foot.

(3) **Harvest value adjustments.** Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in subsection (2) of this section for the designated stumpage value areas. See WAC 458-40-670 for more information about these adjustments.

The following harvest adjustment tables are hereby adopted for use during the period of ((~~July 1 through December 31, 1996~~)) January 1 through June 30, 1997:

TABLE 9—Harvest Adjustment Table Stumpage Value Areas 1, 2, 3, 4, 5, and 10

((~~July 1 through December 31, 1996~~))
January 1 through June 30, 1997

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	- $4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	- $7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	- $9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	- $10.00
II. Logging conditions		
Class 1	Most of the harvest unit has less than 30% slope. No significant rock outcrops or swamp barriers.	$ 0.00
Class 2	Most of the harvest unit has slopes between 30% and 60%. Some rock outcrops or swamp barriers.	- $17.00
Class 3	Most of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	- $25.00
Class 4	For logs that are yarded from stump to landing by helicopter. This does not include special forest products.	- $145.00
Note:	A Class 2 adjustment may be used for slopes less than 30% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.	
III. Remote island adjustment:		
	For timber harvested from a remote island	- $50.00
IV. Thinning (see WAC 458-40-610(21))		
Class 1	Average log volume of 50 board feet or more.	- $25.00
Class 2	Average log volume of less than 50 board feet.	- $125.00

TABLE 10—Harvest Adjustment Table Stumpage Value Areas 6 and 7

((~~July 1 through December 31, 1996~~))
January 1 through June 30, 1997

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- $7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- $10.00
II. Logging conditions		
Class 1	Most of the harvest unit has less than ((~~30%~~)) 40% slope. No significant rock outcrops or swamp barriers.	$0.00
Class 2	Most of the harvest unit has slopes between ((~~30%~~)) 40% and 60%. Some rock outcrops or swamp barriers.	- $20.00
Class 3	Most of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	- $30.00
Class 4	For logs that are yarded from stump to landing by helicopter. This does not include special forest products.	- $145.00
Note:	A Class 2 adjustment may be used for slopes less than 30% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.	
III. Remote island adjustment:		
	For timber harvested from a remote island	- $50.00

TABLE 11—Domestic Market Adjustment

Public Timber

Harvest of timber not sold by a competitive bidding process that is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber that must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska Yellow Cedar. (Stat. Ref. - 36 CFR 223.10)

PROPOSED

State, and Other Nonfederal, Public Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

Private Timber

Harvest of private timber that is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382), (16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)); a Cooperative Sustained Yield Unit Agreement made pursuant to the Act of March 29, 1944, (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The adjustment amounts shall be as follows:

Class 1:	SVA's 1 through 6, and 10	$0.00 per MBF
Class 2:	SVA 7	$0.00 per MBF

Note: The adjustment will not be allowed on special forest products.

WSR 96-22-091
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 6, 1996, 10:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-07-097.

Title of Rule: WAC 458-20-14601 Financial institutions—Income apportionment.

Purpose: To adopt a rule providing a method of apportionment for financial institutions that is consistent with uniform rules of the states, as required by RCW 82.04.460(2).

Statutory Authority for Adoption: RCW 82.04.460(2), 82.32.300.

Statute Being Implemented: RCW 82.04.460(2).

Summary: This rule provides an apportionment formula for financial institutions. This formula is based on the uniform proposal adopted by the Multistate Tax Commission in 1994. The formula uses receipts, payroll, and property in this state as a measure of business activity in the state. The rule provides that if the formula does not fairly represent a financial institution's business in the state it may petition the department to use an alternative formula. The rule also allows a three-year transition period for financial institutions to convert to the new apportionment formula.

Reasons Supporting Proposal: RCW 82.04.460(2) directs the department to adopt a rule for apportionment of income of financial institutions which is consistent with uniform rules adopted by the states. The MTC formula is a uniform proposal that was developed by the states and industry to provide an apportionment methodology to more appropriately apportion financial institutions' income.

Name of Agency Personnel Responsible for Drafting and Implementation: Claire Hesselholt, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 753-3446; and Enforcement: Ken Capek, 711 Capitol Way South, Suite #401, Olympia, WA, (360) 753-3320.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides a formula for the apportionment of income of financial institutions. RCW 82.04.460(2), adopted in 1975, provided that "persons doing business both within and without the state who receive gross income ... from engaging in business as financial institutions ... shall apportion or allocate gross income ... pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states." A uniform rule was finally developed by the Multistate Tax Commission in 1994. The proposed rule is very closely related to the uniform rule. It is intended to provide a formula method of apportionment for financial institutions that is consistent with the formula used by other states and to fairly represent the business presence of a financial institution in this state. The effects are expected to vary depending on each institution. We do not anticipate that overall revenue will be greatly affected by this proposal.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No financial institutions, as defined by statute, doing business both within and without the state have been identified as small businesses. Therefore, there is no disproportionate costs imposed on small businesses as a result of the adoption of this new rule.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. RCW 34.05.328 (5)(c)(iii)(C) defines a significant legislative rule as one which adopts a new policy. This rule adopts a new policy on the apportionment of financial institutions according to the direction of RCW 82.04.460(2).

Hearing Location: General Administration Building, 2nd Floor Conference Room #207, 210 11th and Columbia Street, Olympia, WA 98501, on December 12, 1996, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Sandra Yuen by December 1, 1996, TDD 1-800-451-7985, or (360) 753-3217.

Submit Written Comments to: Claire Hesselholt, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, by December 13, 1996.

Date of Intended Adoption: December 20, 1996.

November 6, 1996
Russell W. Brubaker
Assistant Director

NEW SECTION

WAC 458-20-14601 Financial institutions—Income apportionment. (1) **Introduction.**

(a) This section provides tax reporting instructions for financial institutions doing business both inside and outside the state of Washington. Financial businesses that do not meet the definition of "financial institution" in subsection (3)(j) of this section and other businesses taxable under RCW 82.04.290 should refer to WAC 458-20-194 (Doing business inside and outside the state).

(b) Financial institutions engaged in making interstate sales of tangible personal property should also refer to WAC

458-20-193 (Inbound and outbound interstate sales of tangible personal property).

(2) **Apportionment and allocation.**

(a) Except as otherwise specifically provided, a financial institution taxable under RCW 82.04.290 and taxable in another state shall allocate and apportion its apportionable income as provided in this section. All gross income that is not includable in apportionable income shall be allocated pursuant to the provisions of chapter 82.04 RCW. A financial institution organized under the laws of a foreign country, the Commonwealth of Puerto Rico, or a territory or possession of the United States, except such institutions that are exempt under RCW 82.04.315, whose effectively connected income (as defined under the Federal Internal Revenue Code) is taxable both in this state and another state, other than the state in which it is organized, shall allocate and apportion its gross income as provided in this section.

(b) The apportionment percentage is determined by adding the taxpayer's receipts factor (as described in subsection (4) of this section), property factor (as described in subsection (5) of this section), and payroll factor (as described in subsection (6) of this section) together and dividing the sum by three. If one of the factors is missing, the two remaining factors are added together and the sum is divided by two. If two of the factors are missing, the remaining factor is the apportionment percentage. A factor is missing if both its numerator and denominator are zero, but it is not missing merely because its numerator is zero.

(c) Each factor shall be computed according to the method of accounting (cash or accrual basis) used by the taxpayer for Washington state tax purposes for the taxable period. Persons should refer to WAC 458-20-197 (When tax liability arises) and WAC 458-20-199 (Accounting methods) for further guidance on the requirements of each accounting method. Generally, financial institutions are required to file returns on a monthly basis. To enable financial institutions to more easily comply with the provisions of this section, financial institutions will file returns using factors calculated based on the most recent calendar year for which information is available. This will generally be the preceding calendar year. A reconciliation shall be filed for each year at the same time that the taxpayer files its federal income tax returns for that year. For example, for returns filed for taxable activities occurring during calendar 1998, a taxpayer would use factors calculated based on its 1997 information. A reconciliation would be filed for 1998 using factors based on 1998 information as soon as the information was available to the taxpayer, but not later than the time federal income tax returns were filed for 1998.

(d) If the allocation and apportionment provisions of this section do not fairly represent the extent of its business activity in this state, the taxpayer may petition for, or the department may require, in respect to all or any part of the taxpayer's business activity:

(i) Separate accounting;

(ii) A calculation of tax liability utilizing the cost of doing business method outlined in RCW 82.04.460(1);

(iii) The exclusion of any one or more of the factors;

(iv) The inclusion of one or more additional factors which will fairly represent the taxpayer's business activity in this state; or

(v) The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's receipts.

(3) **Definitions.** The following definitions apply throughout this section:

(a) **"Apportionable income"** means the gross income of the business taxable under RCW 82.04.290, including income received from activities outside this state if the income would be taxable under RCW 82.04.290 if received from activities in this state, less the exemptions and deductions allowable under chapter 82.04 RCW.

(b) **"Billing address"** means the location indicated in the books and records of the taxpayer on the first day of the taxable period (or on such later date in the taxable period when the customer relationship began) as the address where any notice, statement and/or bill relating to a customer's account is mailed.

(c) **"Borrower or credit card holder located in this state"** means:

(i) A borrower, other than a credit card holder, that is engaged in a trade or business which maintains its commercial domicile in this state; or

(ii) A borrower that is not engaged in a trade or business or a credit card holder, whose billing address is in this state.

(d) **"Commercial domicile"** means:

(i) The headquarters of the trade or business, that is, the place from which the trade or business is principally managed and directed; or

(ii) If a taxpayer is organized under the laws of a foreign country, or of the Commonwealth of Puerto Rico, or any territory or possession of the United States, such taxpayer's commercial domicile is deemed for the purposes of this section to be the state of the United States or the District of Columbia from which such taxpayer's trade or business in the United States is principally managed and directed. It is presumed, subject to rebuttal by a preponderance of the evidence, that the location from which the taxpayer's trade or business is principally managed and directed is the state of the United States or the District of Columbia to which the greatest number of employees are regularly connected or out of which they are working, irrespective of where the services of such employees are performed, as of the last day of the taxable period.

(e) **"Compensation"** means wages, salaries, commissions and any other form of remuneration paid to employees for personal services that are included in such employee's gross income under the Federal Internal Revenue Code. In the case of employees not subject to the Federal Internal Revenue Code, e.g., those employed in foreign countries, the determination of whether such payments would constitute gross income to such employees under the Federal Internal Revenue Code shall be made as though such employees were subject to the Federal Internal Revenue Code.

(f) **"Credit card"** means credit, travel or entertainment card.

(g) **"Credit card issuer's reimbursement fee"** means the fee a taxpayer receives from a merchant's bank because one of the persons to whom the taxpayer has issued a credit card has charged merchandise or services to the credit card.

(h) **"Department"** means the department of revenue.

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(i) **"Employee"** means, with respect to a particular taxpayer, any individual who, under the usual common-law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.

(j) **"Financial institution"** means:

(i) Any corporation or other business entity chartered under Titles 30, 31, 32, 33 RCW, or registered under the Federal Bank Holding Company Act of 1956, as amended, or registered as a savings and loan holding company under the Federal National Housing Act, as amended;

(ii) A national bank organized and existing as a national bank association pursuant to the provisions of the National Bank Act, 12 U.S.C. §§ 21 et seq.;

(iii) A savings association or federal savings bank as defined in the Federal Deposit Insurance Act, 12 U.S.C. § 1813 (b)(1);

(iv) Any bank or thrift institution incorporated or organized under the laws of any state;

(v) Any corporation organized under the provisions of 12 U.S.C. §§ 611 to 631;

(vi) Any agency or branch of a foreign depository as defined in 12 U.S.C. § 3101 that is not exempt under RCW 82.04.315;

(vii) Any credit union, other than a state or federal credit union exempt under RCW 82.04.405, the loan assets of which exceed $50,000,000 as of the first day of its taxable period;

(viii) A production credit association organized under the Federal Farm Credit Act of 1933, all of whose stock held by the Federal Production Credit Corporation has been retired;

(ix) Any corporation or other business entity who receives gross income taxable under RCW 82.04.290, and whose voting interests are more than fifty percent owned, directly or indirectly, by any person or business entity described in (j)(i) through (viii) of this subsection other than an insurance company liable for the insurance premiums tax under RCW 48.14.020 or any other company taxable under chapter 48.14 RCW;

(x) A corporation or other business entity that derives more than fifty percent of its total gross income for federal income tax purposes from finance leases. For purposes of this subsection, a "finance lease" means a lease which meets two requirements:

(A) It is the type of lease permitted to be made by national banks (see 12 U.S.C. 24(7), 12 U.S.C. 24(10), Comptroller of the Currency-Regulations, Part 23-Leasing (added by 56 Fed. Reg. 28314, June 20, 1991, effective July 22, 1991), and Regulation Y of the Federal Reserve System 12 CFR 225.25, as amended); and

(B) It is the economic equivalent of an extension of credit, i.e., the lease is treated by the lessor as a loan for federal income tax purposes. In no event does a lease qualify as an extension of credit where the lessor takes depreciation on such property for federal income tax purposes;

(xi) Any other person or business entity, other than an insurance general agent taxable under RCW 82.04.280(5), an insurance business exempt from the business and occupation tax under RCW 82.04.320, a real estate broker taxable under RCW 82.04.255, a securities dealer or international investment management company taxable under RCW 82.04.290(2), which derives more than fifty percent of its gross receipts from activities that a person described in (j)(ii) through (viii) and (x) of this subsection is authorized to transact. For purposes of this subparagraph, the computation of apportionable income shall not include income from nonrecurring, extraordinary items;

(xii) The department is authorized to exclude any person from the application of (j)(xi) of this subsection upon such person proving, by clear and convincing evidence, that the activity producing the receipts of such person is not in substantial competition with those persons described in (j)(ii) through (viii) and (x) of this subsection.

(k) **"Gross income of the business," "gross income," or "income"** has the same meaning as in RCW 82.04.080 and means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

(l) **"Gross rents"** means the actual sum of money or other consideration payable for the use or possession of real property. "Gross rents" includes, but is not limited to:

(i) Any amount payable for the use or possession of real property whether designated as a fixed sum of money or as a percentage of receipts, profits or otherwise;

(ii) Any amount payable as additional rent or in lieu of rent, such as interest, taxes, insurance, repairs or any other amount required to be paid by the terms of a lease or other arrangement; and

(iii) A proportionate part of the cost of any improvement to real property made by or on behalf of the taxpayer which reverts to the owner or grantor upon termination of a lease or other arrangement. The amount to be included in gross rents is the amount of amortization or depreciation allowed in computing the taxable income base for the taxable period. However, where a building is erected on leased land by or on behalf of the taxpayer, the value of the land is determined by multiplying the gross rent by eight and the value of the building is determined in the same manner as if owned by the taxpayer.

(iv) The following are not included in the term "gross rents":

(A) Reasonable amounts payable as separate charges for water and electric service furnished by the lessor;

(B) Reasonable amounts payable as service charges for janitorial services furnished by the lessor;

(C) Reasonable amounts payable for storage, provided such amounts are payable for space not designated and not under the control of the taxpayer; and

(D) That portion of any rental payment which is applicable to the space subleased from the taxpayer and not used by it.

(m) **"Loan"** means any extension of credit resulting from direct negotiations between the taxpayer and its customer, and/or the purchase, in whole or in part, of such extension of credit from another. "Loan" includes

participations, syndications, and leases treated as loans for federal income tax purposes. "Loan" does not include: Properties treated as loans under Section 595 of the Federal Internal Revenue Code; futures or forward contracts; options; notional principal contracts such as swaps; credit card receivables, including purchased credit card relationships; non-interest bearing balances due from depository institutions; cash items in the process of collection; federal funds sold; securities purchased under agreements to resell; assets held in a trading account; securities; interests in a REMIC, or other mortgage-backed or asset-backed security; and other similar items.

(n) **"Loan secured by real property"** means that fifty percent or more of the aggregate value of the collateral used to secure a loan or other obligation was real property, when valued at fair market value as of the time the original loan or obligation was incurred.

(o) **"Merchant discount"** means the fee (or negotiated discount) charged to a merchant by the taxpayer for the privilege of participating in a program whereby a credit card is accepted in payment for merchandise or services sold to the card holder.

(p) **"Participation"** means an extension of credit in which an undivided ownership interest is held on a *pro rata* basis in a single loan or pool of loans and related collateral. In a loan participation, the credit originator initially makes the loan and then subsequently resells all or a portion of it to other lenders. The participation may or may not be known to the borrower.

(q) **"Person"** has the meaning given in RCW 82.04.030.

(r) **"Principal base of operations"** with respect to transportation property means the place of more or less permanent nature from which said property is regularly directed or controlled. With respect to an employee, the "principal base of operations" means the place of more or less permanent nature from which the employee regularly:

(i) Starts his or her work and to which he or she customarily returns in order to receive instructions from his or her employer; or

(ii) Communicates with his or her customers or other persons; or

(iii) Performs any other functions necessary to the exercise of his or her trade or profession at some other point or points.

(s) **"Real property owned"** and **"tangible personal property owned"** mean real and tangible personal property, respectively:

(i) On which the taxpayer may claim depreciation for federal income tax purposes; or

(ii) Property to which the taxpayer holds legal title and on which no other person may claim depreciation for federal income tax purposes (or could claim depreciation if subject to federal income tax).

Real and tangible personal property do not include coin, currency, or property acquired in lieu of or pursuant to a foreclosure.

(t) **"Regular place of business"** means an office at which the taxpayer carries on its business in a regular and systematic manner and which is continuously maintained, occupied and used by employees of the taxpayer.

(u) **"State"** means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States or any foreign country.

(v) **"Syndication"** means an extension of credit in which two or more persons fund and each person is at risk only up to a specified percentage of the total extension of credit or up to a specified dollar amount.

(w) **"Taxable in another state"** means either:

(i) That a taxpayer is subject in another state to a gross receipts or franchise tax for the privilege of doing business, a franchise tax measured by net income, a corporate stock tax (including a bank shares tax), a single business tax, or an earned surplus tax, or any other tax which is imposed upon or measured by gross or net income; or

(ii) That another state has jurisdiction to subject the taxpayer to any of such taxes regardless of whether, in fact, the state does or does not.

(x) **"Taxable period"** means the calendar year during which tax liability is incurred.

(y) **"Transportation property"** means vehicles and vessels capable of moving under their own power, such as aircraft, trains, water vessels and motor vehicles, as well as any equipment or containers attached to such property, such as rolling stock, barges, trailers or the like.

(4) **Receipts factor.**

(a) **General.** Except as provided in subsection (7) of this section, the receipts factor is a fraction, the numerator of which is the gross income of the taxpayer in this state during the taxable period and the denominator of which is the gross income of the taxpayer inside and outside this state during the taxable period. The method of calculating receipts for purposes of the denominator is the same as the method used in determining receipts for purposes of the numerator.

(b) **Receipts from the lease of real property.** The numerator of the receipts factor includes income from the lease or rental of real property owned by the taxpayer if the property is located within this state or income from the sublease of real property if the property is located within this state.

(c) **Receipts from the lease of tangible personal property.**

(i) Except as described in (c)(ii) of this subsection, the numerator of the receipts factor includes income from the lease or rental of tangible personal property owned by the taxpayer if the property is located within this state when it is first placed in service by the lessee.

(ii) Income from the lease or rental of transportation property owned by the taxpayer is included in the numerator of the receipts factor to the extent that the property is used in this state. The extent an aircraft is used in this state and the amount of income that is to be included in the numerator of this state's receipts factor is determined by multiplying all the income from the lease or rental of the aircraft by a fraction, the numerator of which is the number of landings of the aircraft in this state and the denominator of which is the total number of landings of the aircraft. If the extent of the use of any transportation property within this state cannot be determined, then the property will be deemed to be used wholly in the state in which the property has its principal base of operations. A motor vehicle will be deemed to be used wholly in the state in which it is registered.

(d) **Interest from loans secured by real property.**

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(i) The numerator of the receipts factor includes interest and fees or penalties in the nature of interest from loans secured by real property if the property is located within this state. If the property is located both within this state and one or more other states, the income described in this subparagraph is included in the numerator of the receipts factor if more than fifty percent of the fair market value of the real property is located within this state. If more than fifty percent of the fair market value of the real property is not located within any one state, then the income described in this subparagraph shall be included in the numerator of the receipts factor if the borrower is located in this state.

(ii) The determination of whether the real property securing a loan is located within this state shall be made as of the time the original agreement was made and any and all subsequent substitutions of collateral shall be disregarded.

(e) **Interest from loans not secured by real property.** The numerator of the receipts factor includes interest and fees or penalties in the nature of interest from loans not secured by real property if the borrower is located in this state.

(f) **Net gains from the sale of loans.** The numerator of the receipts factor includes net gains from the sale of loans. Net gains from the sale of loans includes income recorded under the coupon stripping rules of Section 1286 of the Federal Internal Revenue Code.

(i) The amount of net gains (but not less than zero) from the sale of loans secured by real property included in the numerator is determined by multiplying such net gains by a fraction the numerator of which is the amount included in the numerator of the receipts factor pursuant to subsection (4)(d) and the denominator of which is the total amount of interest and fees or penalties in the nature of interest from loans secured by real property.

(ii) The amount of net gains (but not less than zero) from the sale of loans not secured by real property included in the numerator is determined by multiplying such net gains by a fraction the numerator of which is the amount included in the numerator of the receipts factor pursuant to (e) of this subsection and the denominator of which is the total amount of interest and fees or penalties in the nature of interest from loans not secured by real property.

(g) **Receipts from credit card receivables.** The numerator of the receipts factor includes interest and fees or penalties in the nature of interest from credit card receivables and income from fees charged to card holders, such as annual fees, if the billing address of the card holder is in this state.

(h) **Net gains from the sale of credit card receivables.** The numerator of the receipts factor includes net gains (but not less than zero) from the sale of credit card receivables multiplied by a fraction, the numerator of which is the amount included in the numerator of the receipts factor pursuant to (g) of this subsection and the denominator of which is the taxpayer's total amount of interest and fees or penalties in the nature of interest from credit card receivables and fees charged to card holders.

(i) **Credit card issuer's reimbursement fees.** The numerator of the receipts factor includes all credit card issuer's reimbursement fees multiplied by a fraction, the numerator of which is the amount included in the numerator of the receipts factor pursuant to (g) of this subsection and the denominator of which is the taxpayer's total amount of interest and fees or penalties in the nature of interest from credit card receivables and fees charged to card holders.

(j) **Receipts from merchant discount.** The numerator of the receipts factor includes receipts from merchant discount if the commercial domicile of the merchant is in this state. Such receipts shall be computed net of any cardholder charge backs, but shall not be reduced by any interchange transaction fees or by any issuer's reimbursement fees paid to another for charges made by its card holders.

(k) **Loan servicing fees.**

(i)(A) The numerator of the receipts factor includes loan servicing fees derived from loans secured by real property multiplied by a fraction the numerator of which is the amount included in the numerator of the receipts factor under (d) of this subsection and the denominator of which is the total amount of interest and fees or penalties in the nature of interest from loans secured by real property.

(B) The numerator of the receipts factor includes loan servicing fees derived from loans not secured by real property multiplied by a fraction the numerator of which is the amount included in the numerator of the receipts factor under (e) of this subsection and the denominator of which is the total amount of interest and fees or penalties in the nature of interest from loans not secured by real property.

(ii) If the taxpayer receives loan servicing fees for servicing either the secured or the unsecured loans of another, the numerator of the receipts factor includes such fees if the borrower is located in this state.

(l) **Receipts from services.** The numerator of the receipts factor includes receipts from services not otherwise apportioned under this subsection if the service is performed in this state. If the service is performed both inside and outside this state, the numerator of the receipts factor includes receipts from services not otherwise apportioned under this section, if a greater proportion of the activity producing the receipts is performed in this state based on cost of performance.

(m) **Receipts from investment assets and activities and trading assets and activities.**

(i) Interest, dividends, net gains (but not less than zero) and other income from investment assets and activities and from trading assets and activities are included in the receipts factor. Investment assets and activities and trading assets and activities include but are not limited to: Investment securities; trading account assets; federal funds; securities purchased and sold under agreements to resell or repurchase; options; futures contracts; forward contracts; notional principal contracts such as swaps; equities; and foreign currency transactions. With respect to the investment and trading assets and activities, the receipts factor includes the following:

(A) The receipts factor includes the amount by which interest from federal funds sold and securities purchased under resale agreements exceeds interest expense on federal funds purchased and securities sold under repurchase agreements.

(B) The receipts factor includes the amount by which interest, dividends, gains and other receipts from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book, and

foreign currency transactions, exceed amounts paid in lieu of interest, amounts paid in lieu of dividends, and losses from such assets and activities.

(ii) The numerator of the receipts factor includes interest, dividends, net gains (but not less than zero) and other receipts from investment assets and activities and from trading assets and activities described in (m)(i) of this subsection that are attributable to this state.

(A) The amount of interest, dividends, net gains (but not less than zero) and other income from investment assets and activities in the investment account to be attributed to this state and included in the numerator is determined by multiplying all such income from such assets and activities by a fraction, the numerator of which is the average value of such assets which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the average value of all such assets.

(B) The amount of interest from federal funds sold and purchased and from securities purchased under resale agreements and securities sold under repurchase agreements attributable to this state and included in the numerator is determined by multiplying the amount described in (m)(i)(A) of this subsection from such funds and such securities by a fraction, the numerator of which is the average value of federal funds sold and securities purchased under agreements to resell which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the average value of all such funds and such securities.

(C) The amount of interest, dividends, gains and other income from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book and foreign currency transactions, (but excluding amounts described in (m)(ii)(A) or (B) of this subsection), attributable to this state and included in the numerator is determined by multiplying the amount described in (m)(i)(B) of this subsection by a fraction, the numerator of which is the average value of such trading assets which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the average value of all such assets.

(D) For purposes of this paragraph, average value shall be determined using the rules for determining the average value of tangible personal property set forth in subsection (5) of this section.

(iii) In lieu of using the method set forth in (m)(ii) of this subsection, the taxpayer may elect, or the department may require in order to fairly represent the business activity of the taxpayer in this state, the use of the method set forth in this paragraph.

(A) The amount of interest, dividends, net gains (but not less than zero) and other income from investment assets and activities in the investment account to be attributed to this state and included in the numerator is determined by multiplying all such income from such assets and activities by a fraction, the numerator of which is the gross receipts from such assets and activities which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the gross income from all such assets and activities.

(B) The amount of interest from federal funds sold and purchased and from securities purchased under resale agreements and securities sold under repurchase agreements attributable to this state and included in the numerator is determined by multiplying the amount described in (m)(i)(A) of this subsection from such funds and such securities by a fraction, the numerator of which is the gross income from such funds and such securities which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the gross income from all such funds and such securities.

(C) The amount of interest, dividends, gains and other receipts from trading assets and activities, including but not limited to assets and activities in the matched book, in the arbitrage book and foreign currency transactions, (but excluding amounts described in (m)(ii)(a) or (B) of this subsection), attributable to this state and included in the numerator is determined by multiplying the amount described in (m)(i)(B) of this subsection by a fraction, the numerator of which is the gross income from such trading assets and activities which are properly assigned to a regular place of business of the taxpayer within this state and the denominator of which is the gross income from all such assets and activities.

(iv) If the taxpayer elects or is required by the department to use the method set forth in (m)(iii) of this subsection, it shall use this method on all subsequent returns unless the taxpayer receives prior permission from the department to use, or the department requires a different method.

(v) The taxpayer has the burden of proving that an investment asset or activity or trading asset or activity was properly assigned to a regular place of business outside of this state by demonstrating that the day-to-day decisions regarding the asset or activity occurred at a regular place of business outside this state. If the day-to-day decisions regarding an investment asset or activity or trading asset or activity occur at more than one regular place of business and one such regular place of business is in this state and one such regular place of business is outside this state, such asset or activity is considered to be located at the regular place of business of the taxpayer where the investment or trading policies or guidelines with respect to the asset or activity are established. Such policies and guidelines are presumed, subject to rebuttal by preponderance of the evidence, to be established at the commercial domicile of the taxpayer.

(n) **Attribution of certain receipts to commercial domicile.** All receipts which would be assigned under this section to a state in which the taxpayer is not taxable are included in the numerator of the receipts factor, if the taxpayer's commercial domicile is in this state.

(5) **Property factor.**

(a) **General.** Except as provided in subsection (7) of this section, the property factor is a fraction, the numerator of which is the average value of real property and tangible personal property rented to the taxpayer that is located or used within this state during the taxable period, the average value of the real and tangible personal property owned by the taxpayer that is located or used within this state during the taxable period, and the average value of the taxpayer's loans and credit card receivables that are located within this state during the taxable period, and the denominator of which is the average value of all such property located or used inside and outside this state during the taxable period.

(b) **Value of property owned by the taxpayer.**

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(i) The value of real property and tangible personal property owned by the taxpayer is the original cost or other basis of such property for federal income tax purposes without regard to depletion, depreciation or amortization.

(ii) Loans are valued at their outstanding principal balance, without regard to any reserve for bad debts. If a loan is charged-off in whole or in part for federal income tax purposes, the portion of the loan charged off is not outstanding. A specifically allocated reserve established under regulatory or financial accounting guidelines which is treated as charged-off for federal income tax purposes shall be treated as charged-off for purposes of this section.

(iii) Credit card receivables are valued at their outstanding principal balance, without regard to any reserve for bad debts. If a credit card receivable is charged-off in whole or in part for federal income tax purposes, the portion of the receivable charged-off is not outstanding.

(c) **Average value of property owned by the taxpayer.** The average value of property owned by the taxpayer is computed on an annual basis by adding the value of the property on the first day of the taxable period and the value on the last day of the taxable period and dividing the sum by two. If averaging on this basis does not properly reflect average value, the department may require averaging on a more frequent basis. The taxpayer may elect to average on a more frequent basis. When averaging on a more frequent basis is required by the department or is elected by the taxpayer, the same method of valuation must be used consistently by the taxpayer with respect to property inside and outside this state and on all subsequent returns unless the taxpayer receives prior permission from the department or the department requires a different method of determining average value.

(d) **Average value of real property and tangible personal property rented to the taxpayer.**

(i) The average value of real property and tangible personal property that the taxpayer has rented from another and which is not treated as property owned by the taxpayer for federal income tax purposes, shall be determined annually by multiplying the gross rents payable during the taxable year by eight.

(ii) Where the use of the general method described in this subsection results in inaccurate valuations of rented property, any other method which properly reflects the value may be adopted by the department or by the taxpayer when approved in writing by the department. Once approved, such other method of valuation must be used on all subsequent returns unless the taxpayer receives prior approval from the department or the department requires a different method of valuation.

(e) **Location of real property and tangible personal property owned by or rented to the taxpayer.**

(i) Except as described in (e)(ii) of this subsection, real property and tangible personal property owned by or rented to the taxpayer is considered to be located within this state if it is physically located, situated or used within this state.

(ii) Transportation property is included in the numerator of the property factor to the extent that the property is used in this state. The extent an aircraft will be deemed to be used in this state and the amount of value that is to be included in the numerator of this state's property factor is determined by multiplying the average value of the aircraft by a fraction, the numerator of which is the number of landings of the aircraft in this state and the denominator of which is the total number of landings of the aircraft everywhere during the tax reporting period. If the extent of the use of any transportation property within this state cannot be determined, then the property is deemed to be used wholly in the state in which the property has its principal base of operations. A motor vehicle is deemed to be used wholly in the state in which it is registered. Thus, a motor vehicle will not be considered as used in Washington if there is no requirement for the vehicle to be licensed or registered in Washington.

(f) **Location of loans.**

(i)(A) A loan is located within this state if it is properly assigned to a regular place of business of the taxpayer within this state.

(B) A loan is properly assigned to the regular place of business with which it has a majority of substantive contacts. A loan assigned by the taxpayer to a regular place of business outside the state shall be presumed to have been properly assigned if:

(I) The taxpayer has assigned, in the regular course of its business, such loan on its records to a regular place of business consistent with federal or state regulatory requirements;

(II) Such assignment on its records is based upon substantive contacts of the loan to such regular place of business; and

(III) The taxpayer uses said records reflecting assignment of loans for the filing of all state and local tax returns for which an assignment of loans to a regular place of business is required.

(ii) The presumption of proper assignment of a loan provided in (f)(i)(A) of this subsection may be rebutted by a preponderance of the evidence, showing that the majority of substantive contacts regarding such loan did not occur at the regular place of business to which it was assigned on the taxpayer's records. When such presumption has been rebutted, the loan is located within this state if: The taxpayer had a regular place of business within this state at the time the loan was made; and the taxpayer fails to show, by a preponderance of the evidence, that the majority of substantive contacts regarding such loan did not occur within this state.

(C) If a loan is assigned by the taxpayer to a place outside this state which is not a regular place of business, it is presumed, subject to rebuttal on a preponderance of evidence, that the majority of substantive contacts regarding the loan occurred within this state if, at the time the loan was made the taxpayer's commercial domicile, as defined in subsection (3)(d) of this section, was within this state.

(D) To determine the state in which the majority of substantive contacts relating to a loan have occurred, the facts and circumstances regarding the loan at issue shall be reviewed on a case-by-case basis and consideration shall be given to such activities as the solicitation, investigation, negotiation, approval and administration of the loan. The terms "solicitation," "investigation," "negotiation," "approval" and "administration" are defined as follows:

(I) *Solicitation.* Solicitation is either active or passive. Active solicitation occurs when an employee of the taxpayer initiates the contact with the customer. Such activity is

located at the regular place of business which the taxpayer's employee is regularly connected with or working out of, regardless of where the services of such employee were actually performed. Passive solicitation occurs when the customer initiates the contact with the taxpayer. If the customer's initial contact was not at a regular place of business of the taxpayer, the regular place of business, if any, where the passive solicitation occurred is determined by the facts in each case.

(II) *Investigation.* Investigation is the procedure whereby employees of the taxpayer determine the credit worthiness of the customer as well as the degree of risk involved in making a particular agreement. Such activity is located at the regular place of business which the taxpayer's employees are regularly connected with or working out of, regardless of where the services of such employees were actually performed.

(III) *Negotiation.* Negotiation is the procedure whereby employees of the taxpayer and its customer determine the terms of the agreement (e.g., the amount, duration, interest rate, frequency of repayment, currency denomination and security required). Such activity is located at the regular place of business which the taxpayer's employees are regularly connected with or working out of, regardless of where the services of such employees were actually performed.

(IV) *Approval.* Approval is the procedure whereby employees or the board of directors of the taxpayer make the final determination whether to enter into the agreement. Such activity is located at the regular place of business which the taxpayer's employees are regularly connected with or working out of, regardless of where the services of such employees were actually performed. If the board of directors makes the final determination, such activity is located at the commercial domicile of the taxpayer.

(V) *Administration.* Administration is the process of managing the account. This process includes bookkeeping, collecting the payments, corresponding with the customer, reporting to management regarding the status of the agreement and proceeding against the borrower or the security interest if the borrower is in default. Such activity is located at the regular place of business which oversees this activity.

(g) **Location of credit card receivables.** For purposes of determining the location of credit card receivables, credit card receivables are treated as loans and are subject to the provisions of (f) of this subsection.

(h) **Period for which properly assigned loan remains assigned.** A loan that has been properly assigned to a state shall remain assigned to that state for the length of the original term of the loan, absent any change in material fact. If the original term of the loan is modified (extended or reduced), the loan may be properly assigned to another state if the loan has a majority of substantive contact to a regular place of business there.

(6) **Payroll factor.**

(a) **General.** Except as provided in subsection (7) of this section, the payroll factor is a fraction, the numerator of which is the total amount paid in this state during the taxable period by the taxpayer for compensation of employees and the denominator of which is the total compensation paid both inside and outside this state during the taxable period. The payroll factor shall include all compensation paid to employees.

(b) **Compensation relating to independent contractors.** Payments made to any independent contractor or any other person not properly classifiable as an employee is excluded from both the numerator and denominator of the factor.

(c) **When compensation paid in this state.** Compensation is paid in this state if any one of the following tests, applied consecutively, is met:

(i) The employee's services are performed entirely within this state.

(ii) The employee's services are performed both inside and outside the state, but the service performed without the state is incidental to the employee's service within the state. The term "incidental" means any service which is temporary or transitory in nature, or which is rendered in connection with an isolated transaction.

(iii) If the employee's services are performed both inside and outside this state, the employee's compensation will be attributed to this state:

(A) If the employee's principal base of operations is inside this state; or

(B) If there is no principal base of operations in any state in which some part of the services are performed, but the place from which the services are directed or controlled is in this state; or

(C) If the principal base of operations and the place from which the services are directed or controlled are not in any state in which some part of the service is performed but the employee's residence is in this state.

(7) **Alternative factor calculation.**

(a) **General.** A taxpayer may elect to use an alternative factor calculation as provided in this subsection. A taxpayer making such an election must keep books and records sufficient to explain the calculations. Such an election, once made, must continue for a full calendar year.

(b) **Receipts factor.** The alternative receipts factor may be calculated by excluding from both the numerator and the denominator of the receipts factor as calculated in subsection (4) of this section gross income attributable to items that would not be subject to tax under the provisions of RCW 82.04.290, whether from activities inside or outside of the state. For example, a taxpayer making the election to use alternative factor calculation must exclude all receipts from the rental of real property in Washington from the numerator and all receipts from the rental of real property, wherever located, in the denominator.

(c) **Property factor.** The alternative property factor may be calculated by excluding from both the numerator and the denominator of the property factor as calculated in subsection (5) of this section property income from which would be considered wholesale or retail sales under chapter 82.04 RCW, whether from activities inside or outside the state. For example, a taxpayer making the election to use alternative factor calculation must exclude all receipts from the rental of tangible personal property in Washington from the numerator and all income from the rental of tangible personal property, wherever located, in the denominator.

(d) **Payroll factor.** The alternative payroll factor may be calculated by excluding from both the numerator and the denominator of the payroll factor as calculated in subsection

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(6) of this section that amount paid to employees in connection with earning gross income which would not be subject to tax under RCW 82.04.290, whether earned from activities inside or outside of the state. For example, a taxpayer making the election to use alternative factor calculation must exclude all compensation paid to employees in connection with activities that are not taxable under RCW 82.04.290 from the numerator and all compensation paid to employees wherever located that would not be taxable under RCW 82.04.290 if it had been earned in Washington.

(8) **Effective date.**

(a) **General.** This section applies to gross income that is reportable with respect to periods beginning on and after January 1, 1997.

(b) **Transition period election.** A financial institution may petition the department to apportion its gross receipts in the manner prescribed in RCW 82.04.460(1) and WAC 458-20-194. If granted, such election may continue until the earlier of the date the financial institution elects to report in accordance with this section, but not later than January 1, 2000.

WSR 96-22-092
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 6, 1996, 10:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-15-136.

Title of Rule: WAC 458-20-101 Tax registration and tax reporting and 458-20-104 Small business tax relief based on volume of business.

Purpose: Rule 101 explains the tax registration and tax reporting requirements for persons engaging in business activities in Washington. Rule 104 explains Washington's gross receipts tax relief for small business, which is composed of a B&O tax credit system and a minimum volume of business threshold for the public utility tax.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Rule 101 is RCW 82.32.030 and 82.32.045; and rule 104 is RCW 82.04.4451 and 82.16.040.

Summary: These rules are being amended to implement HB 2789 (chapter 111, Laws 1996), which became effective July 1, 1996. This legislation authorizes the department to relieve registered taxpayers from the requirement to file tax returns under certain conditions. Rule 101 is being revised to explain this change in tax reporting requirements. The legislation also increased the minimum tax reporting threshold for the public utility tax classification from $500 per month to $2,000 per month. Rule 104 currently indicates that the monthly threshold is $500 per month.

Reasons Supporting Proposal: To incorporate 1996 law changes.

Name of Agency Personnel Responsible for Drafting: Gary Davis, 711 Capitol Way South, #303, Olympia, WA, (360) 586-7150; Implementation: Claire Hesselholt, 711 Capitol Way South, #303, Olympia, WA, (360) 753-3446; and Enforcement: Russell Brubaker, 711 Capitol Way South, #303, Olympia, WA, (360) 586-0257.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule 101 explains the tax registration and tax reporting requirements for persons engaging in business activities in Washington. It explains the tax registration procedure, and the unified business identifier program. The rule discusses the criteria under which a person may do business in Washington without registering with the Department of Revenue. Rule 101 also explains the conditions under which a taxpayer required to be registered with the department is not required to file excise tax returns. The amendments to this rule will better help businesses understand their tax registration and tax reporting requirements.

Rule 104 explains Washington's gross receipts tax relief for small business. The rule explains the B&O tax credit system, and the minimum volume of business threshold for the public utility tax. It explains that the B&O tax credit should be computed after claiming any other B&O tax credits available under chapter 82.04 RCW, but prior to any credits provided under other chapters of Title 82 RCW. The amendments to this rule should help businesses better understand Washington's gross receipts tax relief for small business.

Proposal Changes the Following Existing Rules: This proposal amends WAC 458-20-101 and 458-20-104.

The 1996 legislature authorized the department to relieve registered taxpayers from the requirement to file tax returns under certain conditions. Rule 101 is being revised to explain the department's implementation of this authority. Persons satisfying the statutory conditions may qualify for the department's new "active nonreporting" status.

Rule 104 is being revised to implement the new minimum reporting threshold for the public utility tax classification. The 1996 legislature changed the monthly threshold from $500 per month to $2,000 per month. This change became effective July 1, 1996.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules require no additional administrative action on the part of businesses. There are no disproportionate costs to small businesses. There are only reduced administrative costs associated with complying with these rules. Small business economic impact statements are not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This is an interpretative rule to implement specific statutes.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on December 10, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Sandra Yuen by December 2, 1996, TDD 1-800-451-7985, or (360) 753-3217.

Submit Written Comments to: Gary Davis, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, by December 10, 1996.

Date of Intended Adoption: December 17, 1996.

November 6, 1996
Russell W. Brubaker
Assistant Director

AMENDATORY SECTION (Amending WSR 95-07-089, filed 3/17/95, effective 4/17/95)

WAC 458-20-101 Tax registration and tax reporting. (1) **Introduction.** This section explains tax registration and tax reporting requirements for the Washington state department of revenue as established in RCW 82.32.030 and 82.32.045. These statutes were amended by chapter 111, Laws of 1996, effective July 1, 1996. ((~~It~~)) This section discusses who is required to be registered, and who must file excise tax returns. This section also discusses changes in ownership requiring a new registration, the administrative closure of taxpayer accounts, and the revocation and reinstatement of a revenue tax ((~~registration~~)) reporting account. Persons required to file tax returns should also refer to WAC 458-20-104 (Small business tax relief based on volume of business).

(2) **Persons required to obtain tax registration endorsements.** Except as provided in (a) of this subsection, every person who is engaged in any business activity for which the department of revenue is responsible for ((~~administrating~~)) administering and/or collecting a tax or fee, shall apply for and obtain a tax registration endorsement with the department of revenue. (See RCW 82.32.030.) This endorsement shall be reflected on the face of the business person's registrations and licenses document. The tax registration endorsement is nontransferable, and valid for as long as that person continues in business.

(a) Registration under this section is not required if all of the following conditions are met:

(i) ((~~A~~)) The person's value of products, gross proceeds of sales, or gross income of the business, from all business activities taxable under chapter 82.04 RCW (business and occupation tax), is less than twelve thousand dollars per year;

(ii) A person's gross income from all business activities taxable under chapter 82.16 RCW (public utility tax), is less than twelve thousand dollars per year;

(iii) The person is not required to collect or pay to the department of revenue retail sales tax or any other tax or fee which the department is authorized to administer and/or collect; and

((~~(iii)~~)) (iv) The person is not otherwise required to obtain a license or registration subject to the master application procedure provided in chapter 19.02 RCW. For the purposes of this section, the term "license or registration" means any agency permit, license, certificate, approval, registration, charter, or any form or permission required by law, including agency rule, to engage in any activity.

(b) ((~~Persons subject to the public utility tax (chapter 82.16 RCW) may be required to obtain a tax registration endorsement even if their gross income from business activities is less than twelve thousand dollars per year. RCW 82.16.040 provides a minimum tax reporting threshold of six thousand dollars per year for the public utility tax. (See also WAC 458-20-104 on minimum tax reporting thresholds.) Persons receiving taxable income in excess of this minimum threshold must pay public utility tax to the department. They do not satisfy (a)(ii) of this subsection, and therefore must obtain a tax registration endorsement.~~

(~~c~~))) The term "tax registration endorsement," as used in this section, has the same meaning as the term "tax registration" or "certificate of registration" used in Title 82 RCW and other sections of chapter 458-20 WAC.

((~~(d)~~))) (c) The term "person" has the meaning given in RCW 82.04.030.

(d) The term "tax reporting account" number as used in this section, is the number used to identify persons registered with the department of revenue.

(3) **Requirement to file tax returns.** Persons registered with the department must file tax returns and remit the appropriate taxes to the department, unless they are placed on an "active nonreporting" status by the department.

(a) The department may relieve any person of the requirement to file returns by placing the person in an active nonreporting status if all of the following conditions are met:

(i) The person's value of products (RCW 82.04.450), gross proceeds of sales (RCW 82.04.070), or gross income of the business (RCW 82.04.080), from all business activities taxable under chapter 82.04 RCW (business and occupation tax), is less than twenty-four thousand dollars per year;

(ii) The person's gross income (RCW 82.16.010) from all business activities taxable under chapter 82.16 RCW (public utility tax), is less than twenty-four thousand dollars per year; and

(iii) The person is not required to collect or pay to the department retail sales tax or any other tax or fee the department is authorized to collect.

(b) The department will notify those persons it places on an active nonreporting status. (A person may request to be placed on an active nonreporting status if the conditions of (a) of this subsection are met.)

(c) Persons placed on an active nonreporting status by the department are required to timely notify the department if their business activities do not meet any of the conditions explained in (a) of this subsection. These persons will be removed from an active nonreporting status, and are required to file tax returns and remit appropriate taxes to the department, beginning with the first period in which they do not qualify for an active nonreporting status.

(d) Persons that have not been placed on an active nonreporting status by the department must continue to file tax returns and remit the appropriate taxes.

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

((~~(i)~~))) (a) Bob Brown is starting a bookkeeping service. The gross income of the business is expected to be less than twelve thousand dollars per year. Due to the nature of the business activities, Bob is not required to pay or collect any other tax which the department is authorized to collect.

Bob Brown is not required to apply for and obtain a tax registration endorsement with the department of revenue. The conditions under which a business person may engage in business activities without obtaining the tax registration endorsement have been met. However, if Bob Brown in some future period has gross income which exceeds twelve thousand dollars per year, he will be required to obtain a tax

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registration endorsement. If Bob's gross income exceeds twenty-four thousand dollars per year, he will be required to file tax returns and remit the appropriate taxes.

((~~(ii)~~)) (b) Cindy Smith is opening a business to sell books written for children to local customers at retail. The gross proceeds of sales are expected to be less than twelve thousand dollars per year.

Cindy Smith must apply for and obtain a tax registration endorsement with the department of revenue. While gross income is expected to be less than twelve thousand dollars per year, Cindy Smith is required to collect and remit retail sales tax.

((~~(iii) Jane Doe is starting a management consulting business. The gross income of the business is expected to exceed twelve thousand dollars per year. However, Jane is starting her business effective October 1, and expects to earn only ten thousand dollars prior to January 1 of the following year. Jane is not required to pay or collect any other tax which the department is authorized to collect.~~

~~Jane Doe must apply for and obtain a tax registration endorsement with the department of revenue. Jane Doe expects to earn more than twelve thousand dollars per year. Jane may not delay obtaining a tax registration endorsement merely because she does not anticipate earning more than twelve thousand dollars for the balance (October through December) of the calendar year.~~

~~(3)~~)) (c) Alice Smith operates a taxi-cab service with an average gross income of eighteen thousand dollars per year. She also owns a management consulting service with an average gross income of fifteen thousand dollars per year. Assume that Alice is not required to collect or pay to the department any other tax or fee the department is authorized to collect. Alice qualifies for an active nonreporting status because her taxi-cab income is less than the twenty-four thousand dollar threshold for the public utility tax, and her consulting income is less than the twenty-four thousand dollar threshold for the B&O tax. If the department of revenue does not first place her on an active nonreporting status, she may request the department to do so.

(5) **Out-of-state businesses.** Out-of-state persons not satisfying the conditions expressed in subsection (2)(a) of this section must obtain a tax registration endorsement with this department if any of the following circumstances prevail:

(a) The person maintains a place of business in this state.

(b) The person has established sufficient nexus in Washington to incur a business and occupation or retail sales tax liability in this state. (Refer to WAC 458-20-193 and 458-20-194.)

(c) The seller has established sufficient nexus in Washington to be required to collect the use tax on sales made into this state. (See also WAC 458-20-193 and 458-20-221.)

(d) The out-of-state seller, while not statutorily required to do so, elects to collect the use tax from its retail customers in this state.

((~~(4)~~)) (6) **Registration procedure.** The state of Washington initiated the unified business identifier (UBI) program to simplify the registration and licensing requirements imposed on the state's business community. Completion of the master ((~~business~~)) application enables ((~~the business~~)) a person to register or license with several state agencies, including the department of revenue, using a single form. The ((~~business~~)) person will be assigned one unified business ((~~identification~~)) identifier number, which will be used for all state agencies participating in the UBI program. The department may assign the unified business identifier number as the taxpayer's revenue tax reporting account number, or it may assign a different or additional number as the revenue tax reporting account number.

(a) ((~~Business~~)) Persons completing the master ((~~business~~)) application will be issued a registrations and licenses document. The face of this document will list the registrations and licenses (endorsements) which have been obtained.

(b) The department of revenue does not charge a registration fee for issuing a tax registration endorsement. Persons required to complete a master ((~~business~~)) application may, however, be subject to other fees.

(c) While the UBI program is administered by the department of licensing, master ((~~business~~)) applications are available at any participating UBI ((~~agency office~~)) service provider location. The following agencies of the state of Washington participate in the UBI program (see RCW 19.02.050 for a more complete listing of participating agencies):

(i) The office of the secretary of state;

(ii) The department of licensing;

(iii) The department of employment security;

(iv) The department of labor and industries;

(v) The department of revenue.

((~~(5)~~)) (7) **Temporary revenue registration certificate.** A temporary revenue registration certificate may be issued to any person who operates a business of a temporary nature.

(a) Temporary businesses, for the purposes of registration, are those with:

(i) Definite, predetermined dates of operation for no more than two events each year with each event lasting no longer than one month; or

(ii) Seasonal dates of operation lasting no longer than three months. However, persons engaging in business activities on a seasonal basis every year should refer to subsection ((~~(6)~~)) (8) of this section.

(b) Each temporary registration certificate is valid for a single event.

(c) Temporary revenue registration certificates may be obtained by making application at any participating UBI agency office, or by completing a seasonal registration form.

((~~(6)~~)) (8) **Seasonal revenue ((~~registration~~)) tax reporting accounts.** Persons engaging in seasonal business activities which do not exceed two quarterly reporting periods each calendar year may be eligible for a tax reporting account with a seasonal ((~~revenue registration account~~)) reporting status. This is a permanent account until closed by the taxpayer. The taxpayer must specify in which quarterly reporting periods he or she will be engaging in taxable business activities. The quarterly reporting periods in which the taxpayer is engaging in taxable business activities may or may not be consecutive, but the same quarterly period or periods must apply each year. The taxpayer is not required to be engaging in taxable business activities during the entire period.

The department will provide and the taxpayer will be required to file tax returns only for the quarterly reporting

periods specified by the taxpayer. Examples of persons which may be eligible for the seasonal ((~~revenue registration account~~)) reporting status include persons operating Christmas tree and/or fireworks stands. Persons engaging in taxable business activities in more than two quarterly reporting periods in a calendar year will not qualify for ((~~a~~)) the seasonal ((~~revenue registration account~~)) reporting status.

(((~~7~~))) (9) **Display of registrations and licenses document.** The taxpayer is required to display the registrations and licenses document in a conspicuous place at the business location for which it is issued.

(((~~8~~))) (10) **Multiple locations.** A registrations and licenses document is required for each place of business at which a taxpayer engages in business activities for which the department of revenue is responsible for ((~~administrating~~)) administering and/or collecting a tax or fee, and any main office or principal place of business from which excise tax returns are to be filed. This requirement applies to locations both within and without the state of Washington.

(a) For the purposes of this section, the term "place of business" means:

(i) Any separate establishment, office, stand, cigarette vending machine, or other fixed location; or

(ii) Any vessel, train, or the like, at any of which the taxpayer solicits or makes sales of tangible personal property, or contracts for or renders services in this state or otherwise transacts business with customers.

(b) A taxpayer wishing to report all tax liability on a single excise tax return may request a separate registrations and licenses document for each location. The original registrations and licenses document shall be retained for the main office or principal place of business from which the returns are to be filed, with additional documents obtained for all branch locations. All registrations and licenses documents will reflect the same ((~~registration~~)) tax reporting account number.

(c) A taxpayer desiring to file a separate excise tax return covering a branch location, or a specific construction contract, may apply for and receive a separate revenue ((~~registration~~)) tax reporting account number. A registrations and licenses document will be issued for each ((~~registration~~)) tax reporting account number and will represent a separate account.

(d) A master ((~~business~~)) application must be completed to obtain a separate registrations and licenses document, or revenue ((~~registration~~)) tax reporting account number, for a new location.

(((~~9~~))) (11) **Change in ownership.** When a change in ownership of a business occurs, the new owner must apply for and obtain a new registrations and licenses document. The original document must be destroyed, and any further use of the ((~~registration~~)) tax reporting account number for tax purposes is prohibited.

(a) A "change in ownership," for purposes of registration, occurs upon but is not limited to:

(i) The sale of a business by one individual, firm or corporation to another individual, firm or corporation;

(ii) The dissolution of a partnership;

(iii) The withdrawal, substitution, or addition of one or more partners where the general partnership continues as a business organization and the change in the ((~~number~~)) composition of the partners is equal to or greater than fifty percent;

(iv) Incorporation of a business previously operated as a partnership or sole proprietorship; ((~~or~~))

(v) Changing from a corporation to a partnership or sole proprietorship; or

(vi) Changing from a corporation, partnership or sole proprietorship to a limited liability company or a limited liability partnership.

(b) For the purposes of registration, a "change in ownership" does not occur upon:

(i) The sale of all or part of the common stock of a corporation;

(ii) The transfer of assets to an assignee for the benefit of creditors or upon the appointment of a receiver or trustee in bankruptcy;

(iii) The death of a sole proprietor where there will be a continuous operation of the business by the executor, administrator, or trustee of the estate or, where the business was owned by a marital community, by the surviving spouse of the deceased owner;

(iv) The withdrawal, substitution, or addition of one or more partners where the general partnership continues as a business organization and the change in the ((~~number~~)) composition of the partners is less than fifty percent; or

(v) A change in the trade name under which the business is conducted.

(c) While changes in a business entity may not result in a "change in ownership," the completion of a new master ((~~business~~)) application may be required to reflect the changes in the registered account.

(((~~10~~))) (12) **Change in location.** Whenever the place of business is moved to a new location, the taxpayer must notify the department of the change. A new registrations and licenses document will be issued to reflect the change in location.

(((~~11~~))) (13) **Lost registrations and licenses documents.** If any registrations and licenses document is lost, destroyed or defaced as a result of accident or of natural wear and tear, a new document will be issued upon request.

(((~~12~~))) (14) **Administrative closure of taxpayer accounts.** The department may, upon written notification to the taxpayer, close the taxpayer's tax reporting account and rescind its tax registration endorsement whenever the taxpayer has reported no gross income((~~,~~)) and there is no indication of taxable activity for two consecutive years, or the account has been in an active nonreporting status for five years or more.

The taxpayer may request, within thirty days of notification of closure, that the account remain open. ((~~This request must be in writing and state the reasons why the account should remain active.~~)) A taxpayer may also request that the account remain open on an "active nonreporting" status if the requirements of subsection (3)(a) of this section are met. The request shall be reviewed by the department and if found to be warranted, the department will immediately reopen the account. The following are acceptable reasons for continuing as an active account:

(a) The taxpayer is engaging in business activities in Washington which may result in tax liability.

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(b) The taxpayer is required to collect or pay to the department of revenue a tax or fee which the department is authorized to administer and/or collect.

(c) The taxpayer has in fact been liable for excise taxes during the previous two years.

((~~(13)~~)) (15) **Reopening of taxpayer accounts.** A business person choosing to resume business activities for which the department of revenue is responsible for ((~~administrating~~)) administering and/or collecting a tax or fee, may request a previously closed account be reopened. The business person must complete a new master ((~~business~~)) application. When an account is reopened a new registrations and licenses document, reflecting a current tax registration endorsement, shall be issued. Persons requesting the reopening of an account which had previously been closed due to a revocation action should refer to subsection ((~~(14)~~)) (16) of this section.

((~~(14)~~)) (16) **Revocation and reinstatement of tax registration endorsements.** Actions to revoke tax registration endorsements must be conducted by the department pursuant to the provisions of chapter 34.05 RCW, the Administrative Procedure Act, and the taxpayers bill of rights of chapter 82.32A RCW. Persons should refer to WAC 458-20-10001, Adjudicative proceedings—Brief adjudicative proceedings—Wholesale and retail cigarette license revocation/suspension—Certificate of registration (tax registration endorsement) revocation, for an explanation of the procedures and processes pertaining to the revocation of tax registration endorsements.

(a) The department of revenue may, by order, revoke a tax registration endorsement if any tax warrant issued under the provisions of RCW 82.32.210 is not paid within thirty days after it has been filed with the clerk of the superior court, or for any other reason expressly provided by law.

(b) The revocation order will be posted in a conspicuous place at the main entrance to the taxpayer's place of business and must remain posted until the tax registration endorsement has been reinstated. A revoked endorsement will not be reinstated until:

(i) The amount due on the warrant has been paid, or satisfactory arrangements for payment have been approved by the department; and

(ii) The taxpayer has posted with the department a bond or other security in an amount not exceeding one-half the estimated average annual liability of the taxpayer.

(c) It is unlawful for any taxpayer to engage in business after its tax registration endorsement has been revoked.

((~~(15)~~)) (17) **Penalties for noncompliance.** The law provides that any person engaging in any business activity, for which registration with the department of revenue is required, shall obtain a tax registration endorsement.

(a) The failure to obtain a tax registration endorsement prior to engaging in any taxable business activity constitutes a gross misdemeanor.

(b) Engaging in business after a tax registration endorsement has been revoked by the department constitutes a Class C felony.

(c) Any tax found to have been due, but delinquent, and any tax unreported as a result of fraud or misrepresentation, may be subject to penalty as provided in chapter 82.32 RCW, WAC 458-20-228 and 458-20-230.

AMENDATORY SECTION (Amending WSR 95-07-088, filed 3/17/95, effective 4/17/95)

WAC 458-20-104 Small business tax relief based on volume of business. (1) **Introduction.** ((~~The law provides a business and occupation (B&O) tax credit for small businesses under certain conditions. Chapter 2, Laws of 1994, sp. sess., 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. This change became effective July 1, 1994. This section explains the tax credit system for B&O tax, and the minimum tax reporting threshold exemption for the public utility tax. All persons required to obtain, or having obtained, a tax registration endorsement with the department of revenue must complete and file an excise tax return with the department to claim either a B&O small business tax credit, or a public utility income exemption.~~)) This section explains the small business B&O tax credit (RCW 82.04.4451), and the public utility tax income exemptions (RCW 82.16.040). Chapter 111, Laws of 1996, amended RCW 82.16.040 to increase the income exemptions for the public utility tax, effective July 1, 1996. (See also WAC 458-20-101 on tax registration and tax reporting requirements.)

(2) **Business and occupation tax.** Persons subject to ((~~the~~)) B&O tax may be eligible to claim a small business tax credit against the amount of B&O tax otherwise due. The B&O tax credit operates completely independent of the volume exemption which applies to the public utility tax. This tax credit should be computed after claiming any other B&O tax credits available under chapter 82.04 RCW, but prior to any credits provided under other chapters of Title 82 RCW. The maximum amount of small business tax credit available to a person is thirty-five dollars multiplied by the number of months in the reporting period assigned by the department of revenue under the provisions of RCW 82.32.045. The small business tax credit applies to the entire reporting period, even though the business may not have been operating during the entire period.

(a) If the amount of B&O tax ((~~due~~)) from all activities engaged in by the taxpayer is equal to or less than the maximum credit, a small business tax credit equal to the amount of the B&O tax ((~~liability~~)) will be allowed. If the amount of B&O tax ((~~due~~)) from all activities is greater than the maximum credit, a reduced credit may be available. This reduced credit will be equal to twice the maximum credit minus the B&O tax otherwise due. The credit cannot be less than zero. RCW 82.04.4451.

(b) Persons having multiple tax reporting accounts are eligible for only one small business tax credit per tax reporting period.

(c) Spouses who operate distinct and separate businesses that have different tax registrations are each eligible for the small business tax credit.

(3) **Retail sales tax.** Persons making retail sales must collect and remit all applicable retail sales taxes even if B&O tax is not due. There is no small business tax credit or volume of business exemption for retail sales tax ((~~exemption or tax credit system based upon the volume of sales~~)).

(4) **Public utility tax.** Persons subject to ((~~the~~)) public utility tax are exempt from ((~~the~~)) payment of this tax for any reporting period in which the taxable amount reported under the combined total of all public utility tax classifications does not equal or exceed the ((~~minimum tax reporting threshold~~)) maximum exemption for the assigned reporting period. RCW 82.16.040. The ((~~minimum tax reporting thresholds~~)) maximum exemptions for ((~~the~~)) public utility tax are:

Monthly reporting basis ..... $((~~500~~)) 2,000 per month
Quarterly reporting basis ... $((~~1,500~~)) 6,000 per quarter
Annual reporting basis .... $((~~6,000~~)) 24,000 per annum

If the taxable amount for a reporting period equals or exceeds the ((~~minimum tax reporting threshold~~)) maximum exemption, tax must be remitted on the full taxable amount. The public utility tax ((~~reporting thresholds~~)) maximum exemptions apply to the entire reporting period, even though the business may not have operated during the entire period.

(5) **Tax reporting frequencies.** Persons interested in knowing the thresholds used by the department when assigning tax reporting frequencies should refer to WAC 458-20-22801 (Tax reporting frequency—forms).

(6) **Examples.** The following examples illustrate how the small business B&O tax credit and public utility income exemption systems apply to typical 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.

(a) JD Inc. has been assigned a quarterly reporting period by the department of revenue. JD Inc.'s B&O tax liability from all business activities for the third quarter is ninety dollars. This B&O tax liability is less than the one hundred five-dollar maximum small business B&O tax credit available for a quarterly reporting period (three times the monthly credit amount of thirty-five dollars). JD Inc. may claim a small business B&O tax credit for the entire ninety-dollar B&O tax liability.

Maximum Credit available for quarterly filers (3 x $35)	$105
B&O Tax ((~~due~~))	$ 90
Credit Available	$ 90
Net B&O Tax Due	0

(b) HM Corporation has been assigned a quarterly reporting period by the department of revenue. HM's B&O tax liability from all business activities for the fourth quarter is one hundred twenty dollars. This tax liability exceeds the one hundred five-dollar maximum small business B&O tax credit available for a quarterly period (three times the monthly credit amount of thirty-five dollars). However, a reduced small business tax credit is available. This credit is computed by subtracting HM's B&O tax liability of one hundred twenty dollars from the figure of two hundred ten dollars (twice the maximum credit available for a quarterly reporting period). HM Corporation may claim a small business tax credit of ninety dollars.

Twice the Maximum Credit available for quarterly filers (2 x $105)	$210
Less: B&O Tax ((~~due~~))	$120
Credit Available	$ 90
Net B&O Tax Due	$ 30

(c) XY Inc. has been assigned a quarterly reporting period by the department of revenue. XY's B&O tax liability for the first quarter is two hundred fifty dollars. As XY's B&O tax liability exceeds the two hundred ten-dollar figure used to determine any reduced B&O tax credit (twice the maximum credit available for a quarterly reporting period), XY Inc. is not eligible for the small business B&O tax credit.

Twice the Maximum Credit available for quarterly filers (2 x $105)	$210
Less: B&O Tax ((~~due~~))	$250
Credit Available	$ 0
Net B&O Tax Due	$250

(d) BG Manufacturing has been assigned a quarterly reporting period. BG has incurred a ninety-dollar tax liability under the wholesaling B&O tax classification, and a seventy-dollar tax liability under the manufacturing B&O tax classification, for a total B&O tax liability of one hundred sixty dollars during the first quarter. As BG manufactures much of what it sells at wholesale, BG qualifies for an internal multiple activities tax credit (MATC) of sixty dollars. (See WAC 458-20-19301 on multiple activities tax credits.) BG Manufacturing would claim its MATC prior to computing its small business B&O tax credit. BG's B&O tax liability net of the MATC is one hundred dollars, which is less than the one hundred five-dollar maximum credit available for the reporting period. BG may claim a one hundred-dollar small business B&O tax credit.

Wholesaling B&O Tax ((~~due~~))	$ 90
Add: Manufacturing B&O Tax ((~~due~~))	$ 70
Subtotal of B&O Tax ((~~due~~))	$160
Less: MATC	$ 60
Total B&O Tax Liability	$100
Maximum Credit available for quarterly filers (3 x $35)	$105
B&O Tax ((~~due~~))	$100
Credit Available	$100
Net B&O Tax Due	0

(e) OK Inc. has two separate tax reporting accounts with the department, both of which have been assigned quarterly reporting periods. OK Inc. is only allowed one small business B&O tax credit for the activity of both accounts. The total B&O tax for both accounts for this quarter is one hundred fifty dollars (one hundred dollars from the first account and fifty dollars from the second account). Its maximum small business tax credit is sixty dollars.

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B&O tax account #1	$100
B&O tax account #2	$ 50
Total B&O tax	$150
Twice the Maximum Credit available for quarterly filers (2 x $105)	$210
Less: B&O tax	($150)
Credit Available	$ 60
Net B&O Tax Due	$ 90

The credit should be taken from the account that will allow for it to be deducted in full. If one account does not have enough B&O tax to absorb the full credit, it can be applied on the other account until the full credit is used. If the reporting frequency is different between the two accounts, the small business tax credit should not be taken until the filing of the less frequent tax reporting account (the credit computation for the two accounts must cover the same period of time).

(f) BB Corporation has been assigned a quarterly reporting period by the department of revenue. BB's total taxable public utility income for the third quarter is ((~~one thousand three~~)) five thousand eight hundred dollars. BB Corporation is exempt for the payment of public utility tax because BB's taxable public utility income does not exceed the ((~~one thousand five hundred~~)) six thousand-dollar ((~~minimum taxable amount~~)) maximum exemption for this reporting period.

WSR 96-22-093
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 6, 1996, 10:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-14-079.

Title of Rule: New section WAC 458-20-263 Wind and solar electric generating facilities sales and use tax exemption.

Purpose: To implement the provisions of RCW 82.08.02567 and 82.12.02567 (chapter 166, Laws of 1996), which provide a retail sales and use tax exemption for sales of or charges made for machinery and equipment used directly in generating electricity using the wind or solar energy as the principal source of power.

Other Identifying Information: This rule was previously filed as an emergency rule on July 1, 1996 (WSR 96-14-080) and October 29, 1996 (WSR 96-22-017).

Statutory Authority for Adoption: RCW 82.32.300 and 82.08.02567.

Statute Being Implemented: RCW 82.08.02567 and 82.12.02567.

Summary: The rule explains the sales and use tax exemptions available for machinery and equipment, as well as the labor and services used for installing the machinery and equipment, used directly in generating electricity using the wind or solar energy as the principal source of power if certain conditions set forth in the statute are met. The rule explains what information must be supplied on the exemption certificate for the buyer to be able to claim the exemption.

Reasons Supporting Proposal: RCW 82.08.02567 specifically requires the department to adopt a rule detailing the form and manner of an exemption certificate to be used. The rule must be in place to provide taxpayers with the required information so that they can comply with the new law.

Name of Agency Personnel Responsible for Drafting: Cliff Ellenwood, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 753-4161; Implementation: Claire Hesselholt, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 753-3446; and Enforcement: Russell Brubaker, 711 Capitol Way South, Suite #303, Olympia, WA, (360) 586-0257.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides an explanation of the exemptions provided in RCW 82.08.02567 and 82.12.02567 and the exemption certificate required to take advantage of the exemption. The exemption is available as a purchaser develops a facility meeting certain power requirements specified in statute using wind or solar energy as a principal source of power. The exemption applies to machinery and equipment, as well as installation labor and services, if the machinery and equipment is used directly in generating power using wind or solar energy. The proposed rule is expected to assist taxpayers in taking advantage of the exemption.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule does not impose any disproportionate impacts or costs on small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. RCW 34.05.328 applies to significant legislative rules. This rule is a procedural and interpretative rule and is specifically required by statute (RCW 82.08.02567).

Hearing Location: Evergreen Plaza Building, Suite 201, 711 Capitol Way South, Olympia, WA 98501, on December 18, 1996, at 10 a.m.

Assistance for Persons with Disabilities: Contact Sandra Yuen by December 10, 1996, TDD 1-800-451-7985, or (360) 753-3217.

Submit Written Comments to: Cliff Ellenwood, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, FAX (360) 664-0693, by December 20, 1996.

Date of Intended Adoption: December 30, 1996.

November 6, 1996
Russell W. Brubaker
Assistant Director

NEW SECTION

WAC 458-20-263 Wind energy and solar electric generating facilities sales and use tax exemption. (1) **Introduction.** Effective July 1, 1996, chapter 166, Laws of

1996, (House Bill No. 2290) provides a retail sales tax exemption for sales of or charges made for:

(a) Machinery and equipment used directly in generating electricity using the wind or solar energy as the principal source of power; or

(b) Labor and services for installing the machinery and equipment.

The sales tax exemption applies if the purchaser develops with the machinery, equipment, labor, and services a facility capable of generating not less than two hundred kilowatts of electricity using the wind or solar energy as the principal source of power. The law provides a corresponding use tax exemption for the use of machinery and equipment used directly in generating not less than two hundred kilowatts of electricity using the wind or solar as the principal source of power.

(2) **Expiration.** The sales and use tax exemptions expire on June 30, 2005.

(3) **Definitions.** The following definitions apply to this section:

(a) "Machinery and equipment" means industrial fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using the wind or solar energy as the principal source of power.

(i) Machinery and equipment, where solar energy is the principal source of energy, includes, but is not limited to: Solar modules; power conditioning equipment; batteries; transformers; power poles; power lines; and connectors to the utility grid system.

(ii) Machinery and equipment, where wind is the principal source of power includes, but is not limited to: Wind turbines; blades; generators; towers and tower pads; substations; guy wires and ground stays; control buildings; power conditioning equipment; anemometers; recording meters; transmitters; power poles; power lines; and connectors to the utility grid system.

(iii) "Machinery and equipment" does not include: The utility grid system and any tangible personal property used to connect electricity directly to consumers; hand tools; property with a useful life of less than one year; repair parts required to restore machinery and equipment to normal working order; replacement parts that do not increase productivity, improve efficiency, or extend the useful life of the machinery and equipment; buildings; or building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(b) "Used directly" means the machinery and equipment provides any part of the process that captures the energy of the wind or solar, converts that energy to electricity, and transforms or transmits that electricity for entry into electric transmission and distribution systems.

(c) "Installation charges" means sales of or charges made for labor and services rendered in respect to installing the machinery and equipment.

(i) Labor and services to install machinery and equipment includes both the charges for labor and charges for the rental of equipment with an operator.

(ii) Labor and services to install machinery and equipment does not include the rental of tangible personal property used by the purchaser to install machinery and equipment. See WAC 458-20-211.

(4) **Retail sales tax exemption.** The retail sales tax does not apply to the purchase of or charges for machinery and equipment used directly in generating electricity using the wind or solar energy as the principal source of power or labor and services for installing the machinery and equipment. Prior approval is not required from the department of revenue in order to claim the retail sales tax exemption. However, the purchaser is required to provide the seller with an exemption certificate. Both the purchaser and the seller must retain a copy of the certificate to document the exemption.

(a) The exemption certificate may be in the form shown below, or may be in any other form that contains substantially the following information and language:

Sales and Use Tax Exemption Certificate for Wind or Solar Powered Electrical Generation Facilities

The purchaser (user) certifies that the items listed below are machinery and equipment, or are labor and services rendered to install the machinery and equipment, used directly in generating electricity using the wind or solar energy as the principal source of power at a facility capable of generating not less than two hundred kilowatts of electricity.

Purchaser (User) UBI/Registration # .....
Name of Purchaser (User) .....
Address of Purchaser (User) .....
Seller UBI/Registration # .....
Name of Seller ..... Date .....
Item or category of items .....
Authorized agent for Purchaser (Print) .....
Authorized signature ..... Title .....
Date .....

(b) In lieu of providing the certificate to the department each time a purchase is made, the purchaser may provide the department with an annual summary of exempt purchases by January 31 of the year following the calendar year in which the items were purchased. The annual summary must provide the same information required in (a) of this subsection.

(5) **Use tax.** The use tax does not apply to the use of machinery and equipment used directly in generating not less than two hundred kilowatts of electricity using the wind or solar energy as the principle source of power. The user of exempt machinery and equipment is required to file an annual summary of exempt machinery and equipment similar to that described for the sales tax exemption.

Instead of an annual summary the user may elect to file with the department of revenue an exemption certificate, similar to the retail sales tax exemption certificate described in subsection (4) of this section. If so, the certificate must be filed within sixty days of the first use of the machinery and equipment in this state.

(6) **Time of sale.** The existing rules pertaining to time and place of sale and when tax liability arises apply for purposes of whether a given transaction occurred on or after the effective date of the law, July 1, 1996, for purposes of the sales and use tax exemption. See WAC 458-20-103, 458-20-178 and 458-20-197.

(a) In the case of an outright purchase of goods, the sale takes place when the goods are delivered to the purchaser in this state. Thus, machinery and equipment delivered to the

PROPOSED

purchaser on or after July 1, 1996, can qualify for exemption, regardless of when the order for the goods was placed.

(b) If machinery and equipment is acquired without payment of retail sales tax, use tax is due at the time of first use. Thus, machinery and equipment which is first put to use after July 1, 1996, can qualify for the exemption. See WAC 458-20-178.

(c) In the case of leases or rentals of tangible personal property, liability for sales tax arises as of the time the lease or rental payment falls due. Thus, in the case of leased machinery and equipment, rental payments that fall due on or after July 1, 1996, can qualify for exemption, regardless of when the lease was initiated.

WSR 96-22-108
PROPOSED RULES
DEPARTMENT OF LICENSING
(Business and Professions Division)
[Filed November 6, 1996, 11:44 a.m.]

Continuance of WSR 96-21-060.

Preproposal statement of inquiry was filed as WSR 96-13-017.

Title of Rule: WAC 308-13-210 Application of brief adjudicative proceedings, 308-13-220 Preliminary record in brief adjudicative proceedings, 308-13-230 Conduct of brief adjudicative proceedings, and 308-13-240 Reinstatement of suspended certificates, eligibility for registration, or denied renewals.

Hearing Location: Adams & Clark Inc., West 1720 4th Avenue, Spokane, WA 99204, on April 24, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sharon Kinder by April 21, 1997, TDD (360) 586-2788, or (360) 586-8935.

Submit Written Comments to: James D. Hanson, Board of Registration for Architects, P.O. Box 9045, Olympia, WA 98507-9045, Voice (360) 753-1153, or FAX (360) 664-2551, by April 21, 1997.

Date of Intended Adoption: April 24, 1997.

November 6, 1996
James D. Hanson
Program Administrator

WSR 96-22-109
PROPOSED RULES
DEPARTMENT OF LICENSING
(Business and Professions Division)
[Filed November 6, 1996, 11:45 a.m.]

Continuance of WSR 96-20-077.

Preproposal statement of inquiry was filed as WSR 96-15-077.

Title of Rule: WAC 308-12-320 Renewal of licenses and 308-12-326 Fees.

Hearing Location: Conference Room 1, Business and Professions Division, 405 Black Lake Boulevard, Olympia, WA 98502, on February 27, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sharon Kinder by February 24, 1997, TDD (360) 586-2788, or (360) 586-8935.

Submit Written Comments to: James D. Hanson, Board of Registration for Architects, P.O. Box 9045, Olympia, WA 98507-9045, Voice (360) 753-1153, or FAX (360) 664-2552, by February 24, 1997.

Date of Intended Adoption: February 27, 1997.

November 6, 1996
James D. Hanson
Program Administrator

WSR 96-22-111
PROPOSED RULES
DEPARTMENT OF LICENSING
(Business and Professions Division)
[Filed November 6, 1996, 11:55 a.m.]

Continuance of WSR 96-20-113.

Preproposal statement of inquiry was filed as WSR 96-13-016 and 96-15-077.

Title of Rule: WAC 308-12-025, 308-12-031, 308-12-040, 308-12-050, 308-12-140, 308-12-145, 308-12-324, 308-12-210, 308-12-220, 308-12-230, and 308-12-240.

Hearing Location: University of Washington, Gould Hall, Room 208J, 3949 15th Avenue N.E., Seattle, WA 98105, on January 17, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Sharon Kinder by January 14, 1997, TDD (360) 586-2788, or (360) 586-8935.

Submit Written Comments to: James D. Hanson, Board of Registration for Architects, P.O. Box 9045, Olympia, WA 98507-9045, FAX (360) 664-2551, by January 14, 1996 [1997].

Date of Intended Adoption: January 17, 1997.

November 6, 1996
James D. Hanson
Program Administrator

WSR 96-21-031
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed October 9, 1996, 4:20 p.m.]

Date of Adoption: October 9, 1996.

Purpose: The medical assistance administration will adopt payment methodology, reimbursement methodology for compounded drugs, and a definitions section to chapter 388-530 WAC and repeal current rules in chapter 388-91 WAC.

Citation of Existing Rules Affected by this Order: Repealing chapter 388-91 WAC, Drugs.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 96-16-088 on August 7, 1996.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-530-1700(4) has been changed as follows: MAA may pay AAC to family planning clinics for birth control pills and contraceptive supplies the clinics ((~~dispense~~)) distribute to clients. ((~~The clinic may submit its~~)) MAA may request an invoice for the actual cost of the drug. If an invoice is requested, ((~~T~~))the clinic shall ensure the invoice shows the name of the drug manufacturer, drug strength, and dosage.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 20, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 20, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 9, 1996
Sydney Doré
for Merry A. Kogut, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-530-1000 The medical assistance administration (MAA) drug program. (1) The department shall reimburse providers for prescription drugs medically necessary to the health care of clients eligible for medical care programs in accordance with the department's rules.

(2) The pharmacy shall be an MAA provider as agreed under WAC 388-87-007.

(3) Acceptance and filling of a prescription drug for a client eligible for a medical care program constitutes acceptance of the department's rules and fees.

(4) The pharmacy shall bill the department and its clients according to WAC 388-87-010 and 388-87-015.

NEW SECTION

WAC 388-530-1050 Definitions. (1) **"Actual acquisition cost (AAC)"** means the actual price a provider paid for a drug marketed, in the package size of drug purchased, or sold by a particular manufacturer or labeler. Actual acquisition cost shall be calculated based on factors such as, but not limited to:

(a) Invoice price, including other invoice-based considerations;

(b) Order quantity and periodic purchase volume discount policies of suppliers (wholesalers and/or manufacturers);

(c) Membership/participation in purchasing cooperatives;

(d) Advertising and other promotion/display allowances, free merchandise deals; and

(e) Transportation or freight allowances.

(2) **"Administer"** means the direct application of a legend drug whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by a practitioner, or to the patient or research subject at the direction of the practitioner.

(3) **"Authorized prescriber"** means a physician, osteopath, osteopathic physician/surgeon, dentist, nurse, physician assistant, optometrist, pharmacist, or other person duly authorized by law or rule in the state of Washington to prescribe drugs. See WAC 246-863-100 for pharmacists.

(4) **"Automated maximum allowable cost (AMAC)"** means the cost established for all multiple-source drugs designated by three or more products under federal contract and which are not on the maximum allowable cost (MAC) list.

(5) **"Average wholesale price (AWP)"** means the average price of a drug product from wholesalers nationwide at a point in time. MAA determines AWP as reported by a drug pricing file contractor.

(6) **"Brand name"** means the proprietary or trade name selected by the manufacturer and placed upon a drug, its container, label or wrapping at the time of packaging.

(7) **"Bulk drug delivery system"** means the method in which the prescribed amount of a drug product is packaged and dispensed to the patient in one bulk container.

(8) **"Compounding"** is the professional practice of combining two or more drugs, as defined in subsection (20)(a) and (b) of this section, in the preparation of a prescription.

(9) **"Contract drugs"** are drugs manufactured or distributed by manufacturers/labelers who signed a drug rebate agreement with the federal Department of Health and Human Services (DHHS).

(10) **"Controlled substance"** means a drug or substance, or an immediate precursor of such drug or substance, as designated by chapter 69.50 RCW.

(11) **"Covered outpatient drug"** means a drug approved for safety and effectiveness as a prescription drug under the federal Food, Drug, and Cosmetic Act, which is used for a medically accepted indication, and is not subject to the exceptions under WAC 388-530-1150, Noncovered drugs and pharmaceutical supplies.

(12) **"Deliver or delivery"** means the actual, constructive, or attempted transfer from one person to another of a

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drug or device whether or not there is an agency relationship.

(13) **"Department"** means the department of social and health services (DSHS).

(14) **"DESI" or "less than effective drugs"** are drugs for which:

(a) Effective approval of the drug application has been withdrawn by the Food and Drug Administration (FDA) for safety or efficacy reasons as a result of the drug efficacy study implementation (DESI) review; or

(b) The secretary of the department of health and human services (DHHS) has issued a notice of an opportunity for a hearing under section 505(e) of the federal Food, Drug, and Cosmetic Act on a proposed order of the secretary to withdraw approval of an application for such drug under such section because the secretary has determined the drug is less than effective for some or all conditions of use prescribed, recommended, or suggested in its labeling.

(15) **"Device"** means instruments, apparatus, and contrivances, including their components, parts and accessories, intended:

(a) For use in the diagnosis, cure, mitigation, treatment, or prevention of human disease; or

(b) To affect the human structure or any human function.

(16) **"Dispense"** means the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(17) **"Dispense as written (DAW)"** means an instruction to the pharmacist forbidding substitution of a generic drug or a therapeutically equivalent product for the specific drug product prescribed.

(18) **"Dispensing fee"** means the fee the department sets to reimburse providers for provider administrative costs estimated by the department and, including but not limited to, compounding time and overhead expenses incurred in filling medical assistance prescriptions.

(19) **"Distribute"** means to deliver other than by administering or dispensing a legend drug.

(20) **"Double-blind drug study"** is a randomized trial in which a single patient undergoes a series of pairs of treatments, consisting of one active and one placebo per pair, with the order determined by random allocation. Appropriate treatment targets (signs, symptoms, or laboratory tests) are used as the measure of efficacy, and the trial is continued until efficacy is established or disproved.

(21) **"Drug"** means a substance:

(a) Recognized as a drug in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of the above publications;

(b) Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of human disease;

(c) (Other than food, minerals, or vitamins) intended to affect the structure or any function of the human body; and

(d) Intended for use as a component of any article specified in clause (a), (b) or (c) of this subsection, excluding devices or their components, parts or accessories.

(22) **"Drug formulary"** means a list of outpatient drugs not requiring prior authorization except as listed in 388-530-1250(2), as developed by an appropriate committee or the drug use review (DUR) board.

(23) **"Drug pricing file contractor"** means the entity which has contracted to provide the department, at specified intervals, the latest information and/or database on drugs and related supplies produced, prepared, processed, packaged, labeled, distributed, marketed, or sold in the marketplace. Contractor-provided information includes, but is not limited to, identifying characteristics of the drug (national drug code, drug name, manufacturer/labeler, dosage form, and strength) for the purpose of identifying and facilitating payment for the drugs billed to MAA.

(24) **"Drug rebates"** means payments provided by pharmaceutical manufacturers to state Medicaid programs under the terms of the manufacturers' agreements with the Department of Health and Human Services.

(25) **"Drug-related supplies"** means nonpharmaceutical items necessary for administration or delivery of a drug.

(26) **"Drug use review (DUR) program"** means a quality assurance program for covered outpatient drugs which assures that prescriptions are appropriate, are medically necessary, and are not likely to result in adverse medical outcomes.

(27) **"Emergency kit"** means a set of pharmaceuticals furnished to a nursing facility by the primary pharmacy which provides prescription dispensing services to that facility. Each kit is specifically set up to meet the individual needs of each nursing facility.

(28) **"Estimated acquisition cost (EAC)"** means the department's best estimate of the price providers generally and currently pay for a drug marketed or sold by a particular manufacturer or labeler in the package size most frequently purchased by providers.

(29) **"Expedited prior authorization"** means the process for authorizing selected drugs in which providers use a set of numeric codes to indicate to the department which acceptable indications/conditions/diagnoses/criteria are applicable to a particular request for drug authorization.

(30) **"Experimental drugs"** means drugs the FDA has not approved, or approved drugs when used for medical indications other than those listed by the FDA.

(31) **"Federal upper limit (FUL)"** means the maximum allowable payment set by the Health Care Financing Administration (HCFA) for a multiple source drug.

(32) **"Formulary"** means a drug formulary. See subsection (22) of this section for a definition of drug formulary.

(33) **"Generic code number"** means a number MAA uses regardless of manufacturer or package size to identify the generic formulation of a drug.

(34) **"Generic name"** means the official title of a drug or drug ingredients published in the latest edition of a nationally recognized pharmacopoeia or formulary.

(35) **"Ingredient cost"** means the portion of a prescription's cost attributable to the drug ingredients, chemical components, or substances.

(36) **"Label"** means a display of written, printed or graphic matter upon the immediate container of any article.

(37) **"Labeling"** means all labels and other written, printed, or graphic matter:

(a) Upon any article or any of its containers or wrappers; or

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(b) Accompanying such article.

(38) **"Legend or prescription drugs"** means any drugs required by any applicable federal or state law or regulation to be dispensed by prescription only or which are restricted to use by practitioners only.

(39) **"Long-term therapy"** means treatment a client receives or will receive continuously through and beyond ninety days.

(40) **"Manufacture"** means:

(a) The production, preparation, propagation, compounding, or processing of a drug or other substance or device; or

(b) The packaging or repackaging of such substance or device; or

(c) The labeling or relabeling of the commercial container of such substance or device.

"Manufacture" does not include the activities of a practitioner who, as an incident to the practitioner's administration or dispensing such substance or device in the course of professional practice, prepares, compounds, packages, or labels such substance or device.

(41) **"Manufacturer"** means a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(42) **"Maximum allowable cost (MAC)"** means the maximum amount that MAA will pay for a specific dosage form and strength of a multiple source drug product.

(43) **"Medically accepted indication"** means any use for a covered outpatient drug approved under the federal Food, Drug, and Cosmetic Act, which appears in peer-reviewed medical literature or which is accepted by one or more of:

(a) The American Hospital Formulary Service Drug Information;

(b) The American Medical Association Drug Evaluations; or

(c) The United States Pharmacopoeia Drug Information.

(44) **"Medicine cart system"** is a patient-specific set of pharmaceuticals prearranged in a medicine cart, for administration over a specified time period.

(45) **"Modified unit dose delivery system"** (also known as **blister** packs, **"bingo/punch cards"**) means a method in which each patient's medication is delivered:

(a) In individually sealed, single dose packages or "blisters;"

(b) Usually on one card; and

(c) In quantities for one month's supply, unless the prescriber specifies short-term therapy.

(46) **"Multiple-source drug"** means a drug marketed or sold by:

(a) Two or more manufacturers or labelers; or

(b) The same manufacturer or labeler:

(i) Under two or more different proprietary names; or

(ii) Both under a proprietary name and without such a name.

(47) **"National drug code (NDC)"** means the eleven-digit number the manufacturer or labeler assigns to a pharmaceutical product and attaches to the product container at the time of packaging which identifies the product's manufacturer, dose form and strength, and package size.

(48) **"Noncontract drugs"** are drugs manufactured or distributed by manufacturers/labelers who have not signed a drug rebate agreement with the federal Department of Health and Human Services.

(49) **"Nonlegend or nonprescription drugs"** means any drugs which may be lawfully sold without a prescription.

(50) **"Nursing home pharmacy"** means a pharmacy serving primarily clients residing in nursing facilities.

(51) **"Obsolete NDC"** means a national drug code replaced or discontinued by the manufacturer or labeler.

(52) **"On-line receipt of claims"** means claims information received from a switching vender in a National Council for Prescription Data Processing-approved format.

(53) **"Outpatient pharmacy"** means a pharmacy serving primarily outpatient clients.

(54) **"Over-the-counter (OTC) drugs"** mean drugs that do not require a prescription before they can be dispensed.

(55) **"Pharmacist"** means a person duly licensed by the Washington State Board of Pharmacy to engage in the practice of pharmacy.

(56) **"Pharmacist consultant"** means a registered pharmacist employed by MAA.

(57) **"Pharmacy"** means every site, properly licensed by the Washington State Board of Pharmacy, in which the practice of pharmacy is conducted.

(58) **"Point-of-sale (POS)"** means a pharmacy claims processing system capable of receiving and adjudicating claims on-line.

(59) **"Practice of pharmacy"** means the practice of and responsibility for:

(a) Interpreting prescription orders;

(b) Compounding, dispensing, labeling, administering, and distributing of drugs and devices;

(c) Monitoring of drug therapy and use;

(d) Initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for a pharmacist's practice by a practitioner authorized to prescribe drugs;

(e) Participating in drug utilization reviews and drug product selection;

(f) Proper and safe storing and distribution of drugs and devices and maintenance of proper records thereof; and

(g) Providing legend drug information which includes, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(60) **"Practitioner"** means one who has met the professional and legal requirements necessary to provide a health care service, such as a physician, nurse, dentist, physical therapist, pharmacist or other person duly authorized by Washington state law as a practitioner.

(61) **"Prescription"** means an order for drugs or devices issued by a practitioner duly authorized by Washington state law or rule to prescribe drugs or devices in the course of the practitioner's professional practice for a legitimate medical purpose.

(62) **"Prospective drug use review (Pro-DUR)"** means a process in which a request for a drug product for a particular patient is screened, before the product is dispensed, for potential drug therapy problems.

(63) **"Reconstitution"** means the process of returning a substance, previously altered for preservation and storage, to its approximate original state.

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(64) **"Retrospective drug use review (Retro-DUR)"** is the process in which patient drug use is reviewed on a periodic basis to identify patterns of fraud, abuse, gross overuse, or inappropriate or unnecessary care.

(65) **"Single source drug"** means a drug produced or distributed under an original new drug application approved by the FDA, including a drug product marketed by any cross-licensed producers or distributors operating under the new drug application.

(66) **"Standard package size"** means MAA's designated standard package or container size for a drug dosage form and/or strength for reimbursement purposes.

(67) **"Substitute"** means to dispense:

(a) With the practitioner's authorization, a therapeutically equivalent generic drug product of the identical base or salt as the specific drug product prescribed; or

(b) With the practitioner's prior consent, therapeutically equivalent drugs other than the identical base or salt.

(68) **"Terminated drug product"** is a product whose shelf life expiration date has been met, per manufacturer notification.

(69) **"Therapeutically equivalent"** means of essentially the same efficacy and toxicity when administered to an individual in the same dosage regimen.

(70) **"Tiered dispensing fee system"** means a method of paying pharmacies different dispensing fee rates.

(71) **"True unit dose delivery"** means a drug delivery system in which each patient's medication is delivered to the nursing facility in quantities sufficient only for the day's required dosage. If a medication cart system is used, the pharmacy may deliver the medication cart to the nursing facility every other day, and provide for daily service as needed.

(72) **"Unit dose drug delivery systems"** mean true unit and modified unit dose or blister packs, also known as "bingo" or punch cards.

(73) **"Usual and customary charge"** means the amount the provider typically charges the general public for the product or service. For any given product, the amount charged by the pharmacy to fifty percent or more of its non-Medicaid clients shall be deemed its usual and customary charge.

(74) **"Wholesaler"** means a corporation, individual, or other entity which buys drugs or devices for resale and distributes the drugs or devices to corporations, individuals, or entities other than consumers.

NEW SECTION

WAC 388-530-1100 Covered drugs and pharmaceutical supplies. The department shall reimburse for:

(1) Outpatient legend drugs, generic or brand name, when the manufacturer has a signed rebate agreement with the federal Department of Health and Human Services, except as excluded under WAC 388-530-1150;

(2) Over-the-counter (OTC) drugs when the drug is:

(a) Prescribed;

(b) A less costly therapeutic alternative; and

(c) Formulary.

(3) Compounded prescriptions when billed by each formulary ingredient used in the compound;

(4) Nonformulary drugs when prior authorized by the department;

(5) Drug-related supplies;

(6) Family planning supplies used in conjunction with family planning under WAC 388-86-035, including OTC supplies. Covered family planning OTC supplies include, but are not limited to, hormonal contraceptives, spermicidal contraceptives and barrier contraceptives;

(7) Oral, topical and/or injectable drugs, vaccines for immunizations, and biologicals, prepared or packaged for individual use and dispensed or administered to a client by an authorized provider;

(8) Obsolete national drug codes (NDCs) for up to two years from their date of obsolescence, as long as the drug is not a terminated drug product as defined in WAC 388-530-1050; and

(9) Drugs and supplies administered or provided under unusual and extenuating circumstances to clients by authorized providers who request and receive department approval. The secretary or secretary's designee shall review such requests on a case-by-case basis.

NEW SECTION

WAC 388-530-1150 Noncovered drugs and pharmaceutical supplies. The department shall not pay for:

(1) Noncontract drugs, brand or generic, when the manufacturer has not signed a rebate agreement with the federal Department of Health and Human Services, except as provided under WAC 388-530-1100(4) of this chapter;

(2) Covered outpatient drugs, biological products, insulin, supplies, appliances, and equipment included in other reimbursement methods, including, but not limited to:

(a) Diagnosis-related group (DRG);

(b) Ratio of cost to charges (RCC);

(c) Nursing facility per diem;

(d) Managed care capitation rates; and

(e) Block grants.

(3) Any drug regularly supplied as an integral part of program activity by other public agencies;

(4) A drug when the drug is prescribed:

(a) For weight loss or gain;

(b) To promote fertility;

(c) For cosmetic purposes or hair growth;

(d) To promote smoking cessation; or

(e) For an indication which is not medically accepted as determined by MAA in consultation with federal guidelines, the Drug Utilization Education Council (DUEC), and MAA medical and pharmacy consultants.

(5) OTC drugs/supplies, unless approved for formulary use or family planning as described under WAC 388-86-035;

(6) Drugs listed in the federal register as "less-than-effective" ("DESI" drugs) or which are identical, similar, or related to such drugs;

(7) Covered outpatient drugs for which the manufacturer seeks to require as a condition of sale that associated tests or monitoring services be purchased exclusively from the manufacturer or manufacturer's designee;

(8) Prescription vitamins and mineral products in the absence of a condition that is clinically recognized to produce a deficiency state, except prenatal vitamins and fluoride preparations. Prenatal vitamins are covered only

when prescribed and dispensed to pregnant women. Fluoride preparations are covered only for children, under the early and periodic screening, diagnosis, and treatment (EPSDT or "healthy kids") services;

(9) Drugs that are experimental, investigational, or of unproven efficacy or safety;

(10) Drugs requiring prior authorization for which department authorization has been denied;

(11) Preservatives, flavoring, and/or coloring agents used in the process of compounding;

(12) Less than a one-month supply of drugs for long-term therapy, except as provided under WAC 388-530-1250, Prior authorization. For a definition of long-term therapy, see WAC 388-530-1050(39);

(13) Prescriptions written on pre-signed prescription blanks filled out by nursing facility operators or pharmacists. The department shall terminate the core provider agreement of pharmacies involved in this practice;

(14) Drugs used to replace those taken from nursing facility emergency kits;

(15) Drugs used to replace a physician's stock supply;

(16) Free pharmaceutical samples;

(17) Obsolete NDCs, except that the department may allow reimbursement to a pharmacy for a drug product with an obsolete NDC when the product is dispensed to an eligible client not later than two years from the date the NDC is designated obsolete, if the drug is not a terminated drug product; and

(18) Terminated drug products.

NEW SECTION

WAC 388-530-1200 Drug formulary. (1) The medical assistance administration (MAA) shall not require prior approval for drug preparations listed in the MAA drug formulary for the initial prescription.

(a) MAA shall apply certain setting restrictions, such as nursing home or home use only as well as limits on quantity.

(b) MAA shall update the formulary list as necessary and shall publish the list periodically.

(2) To request inclusion of a drug product in MAA's drug formulary, a drug manufacturer shall send to the pharmacist consultant a written request and the following supporting documentation:

(a) Background data about the drug as requested by MAA;

(b) Product package information as requested by MAA;

(c) Any pertinent clinical studies; and

(d) Any additional information the manufacturer feels appropriate.

(3) MAA's pharmacist consultants and an advisory board shall evaluate drugs for formulary inclusion. The consultants and board may include MAA's medical consultants, the drug utilization and education council (DUEC), and/or participating MAA pharmacy providers.

(4) The criteria for evaluating whether to include or exclude a drug from MAA's formulary include, but are not limited to the following:

(a) The manufacturer has signed a federal drug rebate contract agreement;

(b) Like drugs are already on the formulary;

(c) The drug is a less-than-effective drug, or is identical, similar, or related to a less-than-effective drug;

(d) The drug falls into one of the categories authorized by federal law to be excluded from coverage;

(e) There are already less costly therapeutic alternatives in the formulary; and

(f) The drug has a potential for abuse.

(5) The MAA shall determine whether a drug should be covered with or without restrictions in a manner similar to how formulary status is determined.

(6) The department shall ensure decisions made in subsections (3) and (5) of this section are subject to review by the MAA assistant secretary or his/her designee. Manufacturers may seek review of adverse decisions by writing to the medical director.

(7) The department may require double blind drug studies to be performed when there is a question of medical necessity or efficacy and the medical literature on the issue is inconclusive. MAA may use the double blind study when:

(a) Considering addition or deletion of a drug to the formulary;

(b) Evaluating the relative merits of two drugs for general use or for a specific individual;

(c) Evaluating requests for prior authorization; or

(d) For whatever purpose the department deems necessary.

NEW SECTION

WAC 388-530-1250 Prior authorization. (1) Nonformulary drugs shall require prior authorization.

(2) MAA shall not require pharmacies to obtain prior authorization for formulary drugs, except for:

(a) Subsequent refills of certain drugs, as identified in the Prescription Drug Program Billing Instructions per client, per month;

(b) Those drugs which have specific per-month dose or unit limits as identified in the prescription drug program billing instructions;

(c) Drugs identified in the billing instructions as limited to nursing facility clients when prescribed to clients residing outside a nursing facility; and

(d) Brand name and generic drugs:

(i) Which have an established maximum allowable cost (MAC); and

(ii) For which the prescriber requests reimbursement at estimated acquisition cost (EAC).

(3) The pharmacy shall make a request to the department for drugs requiring prior authorization before dispensing the drug, except as provided for in subsection (6) of this section. The pharmacy shall:

(a) Ensure the request states the medical diagnosis and includes medical justification for the drug; and

(b) Keep on file the medical justification communicated to the pharmacy by the prescriber.

(4) MAA shall evaluate a request for prior authorization based on, but not limited to, the following criteria:

(a) As required under WAC 388-530-1000(1), 388-530-1150, and 388-501-0165;

(b) The drug is of moderate cost as determined by the department. MAA shall select the least costly of two or more preparations of equal effectiveness; and

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(c) The drug is not experimental, investigational, or of unproven efficacy or safety.

(5) The department may authorize certain prescribed drugs through a process called "expedited prior authorization." (See WAC 388-530-1050(28), Definitions.) MAA shall determine drugs authorized through expedited prior authorization are those for which the department has established specific utilization criteria to address its concerns over the drugs':

(a) High cost;

(b) Potential for clinical misuse;

(c) Narrow therapeutic indication; or

(d) Safety.

(6) The department may authorize reimbursement at the brand name estimated acquisition cost (EAC) for a brand name multiple-source drug that would have been reimbursed at the established upper limit for that multiple-source drug, if:

(a) The pharmacist calls for prior authorization; and

(b) The prescriber writes "dispense as written" on the prescription form, or certifies in the prescriber's own handwriting that a specific brand is "medically necessary" for a particular client; or

(c) The availability of generics in the marketplace is severely curtailed and the price disparity between the brand name EAC and the generic maximum allowable cost (MAC) is such that clients would be effectively denied the medication.

(7) The department may pay for drugs requiring prior authorization which are dispensed without prior authorization only when:

(a) Given in an acute emergency;

(b) The department receives justification within seventy-two hours excluding weekends and Washington state holidays; and

(c) The department agrees with the justification and approves the request.

(8) The pharmacy shall obtain prior authorization from the department for any and all prescription fills in excess of the limits specified under WAC 388-530-1800, Requirements for pharmacy claim payment.

(9) The department shall ensure prior authorization:

(a) Is limited to a decision of medical appropriateness for a drug; and

(b) Shall not guarantee payment.

NEW SECTION

WAC 388-530-1300 General reimbursement methodology. (1) Where the department has not contracted for pharmacy services through competitive procurement, the department shall ensure total reimbursement for a prescription drug does not exceed the lowest of:

(a) Estimated acquisition cost (EAC) plus a dispensing fee;

(b) Maximum allowable cost (MAC) plus a dispensing fee; or

(c) The provider's usual and customary charge to the non-Medicaid population.

(2) If the provider offers a discount, rebate, promotion or other incentive which directly relates to the reduction of the price of a prescription to the individual non-Medicaid customer, the provider shall similarly reduce its charge to the department for the prescription.

(3) The department shall choose the in-state pharmaceutical wholesalers used to set EAC and MAC.

(4) The department may solicit assistance from representative pharmacy providers in establishing MAC and/or EAC.

(5) If the product is given free to the public, the pharmacy shall not submit a claim to the department if the product is given to a medical assistance client. If the product is sold at a discount to the general public, the pharmacy shall ensure any claim to the department for that product shall reflect the discounted charge.

NEW SECTION

WAC 388-530-1350 Estimated acquisition cost methodology. The department shall determine estimated acquisition cost (EAC) as follows:

(1) Periodically, the department shall:

(a) Take a sample of, at minimum, two hundred fifty of the top national drug codes paid for by the MAA excluding drugs under the MAC program; and

(b) Determine pharmacies' average acquisition costs for these products.

(2) The department shall decide the sampling frequency of the top drug products by dollar volume under medical assistance to determine EAC, but the frequency shall not be:

(a) More than once every three years; and

(b) Less than once every ten years.

(3) The pharmacies' average acquisition cost for the products in the sample shall be based on in-state wholesalers' published prices to pharmacy subscribers, plus an average subscriber upcharge, if applicable.

(4) MAA shall express the average acquisition cost for each product on the sample list during the period under study as a percentage of the average wholesale price (AWP) determined for that product by the department's drug pricing file contractor.

(5) MAA shall average the percentages obtained for the sample, and the resulting percentage shall represent the estimated acquisition cost (EAC).

(6) MAA may base EAC on standard package size or the price of the actual package size dispensed.

(7) MAA may set EAC for specified drugs or drug categories at AWP percentages other than those determined in subsection (5) of this section when MAA deems it necessary. The department shall cease such exemption when the necessity no longer exists.

(8) The department shall pay at EAC the brand name and generic drugs with an MAC established if the EAC is lower than the MAC price.

NEW SECTION

WAC 388-530-1400 Maximum allowable cost methodology. (1) When the department determines there is a likelihood that a cost savings will result the department may establish a maximum allowable cost (MAC) for a multiple-source drug which is available from at least three manufacturers/labelers.

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(2) The department may exclude from MAC selected multiple-source drugs when clinical response significantly differs between brand and generic equivalents.

(3) The department shall determine the MAC for a multiple-source drug by:

(a) Generating a manufacturers/labelers list for a multiple-source drug from data provided by the drug pricing file contractor;

(b) Ensure the list is arranged by cost, showing wholesalers' national actual acquisition cost (NAAC) for the drug from each manufacturer/labeler;

(c) If there is a Federal Upper Limit (FUL) for the multiple-source drug, the FUL shall be adopted, except, if the FUL is lower than the pharmacies' actual acquisition cost (AAC) for an available product based on information provided by representative pharmacy providers, a MAC shall be chosen in cooperation with the representative pharmacy providers. The chosen fee shall be the lowest amount sufficient to cover in-state pharmacies' AAC based on information provided by the representative pharmacy providers;

(d) Establish estimated acquisition cost (EAC) of the third lowest priced product as the recommend MAC, except:

(i) If the MAC established is lower than pharmacies' AAC for the three lowest priced products, based on information provided by the representative pharmacy providers, a MAC shall be chosen in cooperation with the representative pharmacy providers. The chosen fee shall be the lowest amount sufficient to cover in-state pharmacies' average acquisition cost based on information provided by the representative pharmacy providers; or

(ii) A MAC may be established for a drug using the maximum allowable cost set by another third party for that drug.

(4) The MAC established for a multiple-source drug shall not apply if the prescriber certifies that a specific brand is "medically necessary" for a particular client. In such cases EAC shall apply, provided prior authorization is obtained from MAA as specified under WAC 388-530-1250 (6)(a), Prior authorization.

(5) The department shall pay the EAC for a multiple-source product if the EAC for a multiple-source product is less than the MAC established for that product.

(6) Automated maximum allowable cost (AMAC) pricing shall apply to multiple-source drugs:

(a) Not identified under subsection (2) of this section;

(b) Produced by three or more manufacturers/labelers under federal drug rebate agreement; and

(c) Which are not on the MAC list.

(7) AMAC reimbursement for all products within a generic code number (GCN) sequence shall be at the EAC of the third lowest priced product in that sequence, or the EAC of the lowest priced drug under a federal rebate agreement in that sequence, whichever is higher.

(8) If the established AMAC price exceeds the FUL, the department shall set the price at the FUL.

(9) The department shall pay the estimated acquisition cost (EAC) for a multiple-source product if the EAC for a multiple-source product is less than the AMAC established for that product.

(10) MAA shall recalculate AMAC each time there are pricing updates provided by the drug file contractor to any product in GCN sequences covered under the AMAC program.

(11) The department shall ensure the maximum payment for multiple-source drugs for which HCFA has set a FUL does not exceed, in the aggregate, the prescribed upper limits plus the dispensing fees set by the department.

NEW SECTION

WAC 388-530-1450 Dispensing fee determination. Subject to the provisions of WAC 388-530-1300, MAA shall pay a dispensing fee for each covered prescription.

(1) The department shall adjust the dispensing fee by weighing factors including, but not limited to:

(a) Legislative appropriations for vendor rates;

(b) Input from provider and/or advocacy groups;

(c) Input from state-employed or contracted actuaries; and

(d) Dispensing fees paid by other third-party payers, including but not limited to health care plans and other states' Medicaid agencies.

(2) The MAA shall use a tiered dispensing fee system which reimburses large volume pharmacies at a lower fee and small volume pharmacies at a larger fee. In MAA's judgment such a system best preserves or enhances clients' access to services by promoting equitable payment to pharmacy providers.

(3) In a tiered dispensing fee system, the MAA shall use total annual prescription volume (both Medicaid and non-Medicaid) reported to the department to determine each pharmacy's dispensing fee category.

(a) A pharmacy which fills thirty-five thousand and one or more prescriptions annually shall be a high-volume pharmacy.

(b) A pharmacy which fills between fifteen thousand and one and thirty-five thousand prescriptions annually shall be a mid-volume pharmacy.

(c) A pharmacy which fills fifteen thousand or fewer prescriptions annually shall be a low-volume pharmacy.

(4) The department shall determine a pharmacy's annual total prescription volume as follows:

(a) The department shall send out a prescription volume survey form to pharmacy providers during the first quarter of the calendar year;

(b) Pharmacies shall return completed prescription volume surveys to the department by the date specified by the department each year. The department shall assign providers not responding to the survey by the specified date to the high volume category;

(c) Pharmacies shall:

(i) Include all prescriptions dispensed from the same physical location in the pharmacy's total prescription count; and

(ii) Report totals from the same location to the department on the same form. Hospital-based pharmacies which serve both inpatient and outpatient clients shall not include hospital inpatient doses/prescriptions in the total volume reported to the department. The department shall deem prescriptions dispensed to nursing facility clients outpatient prescriptions;

(d) If a pharmacy uses more than one provider number to bill MAA for pharmacy claims dispensed from the same

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physical location, the pharmacy shall list on one form all of the provider numbers contributing to the total volume being reported;

(e) Reassignment to current or assignment to new dispensing fee categories shall be effective on the first of the month following the date specified by the department for receipt of completed prescription volume survey forms.

(5) In a tiered dispensing fee system, a pharmacy may request a change to a lower volume category during the interval between the annual prescription volume surveys. The pharmacy shall support such a request with documentation showing that the pharmacy's most recent six-month dispensing data, annualized, would qualify the pharmacy for a lower volume category.

(6) MAA may adopt a uniform dispensing fee if in its judgment such a system would best preserve or enhance clients' access to services by promoting equitable payment to pharmacy providers.

(7) The department shall grant general dispensing fee rate increases only when authorized by the legislature. Amounts authorized for dispensing fee increases may be distributed nonuniformly (e.g., tiered dispensing fee based upon volume), if necessary, to ensure client access.

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NEW SECTION

WAC 388-530-1500 Reimbursement for compounded prescriptions. (1) Notwithstanding the definition in WAC 388-530-1050(7), the department shall not consider reconstitution to be compounding.

(a) The department may consider the adjustment of therapeutic strengths and/or forms by a pharmacist in the preparation of a prescription to be compounding if the client's drug therapy needs are unable to be met by commercially available dosage strengths and/or forms of the medically necessary drug.

(b) The pharmacist shall ensure the need for the adjustment of the drug's therapeutic strength and/or form is well documented in the client's file.

(2) Compounded prescriptions shall be reimbursed as follows:

(a) The department shall allow only the lowest cost for each formulary ingredient. EAC, MAC, or amount billed shall apply.

(b) The department shall apply current prior authorization requirements to drugs used as ingredients in compounded prescriptions, except as provided under subsection (2)(c) of this section. MAA shall deny payment for a drug requiring prior authorization used:

(i) As an ingredient in a compounded prescription; but

(ii) For which prior authorization was not obtained.

(c) The department may designate selected drugs as not requiring prior authorization when used for compounded prescriptions, but requiring prior authorization for other uses. The department shall publish such lists periodically.

(d) The department shall give:

(i) Each formulary or prior authorized drug ingredient billed separately a dispensing fee set by the department as described under WAC 388-530-1450; and

(ii) Drugs used in compounding under subsection (2)(c) of this section a dispensing fee set by the department as described under WAC 388-530-1450.

(e) MAA shall not pay a separate fee for compounding time. MAA shall replace the fee for compounding time with a dispensing fee for each ingredient, as described under WAC 388-530-1450.

(3) In addition to reimbursement for ingredient and dispensing fees, MAA shall set maximum allowable fees for special procedures, equipment, or supplies used in compounding prescriptions. MAA shall call these fees compounded prescription preparation fees.

(a) The pharmacy shall note in its records any necessary special procedures, equipment or supplies, or containers used in preparing the compounded prescription.

(b) MAA shall adjust compounded prescription preparation fees by taking into account factors including, but not limited to:

(i) Legislative appropriations for vendor rates;

(ii) Input from provider and/or advocacy groups;

(iii) Audit findings regarding costs of compounding equipment and supplies, as specified in subsection (5) of this section; and

(iv) Compounded prescription preparation fees paid by other third-party payers, including but not limited to health care plans and other states' Medicaid agencies.

(c) MAA shall not reimburse compounded prescription preparation fees for infusion productions; MAA reimbursement for home infusion and other intravenous admixtures shall be for ingredient costs and dispensing fees only.

(d) MAA shall reimburse pharmacies for only one preparation fee for each compounded prescription.

(e) Pharmacies shall bill MAA for compounded prescription preparation fees using state-assigned drug codes, which MAA shall publish periodically.

(f) MAA shall ensure a separate dispensing fee does not apply to preparation fee codes.

(4) MAA shall periodically sample ten percent of pharmacy claims for compounded drugs. The MAA pharmacist consultant shall review these claims to determine if the drugs were appropriately dispensed in compounded form, or if less costly equivalent alternative preparations were already available commercially. If MAA finds that a pharmacy provider is inappropriately compounding or billing for compounded drugs, MAA shall take whatever corrective action it deems necessary, including but not limited to:

(a) Education of the provider regarding the problem practice(s);

(b) Recoupment of payment for the compounded drug, or the differential between the compounded form and its commercially available, less costly alternative form; and/or

(c) Termination of the provider's core provider agreement in extreme cases.

(5) MAA may audit selected pharmacies dispensing compounded prescriptions to determine acquisition or estimated costs of equipment and/or supplies used in compounding.

NEW SECTION

WAC 388-530-1550 Unit dose drug delivery systems. (1) The department shall pay for unit dose drug delivery systems only for clients residing in nursing facilities, except as provided in subsections (6) and (7) of this section.

(2) The department shall pay pharmacies that provide true unit dose delivery service the department's highest allowable dispensing fee for each prescription dispensed to clients in nursing facilities. The department shall reimburse ingredient costs for drugs under true unit dose systems at the appropriate MAC or EAC. The department shall pay true unit dose providers for drugs dispensed in manufacturers' unit dose packaging at the EAC for the specific unit dose NDCs.

(3) The department shall pay modified unit dose pharmacies the department's highest allowable dispensing fee for repackaged bulk drugs dispensed in unit dose form to clients in nursing facilities. The department shall reimburse ingredient costs for bulk drugs repackaged into unit dose form at the lesser of MAC or EAC. The department shall deem creams, ointments, ophthalmic/otic preparations, and other liquids as not deliverable in this packaging system.

(4) MAA shall pay a pharmacy that dispenses drugs in bulk containers or multi-dose form to clients in nursing facilities the regular dispensing fee applicable to the pharmacy's total annual prescription volume category. Drugs not deliverable in unit dose form include, but are not limited to, oral liquids, creams, ointments, ophthalmic and otic solutions. The department shall reimburse ingredient costs for such drugs at the lesser of MAC or EAC.

(5) MAA shall pay a pharmacy that dispenses drugs prepackaged by the manufacturer in unit dose form to clients in nursing facilities the regular dispensing fee applicable to that pharmacy's total annual prescription volume category. The department shall pay ingredient costs at the EAC applicable to the unit dose national drug code (NDC).

(6) MAA shall pay for manufacturer-designated unit dose drugs dispensed to clients not residing in nursing facilities when such drugs:

(a) Are available in the marketplace only in manufacturer-designated unit dose packaging; and

(b) Would otherwise have been covered outpatient drugs. The unit dose dispensing fee shall not apply in such cases. The pharmacy shall be paid the dispensing fee applicable to the pharmacy's total annual prescription volume category.

(7) MAA may pay for modified unit dose delivery systems for developmentally disabled (DD) clients residing in approved community living arrangements.

NEW SECTION

WAC 388-530-1600 Unit dose pharmacy billing requirements. (1) To be eligible for a unit dose dispensing fee, a pharmacy shall:

(a) Notify MAA in writing of its intent to provide unit dose service;

(b) Ask for a unit dose provider number;

(c) Specify the type of unit dose service to be provided;

(d) Identify the nursing facility to be served; and

(e) Indicate the approximate date unit dose service to the facility will commence.

(2) The pharmacy shall sign an agreement to abide by specific requirements for unit dose reimbursement.

(3) Under a true unit dose delivery system, a pharmacy shall bill MAA only for the actual number of drug units used by a client during the billing period.

(4) Under a modified unit dose delivery system, a pharmacy:

(a) May bill MAA for the number of drug units dispensed to a client during the billing period;

(b) Shall deduct the cost of unused drugs returned to the pharmacy on or before the last day of the billing period from charge to MAA, except as provided in subsection (6) of this section.

(5) The pharmacy shall deduct from the charge to MAA the cost of unused drugs returned to the pharmacy on or before the last day of the billing period immediately following the period in which the drug was dispensed, except as provided in subsection (6) of this section.

(6) Controlled substances returned to the pharmacy do not have to be credited to MAA. According to federal regulations, pharmacists shall destroy controlled substances returned to the pharmacy.

(7) Pharmacies shall bill MAA only once per month for all clients residing in a nursing facility served under a unit dose system. The monthly billing period shall be the same for all clients in the nursing facility.

(8) The billing period for:

(a) A true unit dose pharmacy shall be the calendar month;

(b) A modified unit dose pharmacy may be the calendar month or a monthly period starting on a specified date which shall be carried over to succeeding months. Once the modified unit dose pharmacy establishes the billing period for a nursing facility, the pharmacy shall not change the billing period without the department's approval.

(9) The pharmacy shall wait at least thirty days from the commencement of unit dose service to a nursing facility before submitting the first claims for drugs dispensed under unit dose to clients residing in that facility. This billing lag shall apply to both true and modified unit dose providers.

(10) Pharmacies may not charge the clients or MAA a fee for repackaging in unit dose form a client's bulk medications supplied by another pharmacy, when the repackaging is done to conform with a nursing facility's delivery system and for the facility's convenience. The costs of repackaging in such instances shall be the responsibility of the nursing facility.

(11) The pharmacy shall maintain detailed records of medications dispensed under unit dose delivery systems. The pharmacy shall keep a monthly log for each nursing facility served, including but not limited to the following information:

(a) Facility name and address;

(b) Client's name and patient identification code (PIC);

(c) Drug name/strength;

(d) NDC or labeler information;

(e) Quantity and date dispensed;

(f) Quantity and date returned;

(g) Value of returned drugs or amount credited;

(h) Explanation for no credit given or nonreusable returns; and

(i) Prescription number.

(12) Upon request, the pharmacy shall submit to MAA copies of the monthly logs referred to in subsection (11) of this section. MAA shall decide whether a unit dose pharmacy should maintain monthly, quarterly, or annual reports.

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(13) The pharmacy shall submit annually to MAA an updated list of nursing facilities served under unit dose systems and the facilities' respective billing period start dates. The pharmacy shall submit this update with the pharmacy's completed prescription volume survey.

NEW SECTION

WAC 388-530-1650 Reimbursement for pharmaceutical supplies. (1) The medical assistance administration (MAA) shall pay for covered pharmaceutical supplies not already included in other payment systems.

(2) MAA shall base reimbursement of pharmaceutical supplies on MAA-published fee schedules.

(3) MAA shall use any or all of the following methodologies to set the maximum allowable for a pharmaceutical device/supply:

(a) Provider's acquisition cost. Upon review of the claim, MAA may require an invoice;

(b) Medicare's reimbursement for the item; or

(c) A specified discount off the item's list price or manufacturer's suggested retail price (MSRP).

NEW SECTION

WAC 388-530-1700 Drugs and pharmaceutical supplies from nonpharmacy providers. (1) The medical assistance administration (MAA) shall pay for covered drugs and supplies dispensed or administered by nonpharmacy providers under specified conditions.

(2) MAA may pay actual acquisition cost (AAC) to a physician or ARNP for a covered drug (oral, topical or injectable) prepared or packaged for individual use and dispensed or administered to a client during an office visit. When the cost of the drug dispensed or administered to the patient exceeds the established fee, the physician may submit to MAA a photocopy of the invoice for the actual drug cost. The invoice shall show the name of the drug manufacturer, drug strength, and dosage.

(3) MAA shall not reimburse providers for the cost of vaccines obtained by the provider through the state department of health. However, MAA shall pay the provider a set fee established at twenty to thirty-five percent of the fee for a brief office visit for administering the vaccine.

(4) MAA may pay AAC to family planning clinics for birth control pills and contraceptive supplies the clinics distribute to clients. MAA may request an invoice for the actual cost of the drug. If an invoice is requested, the clinic shall ensure the invoice shows the name of the drug manufacturer, drug strength, and dosage.

(5) MAA shall determine drugs and supplies provided to clients by local health departments are reimbursed according to MAA's established fee schedules.

NEW SECTION

WAC 388-530-1750 Drugs and pharmaceutical supplies for clients with any third-party coverage. (1) Except as specified under contract, MAA shall not reimburse providers for any drugs/supplies provided to clients who have pharmacy benefits under managed care plans. The managed care plan shall be responsible for payment.

(2) For the purposes of the section, the following definitions apply:

(a) "Closed pharmacy network" means an arrangement made by an insurer which restricts prescription coverage to an exclusive list of pharmacies. This arrangement prohibits the coverage and/or payment of prescriptions provided by a pharmacy not included on the exclusive list.

(b) "Private point-of-sale (POS) authorization system" means an insurer's system, other than the MAA POS system, which requires that coverage be verified or submitted for authorization by the insurer's agent at the time of service and at the time the prescription is filled.

(3) MAA clients who have a third-party resource which is a managed care entity or other insurance requiring the use of "closed pharmacy networks" or "private point-of-sale authorization systems" shall not have prescription provider claims paid until the prescription provider submits an explanation of benefits from the private insurance which demonstrates that the prescription provider has complied with the terms of coverage. If the private insurer has paid:

(a) A fee based on the incident of care, the prescription provider shall file a claim with the department consistent with the department's billing requirements; or

(b) The prescription provider a monthly capitation fee for all prescription costs related to the client, the prescription provider may submit a claim to the department for the amount of the client co-payment, co-insurance, and/or deductible. The department shall pay the provider:

(i) The lesser of the billed amount; or

(ii) The department's maximum allowable fee for the prescription.

(4) For clients eligible for both Medicare and Medicaid, providers shall:

(a) Be reimbursed for drugs not covered by Medicare, but covered by MAA;

(b) Not be reimbursed for drugs covered by Medicare.

NEW SECTION

WAC 388-530-1800 Requirements for pharmacy claim payment. (1) Pharmacies shall:

(a) Use the appropriate department claim form or electronic billing specifications when billing for pharmacy services; and

(b) Complete such forms or billings before submitting claims to MAA. Complete forms shall include the actual eleven-digit NDC number of products dispensed.

(2) To bill drugs requiring authorization, providers shall insert the authorization number in the appropriate data field of the drug claim.

(3) To bill drugs under the expedited authorization process, providers shall insert the authorization number and criteria codes in the appropriate data field of the drug claim.

(4) Pharmacy services for clients on restriction under WAC 388-501-0135 shall be prescribed by the client's primary provider and payable only to the client's primary pharmacy, except in cases of emergency, family planning, or properly referred services.

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NEW SECTION

WAC 388-530-1850 Drug utilization and education council. MAA shall establish a DUR board, called the drug utilization and education council. The DUR board shall:

(1) Have a minimum of eight and a maximum of ten members, representing the state professional associations of medicine, pharmacy, and nursing. The board shall:

(a) Be made up of at least one-third but not more than fifty-one percent physicians, and at least one-third but not more than fifty-one percent pharmacists; and

(b) Include an advanced registered nurse practitioner and a physicians assistant. The department shall determine membership rotation.

(2) Meet periodically to:

(a) Advise the department on DUR activities;

(b) Review provider and patient profiles;

(c) Recommend adoption of standards and treatment guidelines for drug therapy;

(d) Provide interventions targeted toward therapy problems; and

(e) Produce an annual report.

NEW SECTION

WAC 388-530-1900 Drug use review. The department shall provide for a drug use review (DUR) program consisting of:

(1) Prospective drug use review (Pro-DUR), wherein all prescription drug providers shall:

(a) Obtain a patient history;

(b) Screen for potential drug therapy problems; and

(c) Counsel the patient in accordance with existing state pharmacy laws and federal regulations.

(2) Retrospective drug use review (Retro-DUR), wherein the department shall provide for the ongoing periodic examination of claims data and other records in order to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care among physicians, pharmacists, and individuals receiving benefits.

NEW SECTION

WAC 388-530-2050 Out-of-state prescriptions. (1) The department shall reimburse out-of-state pharmacies for drugs provided to Washington state residents who are temporarily located outside the state subject to the provisions of WAC 388-501-0180.

(2) Border situations as described under WAC 388-501-0175 are not subject to out-of-state rules, and the department shall consider pharmacies in border areas to be providers in the state of Washington.

(3) Out-of-state pharmacies shall meet the same criteria for payment as in-state pharmacies.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 388-91 Medical care—Drugs

WSR 96-21-098
PERMANENT RULES
SOUTHWEST AIR POLLUTION CONTROL AUTHORITY
[Filed October 21, 1996, 10:05 a.m.]

Date of Adoption: October 15, 1996.

Purpose: Changes in this rule revision include new definitions, clarifications to wording, updating federal rule adoption dates, adopting additional federal rules, and providing reference to new sections for provisions regarding maintenance plan areas.

Citation of Existing Rules Affected by this Order: Amending SWAPCA 400-010, 400-020, 400-030, 400-040, 400-050, 400-052, 400-060, 400-070, 400-074, 400-075, and 400-076.

Statutory Authority for Adoption: RCW 70.94.141 and 70.94.331.

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Robert D. Elliott
Executive Director

SWAPCA 400

General Regulations for Air Pollution Sources

SWAPCA

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SWAPCA 400-010 Policy and Purpose

[Statutory Authority: Chapter 70.94.057 RCW, 70.94.141 RCW and 70.94.331 RCW. Original adoption by Board 12/17/68; Board amended 10/29/69 (Sec. 1.01 and 1.02); 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) It is the policy of the Southwest Air Pollution Control Authority (hereinafter referred to as the Authority and/or SWAPCA) to maintain such a reasonable degree of purity of the air as will protect human health and safety and to the greatest degree practicable, prevent injury to plant and animal life or to property and be consistent with the economic and industrial well being of the jurisdiction of the Authority.

(2) Pursuant to the U.S. Clean Air Act (42 U.S.C. 7401 et seq.) and the Washington Clean Air Act (RCW 70.94), the Authority has adopted regulations for the control of air contaminant emissions, including toxic air contaminants, substances for which primary and secondary National Ambient Air Quality Standards (NAAQS) have been established and volatile organic compounds, to prevent air pollution. In conformance with these laws, the policy of SWAPCA is to control and regulate the emission of air contaminants from sources within the jurisdiction of SWAPCA, to prevent violations of federal, state and local air pollution regulations, to provide uniform administration and enforcement of the aforementioned regulations, and to effectuate the requirements and purpose of Chapter 70.94 Revised Code of Washington (RCW).

SWAPCA 400-020 Applicability

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.331 RCW, and 70.94.422 RCW. Original adoption by Board 12/17/68 (Regulation 1); Board amended 10/29/69 (Regulation 2); 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The provisions of this regulation shall apply within Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties of Washington State.

(2) The Authority is authorized to enforce this regulation and may also adopt standards or requirements. These standards or requirements may not be less stringent than the current state air quality rules and may be more stringent than the current regulations. Unless properly delegated by Ecology, the Authority does not have jurisdiction over the following sources:

(a) Specific source categories over which the State, by separate regulation, has assumed or hereafter assumes jurisdiction.

(b) Automobiles, trucks, aircraft, chemical pulp mills and primary aluminum reduction facilities.

(c) Those sources under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC) as provided in Washington Administrative Code (WAC) 463.

AMENDATORY SECTION

SWAPCA 400-030 Definitions

[Statutory Authority: Chapter 70.94.030 RCW, 70.94.141 RCW and 70.94.331 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 3/20/84; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

Except as provided elsewhere in this regulation the following definitions apply throughout the regulation:

(1) "Actual emissions" means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The Authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(2) "Adverse impact on visibility" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of a Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

(3) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. This includes any substance regulated as an air pollutant under ((~~WAC 173-~~)) SWAPCA 460, NESHAPS, Section 112 of the Federal Clean Air Act Amendments or substance for which a primary or secondary National Ambient Air Quality Standard has been established and volatile organic compounds. "Air pollutant" means the same as "air contaminant".

(4) "Air pollution" means the presence 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 interferes with enjoyment of life and property. For the purposes of this regulation air pollution shall not include air contaminants emitted in compliance with Chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of various pesticides.

(5) "Allowable emissions" means the emission rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR Part 60, ((((~~or~~)))) 61, or 63;

(b) Any applicable State Implementation Plan emission limitation including those with a future compliance date;

(c) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date; or

(d) The emission rate specified by an applicable regulatory order.

(6) "Ambient air" means the surrounding outside air.

(7) "Ambient air quality standard" (AAQS) means an established concentration, exposure time, and frequency of occurrence of an air contaminant or multiple air contaminants in the ambient air which shall not be exceeded.

(8) "Authority" means the Southwest Air Pollution Control Authority.

(9) "Best available control technology, (BACT)" means an emission limitation (including a visible emission standard) based on the maximum degree of reduction for each air pollutant subject to regulation under Chapter 70.94 RCW which would be emitted from or which results from any new or modified stationary source, which the Authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source((~~s~~)) or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment, 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 technology" result in emissions of any air pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60, Part 61, and Part 63 as they exist on ((~~February 1, 1995~~)) August 1, 1996, or their later enactments as adopted by reference by the Authority 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.

(10) "Best available retrofit technology (BART)" means 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 non-air 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.

(11) "Board" means the Board of Directors of the Southwest Air Pollution Control Authority.

(12) "Bubble" means a set of emission limits which allows an increase in emissions from a given emissions unit(s) in exchange for a decrease in emissions from another emissions unit(s), pursuant to RCW 70.94.155, and SWAPCA 400-120.

(13) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered, to the manufacturer's capacity rating of the machine or equipment.

(14) "Class I area" means any area designated pursuant to §§ 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas potentially affected by emissions from sources within SWAPCA jurisdiction:

Alpine Lakes Wilderness;
Glacier Peak Wilderness;
Goat Rocks Wilderness;
Mount Adams Wilderness;
Mount Rainier National Park;
Mt. Hood Wilderness Area;
Mt. Jefferson Wilderness Area.

(15) "Closure" means permanently stopping or terminating all processes at a facility. Such termination of processes shall result in no emissions of pollutants to the ambient air. Closure does not mean temporary shutdown of operations. A facility shall be considered "permanently closed" if operations have ceased and registration fees are not paid as set forth in SWAPCA 400-100 (2)(e). Process and pollution control equipment may remain in place and on site but shall be configured such that the equipment or processes are incapable of generating emissions to the atmosphere (e.g. disconnection of power to equipment, mechanical positioning

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that inhibits processing; placing of padlocks on equipment to prevent operation). Closure of a facility requires notification to SWAPCA in accordance with SWAPCA 400-100 (2)(d). New Source Review and applicable emission control technology requirements in accordance with current requirements for similar facilities will be required of the facility prior to restart if the annual registration fee is not paid.

(16) "Combustion and incineration sources" means emissions units using combustion for waste disposal, steam production, chemical recovery or other process requirements, but excludes open burning.

(17) "Commenced construction" means that an owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time. (ref. 40 CFR 52.21)

(18) "Concealment" means 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.

(19) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions. (ref 40 CFR 52.21)

(((~~19~~))20) "Control Officer" means the Executive Director of the Southwest Air Pollution Control Authority.

(2((~~0~~))1) "Director" means the director of the Washington State Department of Ecology or duly authorized representative.

(2((~~1~~))2) "Dispersion technique" means a method which attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

(2((~~2~~))3) "Ecology" means the Washington State Department of Ecology.

(2((~~3~~))4) "Emission" means a release of air contaminants into the ambient air.

(25) "Emisison control technology" means emission control equipment integral or in addition to the emission unit or other technology, device, component or control parameter that is integral to the design of an emission unit or the basic design to the emission unit; i.e., low NOx burner for a boiler or turbine.

(2((~~4~~))6) "Emission reduction credit (ERC)" means a credit granted pursuant to SWAPCA 400-131. This is a voluntary reduction in emissions beyond required levels of control. ERCs may be sold, leased, banked for future use or traded in accordance with applicable regulations. Emission reduction credits shall provide an incentive for reducing emissions below the required levels and to establish a framework to promote a market based approach to air pollution control.

(2((~~5~~))7) "Emission standard" and "emission limitation" mean a requirement established under the FCAA or Chapter 70.94 RCW or local regulation which limits the quantity, rate, or concentration of emissions of air contaminants on a continuous basis, including any requirement relating to the operation or maintenance of a source to assure continuous emission reduction and any design, equipment, work practice, or operational standard promulgated under the FCAA or Chapter 70.94 RCW.

(2((~~6~~))8) "Emissions unit" means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the FCAA, Chapter 70.94 RCW or Chapter 70.98 RCW.

(2((~~7~~))9) "Excess emissions" means emissions of an air pollutant in excess of any applicable emission standard.

(((~~28~~))30) "Excess stack height" means that portion of a stack which exceeds the greater of sixty-five meters (213.25 feet) or the calculated stack height described in SWAPCA 400-200(2).

(((~~29~~))31) "Executive Director" means the Control Officer of the Southwest Air Pollution Control Authority.

(3((~~0~~))2) "Existing stationary facility" means 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*, 1987.

(3((~~1~~))3) "Federal Clean Air Act (FCAA)" means the Federal Clean Air Act, also known as Public Law 88-206, 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.

(3((~~2~~))4) "Federal land manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

(3((~~3~~))5) "Fossil fuel-fired steam generator" means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(3((~~4~~))6) "Fugitive dust" means a type of particulate emission made airborne by forces of wind, human 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.

(3((~~5~~))7) "Fugitive emissions" means emissions which do not pass and which could not reasonably be collected to pass through a stack, chimney, vent, or other functionally equivalent opening.

(3((~~6~~))8) "General process unit" means an emissions unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(3((~~7~~))9) "Good agricultural practices" means economically feasible practices which are customary among or appropriate to farms and ranches of a similar nature in the local area.

(((~~38~~))40) "Good engineering practice (GEP)" refers to a calculated stack height based on the equation specified in SWAPCA 400-200 (2)(a)(ii).

(((~~39~~))41) "Incinerator" means a furnace used primarily for the thermal destruction of waste.

(4((~~0~~))2) "In operation" means engaged in activity related to the primary design function of the source.

(4((~~1~~))3) "Integral vista" means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the mandatory Class I federal area.

(4((~~2~~))4) "Lowest achievable emission rate (LAER)" means for any source that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed new or modified source demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of source In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

(45) "Maintenance Area" or "Maintenance Plan Area" means a geographical area of the jurisdiction of SWAPCA which was formerly designated as a nonattainment area and which has been redesignated as an attainment area as provided under 40 CFR 52. The maintenance area designation shall be in effect as long as there is a federal or state requirement to have a maintenance plan in effect.

(46) "Maintenance Pollutant" means a pollutant for which a maintenance plan area was formerly designated a nonattainment area.

(4((~~3~~))7) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Federal Clean Air Act. Any net emissions increase that is considered significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone. A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(i) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application; or

(ii) The source is approved to use under any federally enforceable notice of construction approval or a PSD permit issued by the Environmental Protection Agency;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application;

(g) Any change in ownership at a stationary source.

(4((4))8) "Major stationary source" means:

(a) Any stationary source which:

(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the Washington State or Federal Clean Air Acts;

(ii) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen;

(iii) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(iv) Is located in a "serious" particulate matter (PM_{10}) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM_{10} emissions.

(b) Any physical change that would occur at a stationary source not qualifying under (a) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;

(c) A major stationary source that is major for VOCs or NO_X shall be considered major for ozone;

(d) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (a)(iii) or (iv) of this subsection:

(i) Coal cleaning plants (with thermal dryers);

(ii) Kraft pulp mills;

(iii) Portland cements plants;

(iv) Primary zinc smelters;

(v) Iron and steel mills;

(vi) Primary aluminum ore reduction plants;

(vii) Primary copper smelters;

(viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;

(ix) Hydrofluoric, sulfuric, or nitric acid plants;

(x) Petroleum refineries;

(xi) Lime plants;

(xii) Phosphate rock processing plants;

(xiii) Coke oven batteries;

(xiv) Sulfur recovery plants;

(xv) Carbon black plants (furnace process);

(xvi) Primary lead smelters;

(xvii) Fuel conversion plants;

(xviii) Sintering plants;

(xix) Secondary metal production plants;

(xx) Chemical process plants;

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(xxi) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;

(xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels (12,600,000 gallons);

(xxiii) Taconite ore processing plants;

(xxiv) Glass fiber processing plants;

(xxv) Charcoal production plants;

(xxvi) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and

(xxvii) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

(e) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all 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 industrial grouping 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*, 1987.

(4((~~5~~))9) "Mandatory Class I federal area" means any area defined in Section 162(a) of the FCAA. The mandatory Class I federal areas potentially affected by emissions from sources within SWAPCA jurisdiction are as follows:

Alpine Lakes Wilderness;
Glacier Peak Wilderness;
Goat Rocks Wilderness;
Mount Adams Wilderness;
Mount Rainier National Park;
Mt. Hood Wilderness Area;
Mt. Jefferson Wilderness Area.

(((~~46~~))50) "Masking" means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor, usually to a less offensive odor.

(((~~47~~))51) "Materials handling" means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant alteration of the chemical or physical properties of the material.

(((~~48~~))52) "Modification" means 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.

(((~~49~~))53) "National Emission Standards for Hazardous Air Pollutants (NESHAPS)" means the federal regulations set forth in 40 CFR Part 61 or Part 63.

(5((~~0~~))4) "Natural conditions" means naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(5((~~1~~))5) "Net emissions increase" means:

(a) The amount by which the sum of the following exceeds zero:

(i) Any increase in actual emissions from a particular change or change in method of operation at a source; and

(ii) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if the changes in actual emissions occur between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(i) It occurred no more than one year prior to the date of submittal of a complete Notice of Construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(ii) The Authority or Ecology has not relied on it in issuing any permit or Order of Approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, which order or permit is in effect when the increase in emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(iv) The Authority has not relied on it in issuing any permit, regulatory order or Order of Approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21 or Ecology or the Authority has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(5((~~2~~))6) "New source" means one or more of the following:

(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;

(b) Any other project that constitutes a new source under the Federal Clean Air Act;

(c) Restart after a lapse in one year or more in payment of registration fees or operating permit fees;

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(d) Restart after a period of five years of non-operation where registration or operating permit fees have been paid.

(5((3))7) "New Source Performance Standards (NSPS)" means the federal regulations set forth in 40 CFR Part 60 and adopted by the Authority in SWAPCA 400-115.

(5((4))8) "Nonattainment area" means a clearly delineated geographic area which has been designated by EPA promulgation as exceeding a National Ambient Air Quality Standard or standards.

(5((5))9) "Notice of Construction application (NOC)" means a written application from the source by which the Authority records and tracks requests from registered and nonregistered sources for the purpose of obtaining information regarding proposed changes or activities at a source. Types of changes may include modifications, alterations, changes to process or control equipment, establishment of emission limits, installation of new sources, control technology determinations, PSD determinations and other items specified by the Authority. A Notice of Construction application shall be submitted to the Authority for review and approval prior to construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source or portable source. A Notice of Construction application may be submitted to the Authority for activities not requiring New Source Review and shall not automatically impose New Source Review requirements. (For more information refer to SWAPCA 400-109.)

(((56))60) "Opacity" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(((57))61) "Open burning" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Open burning includes all forms of outdoor burning except those listed as exempt in SWAPCA 425-020. Wood waste disposal in wigwam burners is not considered open burning.

(((58))62) "Order" or Regulatory Order means any order issued by the Authority pursuant to Chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153 and 70.94.141(3), and includes, where used in the generic sense, the terms order, corrective action order, order of approval, compliance schedule order, consent order, order of denial, order of violation, order of prevention, order of discontinuance, administrative order, and regulatory order.

(((59))63) "Order of Approval" and "Approval Order" mean 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 or portable source. Note: For more information refer to SWAPCA 400-230 (1)(a).

(6((0))4) "Particulate matter" or "particulates" means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(6((1))5) "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Part 60 or by a test method specified in the Washington State Implementation Plan.

(6((2))6) "Parts per million (ppm)" means parts of a contaminant per million parts of gas or carrier medium, by volume. When calculating or measuring the ppm of a given gas or carrier stream, such measurement or calculation shall be exclusive of water and particulate matter.

(6((3))7) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(6((4))8) "PM_{10}" means 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.

(6((5))9) "PM_{10} emissions" means finely divided solid or liquid material, including condensible particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington State Implementation Plan.

(((66))70) "Potential to emit" means the maximum capacity (i.e., design capacity) of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(((67))71) "Prevention of Significant Deterioration (PSD)" means the program set forth in SWAPCA 400-141 and WAC 173-400-141.

(((68))72) "Projected width" means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

(((69))73) "Reasonably attributable" means attributable by visual observation or any other technique the Authority deems appropriate.

(7((0))4) "Reasonably available control technology (RACT)" means 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 public notice and opportunity for comment are afforded. RACT shall apply to existing sources.

(7((1))5) "Regulatory order" means an order issued by the Authority to an air contaminant source which applies to that source, any applicable provision of Chapter 70.94 RCW, or the rules adopted thereunder, or, the regulations of the

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Authority. Note: For further clarification refer also to the definition of Order and Order of Approval and SWAPCA 400-230.

(7((~~2~~))6) "Significant" or "significant emission rate" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:

Pollutant	Tons/Year
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Particulate matter (PM)	25
Fine particulate matter (PM_{10})	15
Volatile organic compounds (VOC)	40
Lead	0.6
Fluorides	3
Sulfuric acid mist	7
Hydrogen sulfide (H_2S)	10
Total reduced sulfur (including H_2S)	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

(7((~~3~~))7) "Significant visibility impairment" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of a Class I area as defined in Section 162(a) of the FCAA. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

(7((~~4~~))8) "Source" means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous and 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*, 1987.

(7((~~5~~))9) "Source category" means all sources of the same type or classification as described in the *Standard Industrial Classification Manual*, 1987.

(((~~76~~))80) "Southwest Air Pollution Control Authority (SWAPCA)" or "Authority" means the local air pollution agency empowered to enforce and implement the Federal Clean Air Act (42 U.S.C. 7401, et seq.) and the Clean Air Washington Act (RCW 70.94) in Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties of Washington State.

(((~~77~~))81) "Stack" means any emission point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

(((~~78~~))82) "Stack height" means the height of an emission point measured from the ground-level elevation at the base of the stack.

(((~~79~~))83) "Standard conditions" means a temperature of 20 degrees C (68 degrees F) and a pressure of 29.92 inches (760 mm) of mercury except as otherwise specified.

(8((~~0~~))4) "State Implementation Plan, (SIP)" means a comprehensive plan developed/prepared by the Washington State Department of Ecology with assistance from the Southwest Air Pollution Control Authority, other regional air pollution control authorities and other interested planning and governing entities, and submitted to EPA for approval, which provides for implementation, maintenance and enforcement of the primary and secondary National Ambient Air Quality Standards.

(8((~~1~~))5) "Stationary source" means any building, structure, facility, or installation which emits or may emit any contaminant. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a non-road engine or non-road vehicle as defined in Section 216 of the FCAA.

(8((~~2~~))6) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(8((~~3~~))7) "Total reduced sulfur, (TRS)" means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA Method 16 or an approved equivalent method and expressed as hydrogen sulfide.

(8((~~4~~))8) "Total suspended particulate" means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on July 1, 1992.

(8((~~5~~))9) "United States Environmental Protection Agency, (USEPA)" shall be referred to as EPA.

(((~~86~~))90) "Upgraded" is defined only for gasoline dispensing facilities and means the modification of a gasoline storage tank or piping to add cathodic protection, tank lining or spill and overfill protection that involved removal of ground or ground cover above a portion of the product piping. "Modification" of a gasoline dispensing facility means the same as "upgraded".

(((~~87~~))91) "Visibility impairment" means any perceptible degradation in visibility (visual range, contrast, coloration) not caused by natural conditions.

(((~~88~~))92) "Visibility impairment of Class I areas" means visibility impairment within the area and visibility impairment of any formally designated integral vista associated with the area.

(((~~89~~))93) "Volatile organic compound (VOC)" means:

(a) Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than the following, which have negligible photochemical activity: acetone; methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro 2,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,1,2,2-tetrafluoroethane (CFC-

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114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTF); perchloroethylene (tetrachloroethylene) and perfluorocarbon compounds which fall into these classes:

(i) Cyclic, branched, or linear completely fluorinated alkanes;

(ii) Cyclic, branched, or linear completely fluorinated ethers with no unsaturations; and

(iii) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOCs will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC.

SWAPCA 400-035 Open Fires (Deleted)

[Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 12/18/79 deleted- now covered by SWAPCA 425 (WAC 173-425)]

AMENDATORY SECTION

SWAPCA 400-040 General Standards for Maximum Emissions

[Statutory Authority: Chapter 70.94.040 RCW, 70.94.141 RCW, 70.94.154 RCW, and 70.94.331 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 12/18/79; Amended by Board 3/20/84; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

All sources and emissions units are required to meet the emission standards of this section. Where an emission standard listed in another section is applicable to a specific emissions unit, such standard shall take precedent over a general emission standard listed in this section. When two or more emissions units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emissions units, and the relative contributions of the individual emissions units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emissions units. Further, all emissions units are required to use reasonably available control technology (RACT) which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of this regulation or any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, the Authority shall, as provided in RCW 70.94.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

(1) **Visible emissions.** No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any emissions unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity as determined by C((e))ertified O((e))bserver certified in accordance with EPA Method 9 "Visual Determination of the Opacity of Emissions from Stationary Sources" as specified in 40 CFR 60 Appendix A except:

(a) When the emissions occur due to soot blowing/grate cleaning and the operator can demonstrate that the emissions will not exceed twenty percent opacity for more than fifteen minutes in any eight consecutive hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of boiler facilities. This practice, except for testing and trouble shooting, is to be scheduled for the same approximate times each day and the Authority shall be advised of the schedule.

(b) When the owner or operator of a source supplies valid data to show that the presence of uncombined water is the only reason for the opacity to exceed twenty percent.

(c) When two or more sources are connected to a common stack, the Authority may allow or require the use of an alternate time period if it is more representative of normal operations.

(d) When an alternate opacity limit has been established per RCW 70.94.331 (2)(c).

(2) **Fallout.** No person shall cause or permit the emission of particulate matter from any source to be deposited beyond the property under direct control of the owner(s) or operator(s) of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.

(3) **Fugitive emissions.** The owner or operator of any emissions unit engaging in materials handling, construction, demolition or any other operation which is a source of fugitive emission:

(a) If located in an attainment area and not impacting any nonattainment area, shall take reasonable precautions to prevent the release of air contaminants from the operation.

(b) If the emissions unit has been identified as a significant contributor to the nonattainment status of a designated nonattainment area, shall be required to use reasonable and available control methods, which shall include any necessary changes in technology, process, or other control strategies to control emissions of the contaminants for which nonattainment has been designated.

(4) **Odors.**

(a) Any person who shall cause or allow the generation of any odor from any source, which may unreasonably interfere with any other property owner's use and enjoyment of his property must use recognized good practice and procedures to reduce these odors to a reasonable minimum.

(b) A scentometer No. 1 odor strength or equivalent dilution in residential and commercial areas shall not be exceeded.

(c) A scentometer No. 3 odor strength or equivalent dilution in all other land use areas shall not be exceeded.

Scentometer Readings

Scentometer No.	Concentration Range No. of Thresholds
0	1 to 2
1	2 to 8
2	8 to 32

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3	32 to 128
4	128

(d) A violation of this section shall have occurred when two measurements made within a period of one (1) hour, separated by at least fifteen (15) minutes, off the property surrounding the air contaminant source exceeds the scentometer limitations set hereunder.

(e) When the source is a manufacturing process, no violation of this section shall have occurred provided that Best Available Control Technology (BACT), Maximum Available Control Technology (MACT), or Lowest Achievable Emission Rate (LAER), as applicable for odor control and abatement, is provided and is operating in compliance with other applicable regulations and emission limits.

(f) When the source is using "good agricultural practices", as provided in RCW 70.94.640, no violation of this section shall have occurred.

(5) **Emissions detrimental to persons or property.** No person shall cause or permit the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.

(6) **Sulfur dioxide.**

No person shall cause or permit the emission of a gas containing sulfur dioxide from any emissions unit in excess of one thousand ppm of sulfur dioxide on a dry basis, corrected to seven percent oxygen or twelve percent CO_2 as required by the applicable emission standard for combustion sources, and based on the average of any period of sixty consecutive minutes, except:

(a) When the owner or operator of an emissions unit supplies emission data and can demonstrate to the Authority that there is no feasible method of reducing the concentration to less than one thousand ppm (on a dry basis, corrected to seven percent oxygen for combustion sources) and that the state and federal ambient air quality standards for sulfur dioxide will not be exceeded. In such cases, the Authority may require specific ambient air monitoring stations be established, operated, and maintained by the owner or operator at mutually approved locations. All sampling results shall be made available upon request and a monthly summary shall be submitted to the Authority.

(b) When a source limits such emission by a combination of constant emission controls and dispersion techniques approved by the Authority.

(7) **Concealment and masking.** No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant which would otherwise violate any provisions of this section.

(8) **Fugitive dust sources.**

(a) The owner or operator of a source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions.

(b) The owner(s) or operator(s) of any existing source(s) of fugitive dust that has been identified as a significant contributor to a PM_{10} nonattainment area shall be required to use reasonably available control technology (RACT) to control emissions. Significance will be determined by the criteria found in SWAPCA 400-113(3).

AMENDATORY SECTION

SWAPCA 400-050 Emission Standards for Combustion and Incineration Units

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption by board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Combustion and incineration emissions units shall meet all requirements of SWAPCA 400-040 and, in addition, no person shall cause or permit emissions of particulate matter in excess of 0.23 gram per dry cubic meter at standard conditions (0.1 grain/dscf), except, for an emissions unit combusting wood derived fuels for the production of steam. No person shall allow or permit the emission of particulate matter from an emissions unit combusting wood derived fuels in excess of 0.46 gram per dry cubic meter at standard conditions (0.2 grain/dscf), as measured by EPA Method 5 or other acceptable sampling methods approved in advance by the Authority.

(2) For any incinerator, no person shall cause or permit emissions in excess of one hundred ppm of total carbonyls as measured by applicable sampling methods or other acceptable procedures approved in advance by the Authority including but not limited to those methods contained in "Source Test Manual - Procedures for Compliance Testing", State of Washington, Department of Ecology((~~, on file at the Authority~~)). Incinerators shall be operated only during daylight hours unless written permission to operate at other times is received from the Authority.

(3) Measured concentrations for combustion and incineration sources shall be adjusted in accordance with the following listing. Source categories not identified shall have measured concentrations for volumes corrected to seven percent oxygen, except when the Authority determines that an alternate oxygen correction factor is more representative of normal operations. Concentrations for the following sources shall normally be adjusted to the following oxygen concentrations: gas, diesel, & oil fired boilers: 3%; medical/hospital waste incinerators: 12%; natural gas turbines: 15%.

SWAPCA 400-052 Stack Sampling of Major Combustion Sources

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93]

(1) **General Requirements.** No owner or operator of a major source which is also a combustion or incineration source shall operate the source except in compliance with the requirements of this section.

(2) **Applicability.** All sources that are designated as major as a result of the operation of a combustion or incineration unit (or units) where the combined emissions of a single pollutant from the combustion or incineration unit (or units) are 100 tons per year or more of oxides of nitrogen, carbon monoxide, particulate matter, sulfur dioxide or volatile organic compounds.

(3) **Emissions Sampling Requirements.** The owner or operator of a major combustion or incineration source identified in (2) shall cause or conduct emissions tests at least once every two calendar years to quantify emissions of the pollutants for which the source has been designated major. In the event that the combined emissions of a single

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pollutant from several emissions units establishes the source as major, emissions tests shall be conducted at least once every two calendar years for all emissions units which emit 30 percent or more of the emissions of the pollutant for which the source has been designated major.

(4) **Sampling Methods.** All emissions tests shall be conducted in accordance with the specific test methods approved in advance by the Authority.

(5) **Additional Requirements.** Nothing in this section shall be construed as to limit the ability of the Authority to impose additional or supplemental emissions testing requirements for any emissions unit within the Authority's jurisdiction in accordance with SWAPCA 400-105(4).

(6) **Alternative Sampling Schedules.** The Authority may on a case-by-case basis, accept or require an alternative emissions sampling schedule provided sufficient source-specific sampling data exists to adequately demonstrate that the source is capable of continuous compliance with any emission standards that are applicable to the source. Alternative sampling schedules shall be based upon measured emissions relative to the applicable emissions limitation. The Authority may reduce the frequency of the required emissions testing.

(7) **Continuous Emissions Monitors.** The use of continuous emissions monitors shall be acceptable as an alternative emissions sampling schedule.

AMENDATORY SECTION

SWAPCA 400-060 Emission Standards for General Process Units

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption by Board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

General process units shall meet all applicable provisions of SWAPCA 400-040 and, no person shall cause or permit the emission of particulate material from any general process operation in excess of 0.23 grams per dry cubic meter at standard conditions (0.1 grain/dscf) of exhaust gas. EPA test methods from 40 CFR Appendix A which are adopted by reference as in effect August 1, 1996 and any other appropriate test procedures approved in advance by the Authority shall be used to determine compliance.

AMENDATORY SECTION

SWAPCA 400-070 Emission Standards for Certain Source Categories

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

The Authority finds that the reasonable regulation of sources within certain categories requires separate standards applicable to such categories. The standards set forth in this section shall be the maximum allowable standards for emissions units within the categories listed.

(1) **Wigwam burners.**

((~~(a)~~)) The use of wigwam ("tee-pee", "conical", or equivalent type) burners is prohibited effective January 1, 1994.

(2) **Hog fuel boilers.**

(a) Hog fuel boilers shall meet all provisions of SWAPCA 400-040 and SWAPCA 400-050(1), except that emissions may exceed twenty percent opacity for up to fifteen consecutive minutes once in any eight hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary for efficient operation of these units. This practice is to be scheduled for the same specific times each day and the Authority shall be notified of the schedule or any changes.

(b) All hog fuel boilers shall utilize RACT and shall be operated and maintained to minimize emissions.

(3) **Orchard heating.**

(a) Burning of rubber materials, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

(b) It is unlawful to burn any material or operate any orchard-heating device that causes a visible emission exceeding twenty percent opacity, except during the first thirty minutes after such device or material is ignited.

(4) **Catalytic cracking units.**

(a) All existing catalytic cracking units shall meet all provisions of SWAPCA 400-040:

(i) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity.

(ii) No person shall cause or permit the emission of particulate material in excess of 0.46 grams per dry cubic meter at standard conditions (0.20 grains/dscf) of exhaust gas.

(b) All new catalytic cracking units shall install BACT which may be more stringent than the provisions of SWAPCA 400-115.

(5) **Sulfuric acid plants.** No person shall cause to be discharged into the atmosphere from a sulfuric acid plant, any gases which contain acid mist, expressed as H_2SO_4, in excess of 0.15 pounds per ton of acid produced. Sulfuric acid production shall be expressed as one hundred percent H_2SO_4.

(6) **Gasoline dispensing facilities.** All gasoline dispensing facilities shall meet all the provisions of SWAPCA 400-110(8) and SWAPCA 491 "Emission Standards and Controls for Sources Emitting Gasoline Vapors".

(7) **Abrasive blasting.** (a) Abrasive blasting shall be performed inside a booth or structure designed to capture the blast grit, overspray, and removed material except that outdoor blasting of structures or items too large to be reasonably handled indoors or in an enclosure shall employ control measures such as curtailment during windy periods, wet blasting, and/or enclosure of the area being blasted with tarps.

(b) Outdoor blasting shall be performed with either steel shot or an abrasive material containing less than one percent (by mass) which would pass through a No. 200 sieve.

(c) All abrasive blasting with sand shall be performed inside a blasting booth, enclosure or structure designed to capture fugitive particulate matter.

(d) All abrasive blasting of materials that have a coating or that may contain a substance that is identified as a toxic air pollutant in ((~~WAC 173-~~))SWAPCA 460 or a hazardous substance shall be analyzed prior to blast operations. If a

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toxic or hazardous material is present in the blast media or removed media, all material shall be handled and disposed of in accordance with applicable regulations.

SWAPCA 400-074 Gasoline Transport Tankers

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW; refer to WAC 173-491-040. Original adoption 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Each owner(s) and/or operator(s) of a gasoline transport tank doing business within the designated ozone non-attainment area of SWAPCA jurisdiction shall register the transport tank with SWAPCA prior to being placed into service. Such registration shall be made annually with SWAPCA.

(2) Each registered gasoline transport tanker shall pay an annual registration fee in accordance with the schedule provided in SWAPCA 400-100 (3)(a)(i). Each transport tanker shall have its own registration sticker, certification test and shall be assessed a separate registration fee.

(3) Prior to registration, SWAPCA shall review the leak test certification documentation from the testing company required under SWAPCA 490-202(3). Upon demonstration of a successful leak test and payment of registration fees, SWAPCA shall issue a registration sticker that shall be applied to the tanker.

(4) The owner(s) and/or operator(s) of a gasoline loading or unloading facility shall only allow the transfer of gasoline between the facility and a transport tank when a current leak test certification for the transport tank is on file with the facility or a valid SWAPCA registration sticker is displayed on the tank(s).

(5) Each owner(s) and/or operator(s) of a petroleum product transport tank doing business within SWAPCA jurisdiction shall notify SWAPCA of a change in status of a tanker. Change in status shall include sale, operating only out of SWAPCA jurisdiction, out of service, or other similar change. Such notification shall be made in writing to SWAPCA within 10 days of the change of status.

AMENDATORY SECTION

SWAPCA 400-075 Emission Standards for Sources Emitting Hazardous Air Pollutants

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 12/18/79; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The emission standards for hazardous air pollutants promulgated by the United States Environmental Protection Agency (USEPA) as in effect ((~~February 1, 1995~~)) August 1, 1996, as contained in Title 40, Code of Federal Regulations, Part 61 and Part 63, are adopted by reference. The term "Administrator" in 40 CFR Part 61 shall mean the Administrator of EPA, the Director of Ecology and the Control Officer of the Authority.

(2) The Authority may require that source tests be conducted and require access to records, books, files, and other information specific to the control, recovery or release of those pollutants regulated under 40 CFR Part 61 and/or Part 63 in order to determine the status of compliance of sources of these contaminants and to carry out its enforcement responsibilities.

(3) Source testing, monitoring, and analytical methods for sources of hazardous air pollutants shall conform with the requirements of Title 40, Code of Federal Regulations, Part 61 and/or Part 63, as in effect ((~~February 1, 1995~~)) August 1, 1996.

(4) This section shall not apply to any source operating pursuant to a waiver granted by EPA or an exemption granted by the President of the United States during the effective life of such waiver or exemption.

(5) Specific standards of performance referred to as Maximum Achievable Control Technology (MACT) have been promulgated by the USEPA. As of ((~~February 1, 1995~~)) August 1, 1996 the following standards of performance as set forth in 40 CFR 63 are hereby adopted by reference:

Subpart A	National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions (40 CFR 63.1 et seq.)
Subpart B	National Emission Standards for Hazardous Air Pollutants for Source Categories: Equivalent Emission Limitation By Permit (ref. 40 CFR 63.50 et seq.)
Subpart D	National Emission Standards for Hazardous Air Pollutants for Source Categories: Early Reduction Program (ref. 40 CFR 63.70 et seq.)
Subpart F	National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (ref. 40 CFR 63.100 et seq.)
Subpart G	National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (ref. 40 CFR 63.110 et seq.)
Subpart H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (ref. 40 CFR 63.160 et seq.)
Subpart I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (ref. 40 CFR 60.190 et seq.)
Subpart L	National Emission Standards for Hazardous Air Pollutants for Coke Oven Operations (ref. 40 CFR 63.300 et seq.)
Subpart M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (ref. 40 CFR 63.320 et seq.)
Subpart N	National Emission Standards for Hazardous Air Pollutants from Hard and Decorative Electroplating and Anodizing Operations (ref. 40 CFR 63.340 et seq.)
Subpart O	National Ethylene Oxide Air Emission Standards for Commercial Sterilizers (ref. 40 CFR 63.360 et seq.)
Subpart R	National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Operations (Stage I) (ref. 40 CFR 63.420 et seq.)

Subpart Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (ref. 40 CFR 63.400 et seq.)
Subpart T	National Emission Standards for Hazardous Air Pollutants for Halogenated Solvents Cleaning Operations (ref. 40 CFR 63.460 et seq.)
Subpart W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production (ref. 40 CFR 63.520 et seq.)
Subpart X	National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelting Manufacturing Operations (ref. 40 CFR 63.541 et seq.)
Subpart Y	National Emission Standards for Hazardous Air Pollutants for Marine Vessel Loading Operations (ref. 40 CFR 63.560 et seq.)
Subpart CC	National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (ref. 40 CFR 63.640 et seq.)
Subpart DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (ref. 40 CFR 63.680 et seq.)
Subpart EE	National Emission Standards for Hazardous Air Pollutants for Magnetic Tape Manufacturing Operations (ref. 40 CFR 63.710 et seq.)
Subpart GG	National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing Operations (ref. 40 CFR 63.740 et seq.)
Subpart II	National Emission Standards for Hazardous Air Pollutants for Shipbuilding and Ship Repair (Surface Coating) (ref. 40 CFR 63.780 et seq.)
Subpart JJ	National Emission Standards for Hazardous Air Pollutants for Wood Furniture Manufacturing Operations (ref. 40 CFR 63.800 et seq.)
Subpart KK	National Emission Standards for Hazardous Air Pollutants for the Printing and Publishing Industry (ref. 40 CFR 63.820 et seq.)
Subpart JJJ	National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins (ref. 40 CFR 63.1310 et seq.)

AMENDATORY SECTION

SWAPCA 400-076 Emissions Standards for Sources Emitting Toxic Air Pollutants

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adpotion 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The term toxic air pollutants (TAP) or toxic air contaminant means any air pollutant listed in ((~~WAC 173-~~)) SWAPCA 460-150 or ((~~173-~~)) 460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in ((~~WAC 173-~~)) SWAPCA 460-150 or ((~~173-~~))460-160. The Chemical Abstract Service (CAS) number shall be the primary means used to specifically identify a substance. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(2) All sources subject to the requirements of SWAPCA 400-110, 400-111, 400-112, 400-113 or 400-114 shall be subject to the requirements of ((~~WAC 173-~~)) SWAPCA 460. All sources subject to review under SWAPCA 400 shall also be reviewed for applicability and/or compliance under ((~~WAC 173-~~))SWAPCA 460.

(3) The New Source Review fee schedule provided in SWAPCA 400-110 shall be applicable to all sources subject to ((~~WAC 173-~~)) SWAPCA 460. The fees identified in SWAPCA 400-110 shall not be duplicate to any fees collected under ((~~WAC 173-~~)) SWAPCA 460. Only a single fee shall apply to sources that are subject to SWAPCA 400 and ((~~WAC 173-~~)) SWAPCA 460.

(4) A Notice of Construction is a written application to request approval for construction or modification of an air contaminant source. If a Notice of Construction application is required under both SWAPCA 400 and ((~~WAC 173-~~)) SWAPCA 460, then the applications shall be combined. All sources subject to ((~~WAC 173-~~)) SWAPCA 460 shall file a Notice of Construction application in accordance with SWAPCA 400-110 "New Source Review".

(5) Authority actions including issuance of regulatory orders and enforcement actions for sources subject to ((~~WAC 173-~~)) SWAPCA 460 shall be the same as those actions for sources subject to and identified in SWAPCA 400.

(6) Sources subject to ((~~WAC 173-~~)) SWAPCA 460 shall be subject to the registration requirements of SWAPCA 400-100. Where a source is subject to both SWAPCA 400 and ((~~WAC 173-~~)) SWAPCA 460, only one registration shall be provided and only one fee shall be collected in accordance with the schedule outlined in SWAPCA 400-100.

Reviser's note: The brackets and enclosed material in the text above 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 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.

Reviser's note: The spelling 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.

WSR 96-21-099
PERMANENT RULES
SOUTHWEST AIR POLLUTION CONTROL AUTHORITY

[Filed October 21, 1996, 10:10 a.m.]

Date of Adoption: October 15, 1996.

Purpose: This rule establishes general emission requirements for all air pollution sources within SWAPCA jurisdiction. These requirements include permitting, monitoring, testing and reporting requirements. Changes in this revision include a new section to address requirements for a maintenance plan area, clarification to exemptions, reference to SEPA (chapter 197-11 WAC), reference to recent federal changes.

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Citation of Existing Rules Affected by this Order: Amending SWAPCA 400-101, 400-105, 400-107, 400-109, 400-110, 400-111, 400-112, 400-113, 400-114, 400-115, and 400-116.

Statutory Authority for Adoption: RCW 70.94.141 and 70.94.331.

Adopted under notice filed as WSR 96-17-035 on August 16, 1996.

Changes Other than Editing from Proposed to Adopted Version: Incorporated by reference two new subsections in SWAPCA 400-105 as (7) and (8), the language from WAC 173-400-105 (7) and (8) regarding material false statements and falsifying monitoring records or devices.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, amended 8, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 2, amended 8, repealed 0.

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

October 18, 1996
Robert D. Elliott
Executive Director

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AMENDATORY SECTION

SWAPCA 400-101 Sources Exempt from Registration Requirements

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.163 RCW, and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 3.03); Amended by Board 12/18/79 (400-100(3)); Amended by Board 12/18/79; Amended by Board 4/17/84; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

All air contaminant emissions units shall be registered with the Authority except for the emissions units listed in this section. In the event that a registered source has any of these emissions units at a location that is otherwise required to be registered or obtain an operating permit, the Authority may require that these emissions units be included on the permit or registration. However, registration fees shall not be assessed for any of the exempt emissions units. Any source exempted from registration under this section shall maintain sufficient documentation acceptable to the Authority that the source is entitled to exemption under this section. Any source exempted from registration under this section shall also be considered exempt from the requirements of SWAPCA 400-110, 400-111, 400-112, 400-113, and 400-114. For the purpose of identifying sources or emission units exempt from registration, the source's or emission unit's potential to emit shall be used as the basis for emissions and shall consider emissions before application of any control equipment. All exempt emission units shall be identified on an Order of Authorization to Operate for an otherwise registered source (refer to SWAPCA 400-109). An exemption for an entire facility or source shall be valid only if the combined emissions from all emission units at that site or facility are less than 1.0 ton per year for criteria pollutants and less than the Small Quantity Emission Rate for each toxic air pollutant identified in ((~~WAC 173-~~)) SWAPCA 460. If any exemption threshold is exceeded for an emission unit or units, either individually or combined, the source or emission unit(s) shall not be considered to be exempt.

List of Exempt Emission Units or Sources as a Single Source or Emission Unit:

(1) Air conditioning or ventilating systems designed for space heating and cooling, combined or separate, that are less than 2.0 million BTU per hour which do not exhaust to the atmosphere contaminants generated by or released from process equipment.

(2) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which emits less than one ton per year combined of nitrogen oxides, carbon monoxide, PM_{10}, sulfur dioxide and volatile organic compounds from all emissions units combined. The one ton exemption does not apply to emissions of toxic air pollutants. Sources or emission units with emissions of toxic air pollutants to the ambient air may be exempted only if the annual emissions quantity for each toxic air pollutant is below the Small Quantity Emission Rate (annual rate) for each toxic air pollutant emitted as identified in ((~~WAC 173-~~)) SWAPCA 460.

(3) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which is of insufficient stature to trigger a new source review fee assessment, from all emission units combined, as specified in Table A under SWAPCA 400-110.

(4) Asphalt roofing and application equipment (not manufacturing or storage equipment).

(5) Fuel burning equipment unless waste-derived fuel is burned, which:

(a) is used solely for a private dwelling serving less than five families; or

(b) has an energy input of less than 2 million Btu per hour.

(6) Fuel burning equipment used exclusively for space heating other than boilers.

(7) Insecticide, pesticide or fertilizer spray equipment.

(8) Laundering devices, dryers, extractors or tumblers for fabrics using water solutions of bleach and/or detergents.

(9) Portable, manually operated welding, brazing or soldering equipment when used at other than the owner's principal place of business.

(10) Welding stations involved solely in the repair and maintenance of a facility. This exemption does not extend to manufacturing operations where welding is an integral part of the manufacturing process.

(11) Food preparation facilities, establishments or equipment.

(12) Retail paint sales establishments (not including manufacturing).

(13) Sampling connections used exclusively to withdraw materials for laboratory analyses and testing.

(14) Sewing equipment.

(15) Sources which due to the amount and nature of air contaminants produced and their potential to contribute to air pollution, are determined through review by the Authority to not warrant registration; provided that, for new sources, such determination shall be based upon review of a Notice of Construction application.

(16) Spray painting or blasting equipment used at a temporary location to clean or paint bridges, water towers, buildings or other structures.

(17) Chemical and physical laboratory operations or equipment, including fume hoods and vacuum producing devices provided the emissions do not exceed those listed in SWAPCA 400-101(2). This exemption applies to incidental fume hoods or laboratory equipment used by a source to perform in-house analyses that do not exceed the small quantity exemption of (2) above. This exemption does not apply to sources whose primary activity is chemical or physical laboratory operations.

(18) Residential wood heaters.

(19) Office equipment, operations and supplies.

(20) Internal combustion including diesel engines used for standby emergency power generation which are used less than 100 hours per year and are rated at less than 500 horsepower.

(21) Steam cleaning equipment used exclusively for that purpose.

(22) Refrigeration systems which are not in air pollution control service.

(23) Housekeeping activities and equipment.

(24) Natural draft hoods, natural draft stacks, or natural draft ventilators for sanitary and storm drains, safety valves and storage tanks.

(25) Natural and forced air vents and stacks for bathroom/toilet facilities.

(26) Personal care activities.

(27) Lawn and landscaping activities.

(28) Flares used to indicate danger to the public.

(29) Fire fighting and similar safety equipment and equipment used to train fire fighters.

(30) Materials and equipment used by, and activities related to operation of an infirmary provided that operation of an infirmary is not the primary business activity at the source in question.

AMENDATORY SECTION

SWAPCA 400-105 Records, Monitoring and Reporting

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 12/18/79; Amended by Board 4/17/84 - renumbered to 400-170; Amended by Board (400-170) 12/16/86; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

The owner or operator of each registered source or emission unit shall maintain records on the type and quantity of emissions from the source and other information deemed necessary to determine whether the source is in compliance with applicable emission limitations and control measures. Sources that are not subject to the registration requirements of SWAPCA 400-100 because they are exempt under SWAPCA 400-101 shall nevertheless maintain records and other information necessary and sufficient to substantiate that their small quantity emissions are less than the applicable thresholds.

(1) **Emission inventory.**

(a) When requested, the owner(s) or operator(s) of any air contaminant source shall submit an inventory of emissions from the source each year to the Authority. The inventory shall include stack and fugitive emissions of particulate matter, PM_{10}, sulfur dioxide, oxides of nitrogen, carbon monoxide, total reduced sulfur compounds (TRS), fluorides, lead, VOCs, and toxic air pollutants identified in ((~~WAC 173-~~)) SWAPCA 460. The owner(s) or operator(s) shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

(b) The emission inventory form supplied by the Authority shall be completed and returned to the Authority by April 15th for the following sources:

(i) Sources with the potential to emit over 100 tons of criteria pollutants, 10 tons of a single hazardous air pollutant or 25 tons of combined hazardous air pollutants, sources subject to NSPS, except subpart AAA, and sources subject to NESHAPS, except subpart M, sources are required to submit an emissions inventory. Only the hazardous air pollutants listed in Section 112 of the FCAA are considered for inclusion as hazardous air pollutant emissions for the purpose of determining those sources required to submit an emissions inventory. Minimum data required for the emissions inventory includes: emissions type, emissions quantity, process data, stack parameters, operating schedule, control equipment and boiler capacity.

(ii) In ozone nonattainment areas, those sources that emit over 10 tons of VOCs per year or over 25 tons per year of NO_X are also required to submit emission inventories. Minimum data required for the emissions inventory includes: emissions type, emissions quantity, process data, stack parameters, operating schedule, control equipment, and equipment capacity. Sources subject to this section are also required to submit daily emissions data for NO_X and VOCs in preparation for the SIP update.

(2) **Monitoring.** The Authority shall conduct a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants. As a part of this program, the Control Officer or an authorized representative may require any source under the jurisdiction of the Authority to conduct stack and/or ambient air monitoring and to report the results to the Authority.

(3) **Investigation of conditions.** Upon presentation of appropriate credentials, for the purpose of investigating conditions specific to the control, recovery, or release of air contaminants into the atmosphere, personnel from the Authority shall have the power to enter at reasonable times upon any private or public property, excepting non-multiple unit private dwellings housing one or two families.

(4) **Source testing.** To determine compliance, evaluate control equipment performance, evaluate RACT or quantify emissions the Authority may conduct or require that a test be conducted of the source or any emissions unit within the jurisdiction of the Authority. Source testing shall be performed using appropriate sampling and analytical methods as approved in advance by the Authority including, but not limited to, approved EPA methods from 40 CFR 60 Appendix A which are adopted by reference, or alternate procedures approved by the Authority. The operator of a source

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shall provide the necessary platform and sampling ports for Authority personnel or others to perform a test of an emissions unit. The Authority shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

(5) **Continuous monitoring and recording.** Owners and operators of the following categories of sources shall install, calibrate, maintain and operate equipment for continuously monitoring and recording those emissions specified.

(a) Fossil fuel-fired steam generators.

(i) Opacity, except where:

(A) Steam generator capacity is less than two hundred fifty million Btu per hour heat input; or

(B) Only gaseous fuel is burned.

(ii) Sulfur dioxide, except where steam generator capacity is less than two hundred fifty million Btu per hour heat input or if sulfur dioxide control equipment is not required.

(iii) Percent oxygen or carbon dioxide where such measurements are necessary for the conversion of sulfur dioxide continuous emission monitoring data.

(iv) General exception. These requirements do not apply to a fossil fuel-fired steam generator with an annual average capacity factor of less than thirty percent, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the Authority by the owner(s) or operator(s).

(b) Sulfuric acid plants. Sulfur dioxide where production capacity is more than three hundred tons per day, expressed as one hundred percent acid, except for those facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(c) Fluidized bed catalytic cracking units catalyst regenerators at petroleum refineries. Opacity where fresh feed capacity is more than twenty thousand barrels per day.

(d) Wood residue fuel-fired steam generators.

(i) Opacity, except where steam generator capacity is less than one hundred million Btu per hour heat input.

(ii) Continuous monitoring equipment. The requirements of SWAPCA 400-105 (5)(e) do not apply to wood residue fuel-fired steam generators, but continuous monitoring equipment required by SWAPCA 400-105 (5)(d) shall be subject to approval by the Authority.

(e) Owners and operators of those sources required to install continuous monitoring equipment under this section shall demonstrate to the Authority, compliance with the equipment and performance specifications and observe the reporting requirements contained in 40 CFR Part 51, Appendix P, Sections 3, 4 and 5, ((~~promulgated October 6, 1975, and amended November 7, 1986,~~)) and 40 CFR 60 Appendices B through F, as appropriate, as in effect August 1, 1996 which is adopted by reference.

(f) Special considerations. If for reason of physical plant limitations or extreme economic situations, the Authority determines that continuous monitoring is not a reasonable requirement, alternative monitoring and reporting procedures shall be established on an individual basis. Alternative monitoring and reporting procedures may include continuous monitoring of process/operational parameters as a surrogate to continuous emissions monitoring and/or stack tests conducted at a frequency sufficient to determine compliance with applicable regulations and permit requirements as well as to quantify emissions.

(g) Exemptions. This subsection (5) does not apply to any source which is:

(i) Subject to a new source performance standard. NSPS sources shall be governed by SWAPCA 400-115.

(ii) Not subject to an applicable emission standard.

(h) Monitoring system malfunctions. A source may be temporarily exempted from the monitoring and reporting requirements of this section during periods of monitoring system malfunctions provided that the source owner(s) or operator(s) shows to the satisfaction of the Authority that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

(6) **Change in raw materials or fuels for sources not subject to requirements of the Operating Permit Program.** Any change or series of changes in raw material or fuel which will result in a cumulative increase in emissions of sulfur dioxide of forty tons per year or more over that stated in the initial inventory required by SWAPCA 400-105(1) shall require the submittal of sufficient information to the Authority to determine the effect of the increase upon ambient concentrations of sulfur dioxide. The Authority may issue regulatory orders requiring controls to reduce the effect of such increases. Cumulative changes in raw material or fuel of less than 0.5 percent increase or decrease in average annual sulfur content over the initial inventory shall not require such notice.

(7) No person shall make any false material statement, representation or certification in any form, notice or report required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit or order in force pursuant thereto.

(8) No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

SWAPCA 400-107 Excess Emissions

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.07 & 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 5.07); 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The owner or operator of a source shall have the burden of proving to the Authority or the decision-making entity (e.g., Pollution Control Hearings Board) in an enforcement action that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under subsections (4), (5) and (6) of this section.

(2) Excess emissions determined by the Authority to be unavoidable under the procedures and criteria in this section shall be excused and not subject to penalty.

(3) Excess emissions shall be reported to the Authority as soon as possible. Upon request by the Authority, the owner(s) or operator(s) of the source(s) shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.

(4) Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the source reports as required under subsection (3) of this section and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

(5) Excess emissions due to scheduled maintenance shall be considered unavoidable if the source reports as required under subsection (3) of this section and adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

(6) Excess emissions due to upsets shall be considered unavoidable provided the source reports as required under subsection (3) of this section and adequately demonstrates that:

(a) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

(b) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(c) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

AMENDATORY SECTION

SWAPCA 400-109 Notice of Construction Application

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95]

(1) **Purpose.** A Notice of Construction (NOC) application is the document or form used by the Authority to record and track requests from individual sources, registered and non-registered, for the purpose of obtaining information regarding proposed changes or activities at a source. Confidential information shall be identified as set forth in SWAPCA 400-270. Changes may include modifications, alterations, changes to process or control equipment, establishment of emission limits, and installation of new sources.

(2) **Applicability.**

(a) A Notice of Construction application consistent with SWAPCA 400-110 shall be submitted for all new installations, modifications, changes, and alterations to process and emission control equipment consistent with the definition of new source.

(b) Submittal of a Notice of Construction application shall not automatically impose New Source Review requirements for meeting emissions standards (including, but not limited to: NSPS, NESHAPs, any ambient air quality standard, etc.).

(3) **Types of Applications.** A Notice of Construction application may be submitted for, but not be limited to, the following activities:

(a) New construction or installation.

(b) Change of existing approved emission limits (including Title V opt-out requests-SWAPCA 400-091).

(c) Review of existing or installed equipment operating without prior approval.

(d) Modification, alteration or replacement of existing process or control equipment.

(e) Change of registered owner (purchase or sale of source, facility or equipment).

(f) Change of location of operations of existing portable and stationary equipment.

(g) Review of existing equipment with an expired or lapsed approval or registration.

(h) Review of a case-by-case RACT, BACT, MACT or other similar determination.

(i) Other activities as identified by the Authority.

(4) **Fees.** A fee consistent with the fee schedule (Tables A and B) provided in SWAPCA 400-110 shall be paid by the owner or operator to the Authority prior to review of the Notice of Construction application by the Authority.

(5) **Authority Actions.** Each acceptable and complete Notice of Construction application shall have an Order of Approval or other applicable order issued by the Authority. A Notice of Construction for a gasoline dispensing station shall be submitted and approved as provided in SWAPCA 400-110(8). The requirements of SEPA (State Environmental Policy Act) shall be complied with for each Notice of Construction. Demonstration of completion of an environmental checklist as provided in WAC 197-11 shall be submitted with each Notice of Construction. Issuance of regulatory orders for all Notice of Construction applications shall be consistent with the requirements of SWAPCA 400-110. Requirements for New Source Review are provided in SWAPCA 400-110, 400-111, 400-112, 400-113 & 400-11((3))4. A Notice of Construction application may be withdrawn prior to issuance of a regulatory order by the Authority as provided in (6) below; or an application may be determined by the Authority to be exempt as provided under 400-100, 400-101, or 400-110. An application determined to be exempt will be processed as identified in (6) below.

(6) **Withdrawal or Exempt.**

(a) A Notice of Construction application may be withdrawn by the applicant at any time prior to issuance of a regulatory order. The applicant must provide a written and signed request to the Authority indicating their desire to withdraw a Notice of Construction application, and certification that the proposed equipment or modification will not be installed, constructed, or operated without prior review and approval from the Authority. The Authority shall provide written response to acknowledge withdrawal of the application.

(b) After review by the Authority, an application may be determined to be exempt from the registration requirements of SWAPCA 400-100 and New Source Review requirements of SWAPCA 400-110. Written notification shall be provided by the Authority to the applicant for all applications that are determined to be exempt. For withdrawn or exempt applications, filing fees will not be refunded to the applicant. Review fees, if provided with the application, may be refunded, upon request, provided that substantial time has not been expended by the Authority for review of the Notice of Construction application.

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AMENDATORY SECTION

SWAPCA 400-110 New Source Review

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.152 RCW, and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; 92-06-015 filed 2/25/92, effective 3/25/92; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) **Applicability.**

(a) New Source Review (NSR) means that if the new source, modification or substantial alteration or replacement meets the definition of "new source" then that new source or modification must demonstrate that all applicable emission standards have been or will be met by the proposed modification or new source. A complete Notice of Construction application shall be submitted for each source required to submit an application under the requirements of this section. Confidential information shall be identified as set forth in SWAPCA 400-270.

Before the Authority may review a Notice of Construction application, a filing fee of $75.00 and a review fee, as shown in Table A shall be submitted by the applicant. If offsetting emission reductions or other types of review identified in Table B are required to be performed by the Authority as a result of the proposed installation, alteration, or modification, an additional review fee shall be paid. (Total Fee = Filing Fee + Review Fee [Table A] + Additional Review Fee [Table B]).

Notice of Construction application review fees based on emissions are to utilize actual or approved emissions, after controls, as supported by test data or emission factors, not potential to emit. Other review fees as noted in the fee tables are based on design capacities of the source equipment. Where a source may fall under multiple categories, only one fee per application shall apply; Table A fees are not considered additive as they apply to an application. In general, the fee determination shall be based on the primary emission unit or activity of the new, modified or altered source.

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TABLE A
Notice of Construction Application Review Fees

		Fuel Change	New Installation
i.	Fuel Burning Equipment (Million Btu/hr heat input @ design capacity):		
	2 or more but less than 5	$25.00	$100.00
	5 or more but less than 10	50.00	200.00
	10 or more but less than 30	100.00	350.00
	30 or more but less than 50	200.00	500.00
	50 or more but less than 100	300.00	1,000.00
	100 or more but less than 250	400.00	2,500.00
	250 or more but less than 500	500.00	4,000.00
	500 or more	600.00	6,000.00
ii.	Discharge from control equipment or from uncontrolled process equipment (Actual Cubic Feet per Minute - ACFM):		
	Less than 5		$ 100.00
	5 or more but less than 5,000		200.00
	5,000 or more but less than 20,000		300.00
	20,000 or more but less than 50,000		400.00
	50,000 or more but less than 100,000		500.00
	100,000 or more but less than 250,000		1,000.00
	250,000 or more but less than 500,000		2,000.00
	500,000 or more		4,000.00
iii.	Refuse Burning Equipment (Incinerators)(Tons/day):		
	0.5 or more but less than 5		$ 100.00
	5 or more but less than 12		1,000.00
	12 or more but less than 250		3,000.00
	250 or more		4,000.00
iv.	Storage Tanks, Reservoirs, or Containers (Gallons-total capacity): (Other than gasoline or diesel fuel dispensing facilities)		
	250 or more but less than 10,000		$ 100.00
	10,000 or more but less than 40,000		500.00
	40,000 or more but less than 100,000		1,000.00
	100,000 or more		2,000.00
v.	Gasoline Dispensing Facilities		
	Stage I		$100.00
	Stage II		200.00
	Stages I & II, combined		200.00

	Installation of stroage tanks greater than 2000 gallnos	100.00
	Toxics review for gasoline facility	500.00
vi.	Other (Not classified in Subsection i., ii., iii., or iv. above)	$100.00/ton of emission
vii.	Toxic Air Contaminants	$100.00 up to one ton and $100.00 for each additional ton
viii.	Major Source or Major Modification	$5,000.00
ix.	Synthetic minor application (including, but not limited to: Title V, HAP)	Not to exceed $5,000.00
x.	Particulate Matter and Fugitive Emissions from Rock Crushing, Material Transfer and Ship Loading (Emissions - tons per year)	
	1.0 or more but less than or equal to 10	$ 100.00
	More than 10 but less than or equal to 50	500.00
	More than 50 but less than or equal to 100	1,000.00
	More than 100 but less than 250	2,500.00
	250 or greater	5,000.00
xi.	Modifications to an Existing Order	$200.00
xii.	Installation or Operation of a Temporary, Substitute or Emergency Source	$300.00

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TABLE B

Other Review Fees

The following fees are considered additive to the filing and review fees assessed for Notice of Construction applications (Table A). These fees apply to activities that may be requested of and performed by the Authority with or without submittal of a Notice of Construction application and are not part of the activities normally performed by the Authority as part of the Notice of Construction application review.

xiii.	Emission Offset Analysis	$200.00
xiv.	Emission Reduction Credit (ERC) Application (Deposit or withdrawal)	$200.00
xv.	State Environmental Policy Act (SEPA) - Lead Agency	$1000.00
xvi.	Environmental Impact Statement (EIS) Review	$500.00
xvii.	RACT/BACT/MACT/BART/LAER Determination	$2,000.00
xviii.	Variance request	$500.00

(b) A Notice of Construction application that meets the minimum requirements for New Source Review must be filed by the owner or operator and an Order of Approval issued by the Authority prior to the establishment of any new source or emission unit or modification which is listed in SWAPCA 400-100 or required to obtain an Operating Permit under RCW 70.94.161.

(c) The Authority may require that:

(i) a Notice of Construction application be filed by the owner or operator of a proposed new source or modification,

(ii) the source meets all New Source Review requirements, and

(iii) an Order of Approval be issued by the Authority prior to the establishment of any new source or emission unit or modification, other than a single family or a duplex dwelling.

(d) New Source Review of a modification shall be limited to the emission unit or units proposed to be added to an existing source or modified and the air contaminants whose emissions would increase as a result of the modification.

(e) New Source Review is not required for those sources whose facility wide combined emissions (potential to emit) do not exceed the limits specified in SWAPCA 400-101 or whose emission unit capacities are less than the minimum quantities specified in Table A of SWAPCA 400-110 (1)(a). The owner or operator of an exempt facility shall maintain sufficient documentation acceptable to the Authority to substantiate that the source is entitled to exemption under this section. An emission unit exempt from registration under SWAPCA 400-100 or 400-101 may be exempt from New Source Review requirements.

(f) New Source Review is not required when the following conditions are met:

(i) Performance of routine maintenance or repair that involves the replacement of like-in-kind air pollution control equipment or controls. This includes upgrades of parts or components where due to wear or breakage, parts or components must be replaced and exact replacement parts or

components are no longer available from the original equipment manufacturer or after market vendors. In no case shall the replacement parts result in an increase in actual emissions above allowable emissions;

(ii) A process change is made that does not result in an emission of a different type not previously approved or an increase in capacity and total air pollutant emissions;

(iii) A process change is made that does not result in an emission of a different type of toxic air pollutant, as provided in ((~~WAC 173-~~)) SWAPCA 460, not previously approved and individual toxic air pollutant emissions do not exceed the Small Quantity Emission Rates specified in the Small Quantity Emission Rate tables in ((~~WAC 173-~~)) SWAPCA 460-080 (annual rate);

(iv) A raw material composition change that does not result in individual toxic air pollutant emissions that exceed the Small Quantity Emission Rates specified in the Small Quantity Emission Rate tables in ((~~WAC 173-~~)) SWAPCA 460-080 (annual rate);

(g) Any source required to submit a Notice of Construction application for New Source Review is required to demonstrate that all applicable emission standards have been or will be met by the proposed modification or new source. Examples of applicable emissions standards may include, but not be limited to: RACT, BACT, LAER, BART, MACT, NSPS, NESHAPS, and any ambient air quality standards as identified in Table C. Requirements for new and modified sources and replacement or alteration of control equipment are further addressed in SWAPCA 400-111, 400-112, 400-113, 400-114, and 400-151.

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TABLE C

Emission Concentration Regulatory Standards and Significance Levels

Pollutant	Averaging Period	Class II Significant Impact Criteria $\mu g/m3$ (ppm)	Class I PSD Increments $\mu g/m^3$ (ppm)	Class II PSD Increments $\mu g/m^3$ (ppm)	NAAQS Primary Ambient Standards $\mu g/m^3$ (ppm)	NAAQS Secondary Ambient Standards $\mu g/m^3$ (ppm)	Washington Ambient Standards $\mu g/m^3$ (ppm)
Carbon Monoxide	8-Hour	500	--	--	10,000[b] (9.0)	10,000[b] (9.0)	10,000[b] (9.0)
(CO) (WAC 173-475)	1-Hour	2,000	--	--	40,000[b] (35.0)	40,000[b] (35.0)	40,000[b] (35.0)
Nitrogen Dioxide (NO_2) (WAC 173-475)	Annual[a] (arithmetic mean)	1	2.5	25	100 (0.05)	100 (0.05)	100 (0.05)
Ozone (O_3) (WAC 173-475)	1-Hour[c]	--	--	--	(0.12)	(0.12)	(0.12)
Sulfur Dioxide	Annual[a]	1	2	20	80 (0.03)	--	53 (0.02)
(SO_2)	24-Hour	5	5	91	365[b] (0.14)	--	260[b] (0.10)
(WAC 173-474)	3-Hour	25	25	512	--	1,300[b] (0.50)	--
	1-Hour	--	--	--	--	--	1,065[b] (0.40)[d]
Total Reduced Sulfur (TRS)	1-Hour	--	--	--	--	--	--
Total Suspended Particulates (TSP)	Annual[a] (geometric mean)	1	5	19	75	60[e]	60
(WAC 173-470)	24-hour	5	10	37	260[b]	150[b]	150[b]
Particulate Matter less than 10 μm (PM_{10})	Annual (geometric mean)	1	--	17	50	50	50
(WAC 173-470)	24-Hour	5	--	30	150[b]	150[b]	150[b]
Lead	Quarterly Average	--	--	--	1.5	1.5	1.5

$\mu g/m^3$ = micrograms per cubic meter; ppm = parts per million

[a] Never to be exceeded.

[b] Not to be exceeded more than once per year.

[c] This is not a standard, rather it is to be used as a guide in assessing whether implementation plans will achieve the 24-hour standard.

[d] Also, 0.25 ppm not to be exceeded more than twice in seven days.

[e] Not to be exceeded on more than 1 day per calendar year as provided in WAC 173-475

Annual standards never to be exceeded; short term standards not to be exceeded more than once per year unless otherwise noted.
Sources include the EPA New Source Review Workshop Manual, 40 CFR 52.21 and individual WAC Chapters.

The significant impact criteria are used to determine if a proposed project or modification will cause a significant deterioration in ambient air quality for Class II areas. If a proposed project impacts (i.e., changes in ambient concentrations resulting from the proposed project or modification alone) are predicted to be less than the significant impact criteria, then the air quality analysis is complete at that point. If the ambient impact of a proposed project or modification exceeds these levels, compliance with available PSD increments and AAQS must then be demonstrated. If a proposed project or modification exceeds the significant ambient concentrations for Class II areas, monitoring of existing ambient air quality may be required if data sufficient to characterize background air quality are not available.

(2) **Completeness determination.** Within thirty calendar days of receipt of a Notice of Construction application, the Authority shall either notify the applicant in writing that the application is complete or notify the applicant in

writing of all additional information necessary, based upon review of information already supplied, to complete the application as provided under RCW 70.94.152. For a project subject to PSD review under SWAPCA 400-141 a completeness determination includes a determination that the application provides all information required to conduct PSD review. The Authority may request additional clarification of information submitted from the source after a completeness determination has been made for a Notice of Construction application.

(3) **Final determination/Regulatory Orders.**

(a) Within sixty calendar days of receipt of a complete application, the Authority shall either issue a final decision on the application or, for those projects subject to public notice, issue a preliminary determination and initiate notice and comment procedures under SWAPCA 400-171 on a proposed decision, followed as promptly as possible by a final decision. An owner or operator seeking to construct or modify a 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 application required by this section. A Notice of Construction application designated for integrated review shall be processed in accordance with SWAPCA 401 procedures and deadlines.

(b) Every final determination on a Notice of Construction application that results in the issuance of an Order of Approval by the Authority shall be reviewed and signed prior to issuance by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the Authority.

(c) If the new source is a major stationary source or the change is a major modification, the Authority shall submit any control technology determination(s) included in a final Order of Approval to the RACT/BACT/LAER clearinghouse maintained by EPA.

(4) **Appeals.** An Order of Approval, any conditions contained in an Order of Approval, the denial of a Notice of Construction application, or any other regulatory order issued by the Authority, may be appealed to the Board of Directors as specified in SWAPCA 400-220 of this regulation or appealed directly to the Pollution Control Hearings Board within 30 calendar days of receipt as provided in Chapter 43.21B RCW. The Authority shall promptly mail copies of each order approving or denying a Notice of Construction application to the applicant and to any other party who submitted timely comments on the application, along with a notice advising the parties of their rights of appeal to the Pollution Control Hearings Board and, where applicable, to the EPA Environmental Appeals Board.

(5) **Portable sources.** For portable sources which locate temporarily at particular sites, the owner(s) or operator(s) shall be allowed to operate at the temporary location without filing a Notice of Construction application for each location provided that:

(a) The source/emissions units are registered with the Authority.

(b) The source/emissions units have an Order of Approval as a portable source.

(c) The owner(s) or operator(s) notifies the Authority of intent to operate at the new location at least ten business days prior to starting the operation.

(d) The owner(s) or operator(s) supplies sufficient information including production quantities and hours of operation, to enable the Authority to determine that the operation will comply with the emission standards for a new source, and 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.

(e) The owner(s) and/or resident(s) of immediately adjacent properties shall be notified by the owner(s) or operator(s) of the portable source in writing at least 10 business days prior to commencement of operations at the proposed location with copies mailed to the Authority. Written notification to the adjacent landowners/residents shall be by certified mail with return receipt requested. Such written notification shall include a complete description of the proposed operation, the associated emissions control provisions and equipment, the total estimated project emissions, the name, address and phone number of the person in charge of the operation, and the address and phone number for SWAPCA. Written notification shall indicate that all comments shall be directed to the Authority.

(6) **Compliance.** Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) **Expiration.** Approval to construct or modify a stationary source shall become invalid if construction is not commenced within eighteen months after the date of issuance of an Order of Approval, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The Authority may extend the eighteen-month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen months of the projected and approved commencement date. The Authority may specify an earlier date for commencement of construction in an Order of Approval.

(8) **Temporary, Emergency, or Substitution Sources.**

(a) A temporary source shall be considered to be a new source. The Authority may require that a Notice of Construction application and applicable review fees be submitted before reviewing a request for a temporary, emergency or substitution source. The Authority may provide approval for special situations for a source without meeting the requirements for New Source Review when one or more of the following conditions are met:

(i) The temporary source is needed to replace a previously approved similar source where the approved source is non-functional due to breakdown or other similar circumstances beyond the control of the owner or operator. This may include replacement steam or power supply units where facilities have an immediate need to continue production or service to public or private industries, or have a need for an extended or unscheduled shutdown of equipment that is of a duration not otherwise planned for. The Authority may provide written approval for a temporary source that may include but not be limited to emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. Installation of a temporary source due to poor or improper maintenance

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or operations is required to submit a Notice of Construction application for permanent replacement within 30 days of installation.

(ii) The temporary source is necessary to support public or private needs in the event of a local or regional disaster when proper planning could not be accommodated. In no event shall the temporary source be authorized for operations for durations greater than three months. Written approval shall be provided by the Authority that may contain but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. For operations greater than three months the owner or operator shall submit a Notice of Construction application under New Source Review requirements (SWAPCA 400-110) for approval from the Authority.

(iii) The temporary source is a one time special need, urgent application, that can not otherwise be accommodated through the New Source Review process due to the critical nature of the source and time constraints. As a condition of approval under this expedited approval process, a new source of this type could not request to be allowed or expected to operate within the jurisdiction of the Authority for the following three years. Written approval shall be provided by the Authority that may contain but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements and testing requirements. In no case shall approval be provided for operation greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of SWAPCA 400-110.

(b) An emergency source is the result of an emergency situation that could not otherwise be planned for. The Authority shall provide written approval for an emergency source provided that the owner or operator has provided sufficient documentation or demonstration of the need for the source to the satisfaction of the Control Officer. The written approval may include but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. In no case shall approval be provided for operations greater than three months.

(c) A substitute source is the same as a temporary source as in (a) above. A substitute source may be of a different manufacturer and model number and size and may result in increased emissions from installation from previously approved equipment on a short term basis. The Authority shall provide written approval for a substitute source that may include but not be limited to: emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. In no event shall the substitute source be authorized for operations for durations greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of SWAPCA 400-110.

(9) **Gasoline dispensing facilities.**

(a) Owners or operators of gasoline dispensing facilities shall submit a Notice of Construction application for all new or upgraded facilities as defined in SWAPCA 491 prior to installation, construction or modification. New Source Review fees shall apply for all Notice of Construction applications as identified in SWAPCA 400-110. Installation of vapor control equipment and compliance schedules shall be as provided in SWAPCA 491. Applications for installation of Stage II equipment shall include a Stage I application if the tanks, spill/overfill collection, cathodic protection or Stage I controls are to be replaced, changed or modified as part of the Stage II activity.

(b) All gasoline vapor control equipment installed at gasoline dispensing facilities shall be certified by the California Air Resources Board (CARB) and shall have a CARB Executive Order issued for the vapor control equipment.

(c) A Notice of Construction application for a gasoline dispensing facility shall be submitted to the Authority prior to installation, construction, or upgrade of gasoline dispensing equipment, control equipment, or facilities.

(d) The Authority shall provide written notification to the applicant within 30 calendar days of receipt of the application if the application is complete and in accordance with applicable requirements. An Order of Approval ((~~will~~)) may not be issued for a Notice of Construction for gasoline dispensing facilities and the public notice and comment procedures ((~~will~~)) may not be required if the Notice of Construction application provides for certified or approved equipment and controls as identified in (b) above. The applicant may begin construction, upgrade, or operation upon receipt of written notification of approval of the application from the Authority. Written approval from the Authority may contain additional testing, monitoring and reporting requirements.

(e) Within 10 calendar days of installation of a new facility, Stage I or Stage II controls, or upgrades as provided in SWAPCA 491-020, the owner or operator shall notify the Authority in writing that the activities as identified in the Notice of Construction and associated testing are complete. Test results shall be submitted to SWAPCA within 14 calendar days of testing.

(f) All new facilities with Stage I gasoline vapor recovery systems shall have a back pressure/blockage test performed at the time of installation to ensure proper connection and absence of leaks.

(g) All new installations of Stage ((~~I and~~)) II vapor recovery controls shall have a static pressure decay test performed at the time of installation in accordance with CARB draft TP-201.3 or an Authority approved equivalent. Identification of the test method shall be included in the Notice of Construction application and results of the testing shall be submitted to the Authority with the notification provided in (e) above. The Authority may specify other or additional test requirements in the written Order of Approval. This testing shall be performed annually by each new facility to ensure proper operation. Results of the testing shall be submitted to SWAPCA ((~~within 14 calendar days of test completion~~)) as provided in (e) above.

(h) All vacuum assisted Stage II vapor recovery controls shall be performance tested by performance of an air to liquid ratio test at the time of installation. Such testing is in addition to the back pressure/blockage testing and static pressure decay test of items (f) and (g) above and shall be performed in accordance with the CARB Executive Order

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certifying the equipment, CARB draft test procedure TP-201.5, or an Authority approved equivalent. Identification of the preferred test method shall be included in the Notice of Construction application and results of the testing shall be submitted to the Authority with the notification provided in (e) above. The Authority may specify other or additional test requirements in the written Order of Approval.

(i) Stage I and Stage II vapor recovery equipment shall be maintained in proper working order at all times. All Stage I and Stage II vapor recovery equipment shall be maintained in accordance with the CARB Executive Order(s) certifying the equipment or system. Whenever a Stage I or Stage II gasoline vapor recovery system or component is determined to be defective or not operating properly, the owner or operator shall immediately take the system out of service until repairs are made. Systems shall not be returned to service until the defective system is operating properly.

(j) Delivery rates for the gasoline dispensing systems shall be limited to the rates approved in the CARB Executive Order certifying the equipment or system, and in no case shall any delivery system exceed 10 gallons per minute as provided by EPA in the Federal Register, Volume 58, Number 55, page 16019.

(k) The owner or operator shall submit gasoline throughput figures annually (on a calendar basis) to the Authority by January 31 of each year.

(l) The owner or operator of a gasoline dispensing facility and/or the delivery person shall not permit the loading of gasoline into a gasoline storage tank equipped with vapor recovery fittings from a transport tank equipped with vapor recovery fittings unless the vapor recovery system is attached to the transport tank and operated satisfactorily at all times when fuel is unloaded.

(m) Pressure/vacuum valves shall be installed as required by the CARB Executive Orders that certify the particular Stage I or Stage II vapor recovery equipment. Relief set points shall be adhered to as provided in the applicable CARB Executive Orders and local fire ordinances.

(n) Any alteration of the equipment, parts, design, or operation of the nozzles or gasoline dispensing system as certified by CARB is prohibited, and shall not be performed without submittal of a Notice of Construction application and prior approval from the Authority.

(o) ((~~The Authority shall issue an Order of Authorization to Operate for each gasoline dispensing facility in accordance with SWAPCA 400-111 and 400-230.~~)) No person or entity shall sell, offer for sale, supply, offer for supply, dispense, transport, or introduce into commerce, for use as a fuel in any motor vehicle any gasoline which contains lead or lead additives after December 31, 1995 as provided at Section 211(n) of the 1990 Federal Clean Air Act Amendments.

NEW SECTION

SWAPCA 400-111 Requirements for Sources in a Maintenance Plan Area

Any person proposing to install, construct or operate a new source or emission unit or make a modification to an existing source or emission unit shall file a Notice of Construction application with the Authority in accordance with SWAPCA 400-109 and shall be subject to the New Source Review provisions of SWAPCA 400-110. Confidential information shall be identified as set forth in SWAPCA 400-270. A Notice of Construction application to establish a new source or make a modification to a source in an area that is covered by a maintenance plan, shall result in the issuance of an Order of Approval or other regulatory order. Such order shall contain such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if it is determined that the proposed project satisfies all of the requirements of this section. New sources or modifications within a designated maintenance plan area, including sources of VOC or NOx in a designated ozone maintenance plan area, shall meet the requirements listed below.

(1) **Emission Standards.** The proposed new source or modification shall:

(a) comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, emission standards adopted under Chapter 70.94 RCW and, the applicable emission standards of the Authority; and

(b) not cause any ambient air quality standard as provided in SWAPCA 400-113(3) to be exceeded; and

(c) not violate the requirements for reasonable further progress established by the Washington State Implementation Plan; and

(d) minimize emissions to the extent that the new source or modification will not delay the attainment date for a nonattainment area, exceed emission levels or other requirements provided in a maintenance plan for an area that was previously identified as a nonattainment area, nor cause or contribute to a violation of any ambient air quality standard.

(2) **BACT.** Except as provided in Subsection 8 of this section, the owner or operator of the proposed new source or modification shall apply BACT for each pollutant. In the case of a modification, the requirement for BACT shall apply to each new or modified emission unit which increases emissions. For phased construction projects, the determination of BACT shall be reviewed at the latest reasonable time prior to commencement of construction of each independent phase.

(3) **Source Compliance.** The owner or operator of the proposed new source or modification shall demonstrate that all sources owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in Washington are in compliance or on a schedule for compliance, with all applicable emission limitations and standards under the Washington Clean Air Act (RCW 70.94).

(4) **Offsets or Growth Allowance.** The owner or operator of a proposed new major source or major modification shall provide offsets as specified in Subsection (9) of this section. Except as provided in Subsection (8) of this section, the requirements of this Section may be met in whole or in part in an ozone maintenance plan area with an allocation by SWAPCA from a growth allowance, if available, in accordance with Subsection (9) of this section and the applicable maintenance plan in the SIP adopted by the Board and approved by EPA.

(5) **Net Air Quality Benefit.** For cases in which emission reduction or offsets are required in accordance with

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Section (4) above, the applicant shall demonstrate that a net air quality benefit will be achieved in the maintenance plan area. If the proposed new source or the proposed modification is major for the contaminant for which the area has a maintenance plan, allowable emissions of the maintenance pollutant from the proposed new source or modification shall be offset by reductions in actual emissions of the maintenance pollutant. All offsetting emission reductions must satisfy the following requirements of Subsection (8).

(6) **Alternative Analysis.**

(a) Except as provided in Subsection (c) of this section, the owner or operator of a proposed major source or major modification shall conduct an alternatives analysis;

(b) This analysis shall include an evaluation of alternative sites, sizes, production processes, and environmental control techniques for such proposed source or modification which demonstrates that benefits of the proposed source or modification significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification;

(c) This analysis shall not be required for a major source or major modification that is subject to this rule due to emissions of particulate matter in a designated TSP maintenance area.

(7) **Contingency Plan Requirements.** If the contingency plan in an applicable maintenance plan (CO or ozone) has been triggered due to a violation of an ozone ambient air quality standard or a second violation of the CO ambient air quality standard, this Section shall apply in addition to other requirements of this rule and the applicable approved maintenance plan adopted by the Board and approved by EPA as a revision to the SIP.

(a) The requirements for BACT in Section (2) of this Section shall be replaced by a requirement for LAER. If the new source is a major stationary source or the proposed modification is a major modification, it must achieve LAER for the maintenance pollutant and for which the proposed new source or modification is major.

(b) An allocation from a growth allowance shall not be used to meet the requirement for offsets in Section (4) of this Section. The growth allowance emissions shall be unavailable until such time as sufficient demonstration is made to reinstate the growth allowance emissions.

(8) **Industrial Growth Allowance and Offset Allocation.**

(a) Industrial growth allowances for sources in a maintenance plan area are identified in and governed by the Washington State Implementaion Plan and the applicable maintenance plan for the applicable maintenance plan area.

(b) The growth allowance emissions may be increased or decreased as provided in a revision to the maintenance plan submitted to and approved by EPA. In the event of a confirmed ozone violation, the growth allowance for VOC and NOx emissions shall be eliminated and new sources shall be required to implement LAER and offsets. Growth allowance emissions may be reinstated as provided in the EPA approved maintenance plan.

(c) The owner or operator of a proposed new major source or major modification emitting VOCs or NOx, may obtain a portion of any remaining emissions in the respective growth allowance in accordance with the following process:

(i) Access is on a first-come-first-served basis, based on the date of a complete notice of construction and allowance allocation request;

(ii) No single source may receive an emissions allocation of more than 50% of any remaining growth allowance, or up to 10 tons per year, which ever is greater. On a case-by-case basis, the SWAPCA Board of Directors may approve an emissions allocation of greater than 50% upon consideration of the following:

(A) Information submitted by the source to SWAPCA justifying it's request for exceeding the 50% emissions allocation, based on significant economic, employment, or other benefits to the maintenance plan area that will result from the proposed new major source or major modification;

(B) Information provided by SWAPCA on other known new major sources or major modifications seeking an emissions allocation from the same growth allowance; and

(C) Other relevant information submitted by the source or SWAPCA.

(iii) To avoid jeopardizing maintenance of the ozone standard during the interim years of the ozone maintenance plan, SWAPCA shall allocate only a portion of the VOC and NOx growth allowances each year. SWAPCA will track use of VOC and NOx emissions from the growth allowances. The amount of the growth allowance that can be allocated each year is identified in the applicable ozone maintenance plan.

(iv) The amount of the CO growth allowance that can be allocated is identified in the applicable CO maintenance plan, if any.

(d) If no emissions remain in the respective growth allowance or the contingency plan has been triggered which effectively zeros the growth allowance, the owner or operator of the proposed major source or major modification shall provide offsets. Applicants in a maintenance area shall demonstrate the following:

(i) A demonstration shall be provided showing that the proposed offsets will improve air quality in the same geographical area affected by the new source or modification. This demonstration may require that air quality modeling be conducted according to the procedures specified in 40 CFR Part 51, Appendix W, Guideline on Air Quality Models (Revised).

(ii) Offsets for VOCs or nitrogen oxides shall be within the same maintenance plan area as the proposed source. Offsets for particulate matter, PM_{10}, sulfur dioxide, carbon monoxide, nitrogen dioxide, lead, and other pollutants shall be less than the level of significant air quality impact.

(iii) New sources or modifications shall meet the following offset requirements:

(A) within a designated maintenance plan area, the offsets shall provide reduction which are equivalent or greater than the proposed increases. The offsets shall be appropriate in terms of short term, seasonal, and yearly time periods to mitigate the impacts of the proposed emissions;

(B) outside a designated maintenance plan area, owners or operators of new sources or modifications which have a significant air quality impact on the maintenance plan area as provided in SWAPCA 400-113(3) shall provide emission offsets which are sufficient to reduce impacts to levels below the significant air quality impact level with the maintenance plan area; and

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(C) The emission reductions must provide for a net air quality benefit.

(I) New major sources within an ozone maintenance plan area shall:

(a) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(b) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(II) Sources within an ozone maintenance plan area undergoing major modifications shall:

(a) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(b) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(III) New major sources within a carbon monoxide maintenance plan area shall:

(a) Offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(IV) Sources within a carbon monoxide maintenance plan area undergoing major modifications shall:

(a) Offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(D) New major sources or major modifications with CO emissions greater than 250 tpy are required to obtain offsets and comply with the PSD requirements of SWAPCA 400-141.

(iv) The emission reduction shall be of the same type of pollutant as the emissions from the new source or modification. Sources of PM_{10} shall be offset with particulate in the same size range.

(v) The emission reductions shall be contemporaneous, that is, the reductions shall take effect prior to the time of startup but not nore than two years prior to the submittal of a complete notice of construction application for the new source or modification. This time limitation may be extended through banking, as provided in SWAPCA 400-130, 400-131 and 400-136 for banking activities approved after the effective date of this regulation. In the case of replacement facilities, SWAPCA may allow simultaneous operation of the old and new facilities during the startup period of the new facility provided that emissions do not exceed the new emission limits.

(vi) New major sources or major modifications in a maintenance plan area shall:

(A) The proposed new level of allowable emissions of the source or emissions units providing the reduction must be less than the current level of actual emissions of that source or emission unit(s). No emission reduction can be credited for actual emissions which exceed the current allowable emissions of the source or emissions unit(s) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits cannot be credited.

(B) If the offsets are provided by another source, the reductions in emissions from that source must be federally enforceable by the time the new or modified source commences operation. The new source may not commence operation before the date such reductions are actually achieved. SWAPCA may allow simultaneous operation of the old and new facilities during the stratup period of the new facility provided that the facility wide emissions do not exceed the new emission limit.

(9) **PSD Applicability.** If the proposed new source is a major stationary source or the proposed modification is a major modification for the purposes of the PSD program as described in SWAPCA 400-141, the new source or modification shall meet the requirements of that program for all pollutants. For maintenance plan pollutants, the source shall meet all PSD requirements in addition to the additional requirements of this Section.

(10) **Toxics.** If the proposed new source or modification will emit any toxic air pollutants regulated under SWAPCA 460, the source shall meet all applicable requirements of that regulation.

(11) **Visibility.** If the proposed new source is a major stationary source or the proposed modification is a major modification, the source shall meet all the visibility protection requirements of 40 CFR 52.27 as in effect on August 1, 1995.

(12) **Noncompliance.** Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

AMENDATORY SECTION

SWAPCA 400-112 Requirements for New Sources in Nonattainment Areas

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

A Notice of Construction application to establish a new source or make a modification to a source in a nonattainment area, shall result in the issuance of an Order of Approval or other regulatory order, which contains such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if the Authority determines that the proposed project satisfies each of the following requirements:

(1) The proposed new source or modification will comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, emission standards adopted under Chapter 70.94 RCW and, the applicable emission standards of the Authority.

(2) The proposed new source will employ BACT for all air contaminants, except that if the new source is a major stationary source or the proposed modification is a major modification it must achieve LAER for the contaminants for which the area has been designated nonattainment and for which the proposed new source or modification is major.

(3) The proposed new source will not cause any ambient air quality standard to be exceeded, will not violate the requirements for reasonable further progress established by the Washington State Implementation Plan and will comply with SWAPCA 400-113(3) for all contaminants for which the area has not been designated nonattainment.

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(4) If the proposed new source is a major stationary source or the proposed modification is a major modification, and the Authority has determined, based on review of an analysis performed by the source of alternative sites, sizes, production processes, and environmental control techniques, that the benefits of the project significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(5) If the proposed new source or the proposed modification is major for the contaminant for which the area is designated nonattainment, allowable emissions of the pollutant for which the area has been designated nonattainment from the proposed new source or modification are offset by reductions in actual emissions of the pollutant for which the area has been designated nonattainment from existing sources in the nonattainment area so as to represent (when considered together with the nonattainment provisions of section 172 of the FCAA) reasonable further progress. All offsetting emission reductions must satisfy the following requirements:

(a) The proposed new level of allowable emissions of the source or emissions units providing the reduction must be less than the current level of actual emissions of that source or emission unit(s). No emission reduction can be credited for actual emissions which exceed the current allowable emissions of the source or emissions unit(s) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits cannot be credited.

(b) The emission reductions must provide for a net air quality benefit.

(i) New major sources within a marginal ((~~the Portland-Vancouver O~~))ozone ((~~N~~))nonattainment ((~~A~~))area (((~~which has been designated by EPA as "marginal"~~))) shall:

(A) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(B) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(ii) Sources within ((~~the Portland-Vancouver Ozone Nonattainment Area (which has been designated by EPA as "marginal")~~)) a marginal ozone nonattainment area undergoing major modifications shall:

(A) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(B) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(iii) New major sources within ((~~the Portland-Vancouver Carbon Monoxide Nonattainment Area (which has been designated by EPA as "moderate")~~)) a moderate carbon monoxide nonattainment area shall:

(A) Offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(iv) Sources within ((~~the Portland-Vancouver Carbon Monoxide Nonattainment Area (which has been designated by EPA as "moderate")~~)) a moderate carbon monoxide nonattainment area undergoing major modifications shall:

(A) Offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(c) If the offsets are provided by another source, the reductions in emissions from that source must be federally enforceable by the time the new or modified source commences operation. The new source may not commence operation before the date such reductions are actually achieved. An emission reduction credit issued under SWAPCA 400-131 may be used to satisfy some or all of the offset requirements of this subsection.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) If the proposed new source is a major stationary source or the proposed modification is a major modification, the owner or operator has demonstrated that all major stationary sources owned or operated by such person (or by any entity controlling, controlled by, or under common control with such person) in Washington are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards under the Federal Clean Air Act, including all rules contained in the EPA-approved Washington State Implementation Plan.

(8) If the proposed new source is a major stationary source or the proposed modification is a major modification for the purposes of the PSD program described in SWAPCA 400-141 it meets the requirements of that program for all contaminants for which the area has not been designated nonattainment.

(9) If the proposed new source or modification will emit any toxic air pollutants regulated under SWAPCA ((~~WAC 173-~~))460, the source meets all applicable requirements of that Chapter.

(10) If the proposed new source is a major stationary source or the proposed modification is a major modification, the Authority has complied with the visibility protection review requirements of 40 CFR 52.28(c) through (h), as in effect on ((~~February 1, 1995~~)) August 1, 1996, and determined that the project meets the criteria set forth in 40 CFR 52.28(g). For purposes of this subsection definitions referenced in 40 CFR 52.28(b) are incorporated by reference, except that the term "visibility protection area" means any Class I area, and terms defined in SWAPCA 400-030 shall have the meanings defined in that section. References in 40 CFR 52.28 to "the Administrator" shall mean the agency (either Ecology or the Authority) processing the Notice of Construction application.

AMENDATORY SECTION

SWAPCA 400-113 Requirements for New Sources in Attainment or Nonclassifiable Areas

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

Any person proposing to install, construct or operate a new source or emission unit or modification to an existing

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source or emission unit shall file a Notice of Construction application with the Authority and shall be subject to the New Source Review provisions of SWAPCA 400-110. Confidential information shall be identified as set forth in SWAPCA 400-270. A Notice of Construction application to establish a new source or make a modification to a source in an area that is in attainment or unclassifiable for any air contaminant the proposed new source would emit and that is in attainment or unclassifiable for ozone if the proposed new or modified source would emit VOCs or NO_X, shall result in the issuance of an Order of Approval or other regulatory order. Such order shall contain such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if it is determined that the proposed project satisfies all of the following requirements:

(1) The proposed new source or modification will comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, emission standards adopted under Chapter 70.94 RCW and the applicable emission standards of the Authority.

(2) The proposed new source or modification will employ BACT for all pollutants not previously emitted or whose emissions would increase as a result of the new source or modification.

(3) Allowable emissions from the proposed new source or modification will not delay the attainment date for an area not in attainment or unclassifiable nor cause or contribute to a violation of any ambient air quality standard. This requirement will be considered to be met if the projected impact of the allowable emissions from the proposed new source or the projected impact of the increase in allowable emissions from the proposed modification at any location within a nonattainment area does not exceed the following levels for the pollutant(s) for which the area has been designated nonattainment:

Pollutant	Annual Average	24-Hour Average	8-Hour Average	3-Hour Average	1-Hour Average
CO	-	-	0.5 mg/m^3	-	2 mg/m^3
SO_2	1.0 µg/m^3	5 µg/m^3	-	25 µg/m^3	30 µg/m^3
PM_{10}	1.0 µg/m^3	5 µg/m^3	-	-	-
NO_2	1.0 µg/m^3	-	-	-	-

An offsetting emission reduction may be used to satisfy some or all of the requirements of this subsection.

(4) If the proposed new source is a major stationary source or the proposed modification is a major modification for purposes of the PSD program described in SWAPCA 400-141, it meets all applicable requirements of that section.

(5) If the proposed new source or the proposed modification will emit any toxic air pollutants regulated under ((~~WAC 173-~~)) SWAPCA 460, the source meets all applicable requirements of that program.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) If, within the meaning of the PSD program described in SWAPCA 400-141, the proposed new source is a major stationary source or the proposed modification is a major modification, the source would not cause an adverse impact upon visibility.

AMENDATORY SECTION

SWAPCA 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.153 RCW and 70.94.331 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Any person proposing to replace or substantially alter the emission control technology installed on an existing stationary source or emission unit shall file a Notice of Construction application with the Authority and shall be subject to the New Source Review process of SWAPCA 400-110. If the replacement or substantial alteration meets the definition of "new source" or "modification" then the new source emissions standards of SWAPCA 400-111, 400-112 or SWAPCA 400-113 shall apply. If the replacement or substantial alteration does not meet the definition of "new source" or "modification" then RACT or other requirements shall apply. Replacement or substantial alteration of control technology does not include routine maintenance, repair or parts replacement.

(2) For projects not otherwise reviewable under SWAPCA 400-110, the Authority may:

(a) Require that the owner or operator employ RACT for the affected emission unit;

(b) Prescribe reasonable operation and maintenance conditions for the control equipment; and

(c) Prescribe other requirements authorized by Chapter 70.94 RCW.

(3) Within thirty calendar days of receipt of a Notice of Construction application under this section the Authority shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within thirty calendar days of receipt of a complete Notice of Construction application under this section the Authority shall either issue an Order of Approval or a proposed RACT determination for the proposed project.

(4) Construction shall not commence, as defined in SWAPCA 400-030(16), on a project subject to review under this section until the Authority issues a final Order of Approval. However, any Notice of Construction application filed under this section 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 application. The Authority may request clarification of information submitted in support of the application after the application has been determined to be complete.

(5) An Order of Approval to replace or substantially alter emission control technology shall become invalid if construction is not commenced within eighteen months from the date of issuance of an Order of Approval, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The Authority may extend the eighteen month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within

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eighteen months of the projected and approved commencement date. The Authority may specify an earlier date for commencement of construction in an Order of Approval.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

AMENDATORY SECTION

SWAPCA 400-115 Standards of Performance for New Sources

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Originally adopted by Board 12/18/79; Amended by Board 4/17/84 (renumbered to 400-135); Amended by Board 12/16/86; 93-16-007 filed 7/22/93, effective 8/22/93; 95-17-084 filed 8/21/95, effective 9/21/95]

Title 40, Code of Federal Regulations, Part 60 (Standards of Performance for New Sources), as in effect on ((~~February 1, 1995~~)) August 1, 1996, is adopted by reference except for sections 60.5 (Determination of Construction or Modification) and 60.6 (Review of Plans). The term "Administrator" in 40 CFR Part 60 shall mean the Administrator of EPA, the Director of Ecology and the Control Officer of the Authority.

As of ((~~February 1, 1995~~)) August 1, 1996, the federal regulations adopted by reference hereby set standards of performance affecting facilities for the following described subparts of 40 CFR Part 60:

Subpart D	Fossil fuel-fired steam generators for which construction commenced after August 17, 1971, and prior to September 19, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40 et seq.)
Subpart Da	Electric utility steam generating units for which construction commenced after September 18, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40a et seq.)
Subpart Db	Industrial-commercial-institutional steam generating units for which construction commenced after June 19, 1984, and prior to June 19, 1986, which have a heat input greater than 29 megawatts but less than 73 megawatts (ref. 40 CFR 60.40b et seq.)
Subpart Dc	Small industrial-commercial-institutional steam generating units (ref. 40 CFR 60.40c et seq.)
Subpart E	Incinerators (ref. 40 CFR 60.50 et seq.)
Subpart Ea	Municipal waste combustors (ref. 40 CFR 60.50a et seq.)
Subpart F	Portland cement plants (ref. 40 CFR 60.60 et seq.)
Subpart G	Nitric acid plants (ref. 40 CFR 60.70 et seq.)
Subpart H	Sulfuric acid plants (ref. 40 CFR 60.80 et seq.)
Subpart I	Asphalt concrete plants (ref. 40 CFR 60.90 et seq.)
Subpart J	Petroleum refineries which produce less than 25,000 barrels per day of refined products (ref. 40 CFR 60.100 et seq.)
Subpart K	Storage vessels for petroleum liquid constructed after June 11, 1973, and prior to May 19, 1978, which have a capacity greater than 40,000 gallons (ref. 40 CFR 60.110 et seq.)
Subpart Ka	Storage vessels for petroleum liquids constructed after May 18, 1978, which have a capacity greater than 40,000 gallons (ref. 40 CFR 60.110a et seq.)
Subpart Kb	Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed, reconstructed, or modified after July 23, 1984 (ref. 40 CFR 60.110b et seq.)
Subpart L	Secondary lead smelters (ref. 40 CFR 60.120 et seq.)
Subpart M	Brass and bronze ingot production plants (ref. 40 CFR 60.130 et seq.)
Subpart N	Iron and steel plants (ref. 40 CFR 60.140 et seq.)
Subpart O	Sewage treatment plants (ref. 40 CFR 60.150 et seq.)
Subpart P	Primary copper smelters (ref. 40 CFR 60.160 et seq.)
Subpart Q	Primary zinc smelters (ref. 40 CFR 60.170 et seq.)
Subpart R	Primary lead smelters (ref. 40 CFR 60.180 et seq.)
Subpart S	Primary aluminum reduction plants (ref. 40 CFR 60.190 et seq.)
Subpart T	Phosphate fertilizer industry: Wet process phosphoric acid plants (ref. 40 CFR 60.200 et seq.)
Subpart U	Phosphate fertilizer industry: Superphosphoric acid plants (ref. 40 CFR 60.210 et seq.)
Subpart V	Phosphate fertilizer industry: Diammonium phosphate plants (ref. 40 CFR 60.220 et seq.)
Subpart W	Phosphate fertilizer industry: Triple superphosphate plants (ref. 40 CFR 60.230 et seq.)
Subpart X	Phosphate fertilizer industry: Granular triple superphosphate storage facilities (ref. 40 CFR 60.240 et seq.)
Subpart Y	Coal preparation plants (ref. 40 CFR 60.250 et seq.)
Subpart Z	Ferroalloy production facilities (ref. 40 CFR 60.260 et seq.)
Subpart AA	Steel plants: Electric arc furnaces (ref. 40 CFR 60.270 et seq.)
Subpart AAa	Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels (ref. 40 CFR 60.270a et seq.)
Subpart BB	Kraft pulp mills (ref. 40 CFR 60.280 et seq.)
Subpart CC	Glass manufacturing plants (ref. 40 CFR 60.290 et seq.)

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Subpart DD	Grain elevators (ref. 40 CFR 60.300 et seq.)
Subpart EE	Industrial surface coating: Metal furniture (ref. 40 CFR 60.310 et seq.)
Subpart GG	Stationary gas turbines (ref. 40 CFR 60.330 et seq.)
Subpart HH	Lime manufacturing plants (ref. 40 CFR 60.340 et seq.)
Subpart KK	Lead-acid battery plants (ref. 40 CFR 60.370 et seq.)
Subpart LL	Metallic mineral processing plants (ref. 40 CFR 60.380 et seq.)
Subpart MM	Automobile and light duty truck surface coating operations (ref. 40 CFR 60.390 et seq.)
Subpart NN	Phosphate rock plants (ref. 40 CFR 60.400 et seq.)
Subpart PP	Ammonium sulfate manufacture (ref. 40 CFR 60.420 et seq.)
Subpart QQ	Publication rotogravure printing (ref. 40 CFR 60.430 et seq.)
Subpart RR	Pressure sensitive tape and label surface coating operations (ref. 40 CFR 60.440 et seq.)
Subpart SS	Industrial surface coating: Large appliances (ref. 40 CFR 60.450 et seq.)
Subpart TT	Industrial surface coating: Metal coils (ref. 40 CFR 60.460 et seq.)
Subpart UU	Asphalt processing and asphalt roofing manufacture (ref. 40 CFR 60.470 et seq.)
Subpart VV	Synthetic Organic Chemical Manufacturing Industry equipment leaks (VOC) (ref. 40 CFR 60.480 et seq.)
Subpart WW	Beverage can surface coating operations (ref. 40 CFR 60.490 et seq.)
Subpart XX	Bulk gasoline terminals (ref. 40 CFR 60.500 et seq.)
Subpart AAA	New residential wood heaters (ref. 40 CFR 60.530 et seq.)
Subpart BBB	Rubber tire manufacturing industry (ref. 40 CFR 60.540 et seq.)
Subpart DDD	VOC emissions from the polymer manufacturing industry (ref. 40 CFR 60.560 et seq.)
Subpart FFF	Flexible vinyl and urethane coating and printing (ref. 40 CFR 60.580 et seq.)
Subpart GGG	Petroleum refineries - compressors and fugitive emission sources (ref. 40 CFR 60.590 et seq.)
Subpart HHH	Synthetic fiber production facilities (ref. 40 CFR 60.600 et seq.)
Subpart III	VOC emissions from Synthetic Organic Chemical Manufacturing Industry air oxidation unit processes (ref. 40 CFR 60.610 et seq.)
Subpart JJJ	Petroleum dry cleaners (ref. 40 CFR 60.620 et seq.)
Subpart KKK	Equipment leaks of VOC from onshore natural gas processing plants (ref. 40 CFR 60.630 et seq.)
Subpart LLL	Onshore natural gas processing; SO_2 emissions (ref. 40 CFR 60.640 et seq.)
Subpart NNN	VOC emissions from Synthetic Organic Chemical Manufacturing Industry distillation operations (ref. 40 CFR 60.660 et seq.)
Subpart OOO	Nonmetallic mineral processing plants (ref. 40 CFR 60.670 et seq.)
Subpart PPP	Wool fiberglass insulation manufacturing plants (ref. 40 CFR 60.680 et seq.)
Subpart QQQ	VOC emissions from petroleum refinery waste water emissions (ref. 40 CFR 60.690 et seq.)
Subpart SSS	Magnetic tape coating facilities (ref. 40 CFR 60.710 et seq.)
Subpart TTT	Industrial surface coating: Surface coating of plastic parts for business machines (ref. 40 CFR 60.720 et seq.)
Subpart VVV	Polymeric coating of supporting substrates facilities (ref. 40 CFR 60.740 et seq.)

Note: For fossil fuel fired steam generators referenced by Subpart D and Da above, units greater than 250 megawatts are governed by the Energy Facility Site Evaluation Council (EFSEC) in Title 463 WAC.

NEW SECTION

SWAPCA 400-116 Maintenance of Equipment

[Statutory Authority: Chapter 70.94.152(7) RCW, 70.94.155 RCW and 70.94.331 RCW.]

(1) Any equipment, including features, machines, and devices constituting parts of or called for by plans, specifications, or other information submitted for approval or required as part of an approval shall be maintained and operate in good working order. Defective or malfunctioning equipment that emit air pollutants shall be repaired immediately or shall be taken out of service.

(2) Any equipment that serves as air contaminant control or capture equipment shall be maintained and operate in good working order at all times in accordance with good operations and maintenance practices and in accordance with Authority approval conditions. Defective or malfunctioning equipment shall be repaired immediately or shall be taken out of service.

(3) SWAPCA may require that an Operations and Maintenance (O&M) plan be developed and implemented for each emission unit or piece of control or capture equipment in order to assure continuous compliance with approval conditions. A copy of the plan shall be available for site inspections. If reqired, the plan shall reflect good industrial practice and shall include periodic inspection of all equipment and control apparatus, monitoring and recording of equipment and control apparatus performance, prompt repair of any defective equipment or control apparatus, procedures for start up, shut down and normal operation, and a record of all actions required by the plan. The plan shall be reviewed by the source or owner at least annually and updated to reflect any changes in good industrial practices. The O&M plan shall be available at or near the equipment it applies to so as to assist operations and maintenance personnel in assuring good operations and maintenance practices as well as the ability to log and record equipment performance parameters. As a minimum, the O&M plan

shall contain each of the parameters required to be monitored, logged or recorded as provided in an Order of Approval.

(4) Noncompliance with any emission limit, test requirement, reporting or record keeping requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

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

Reviser's note: The spelling 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.

WSR 96-21-101
PERMANENT RULES
SOUTHWEST AIR POLLUTION CONTROL AUTHORITY
[Filed October 21, 1996, 10:14 a.m.]

Date of Adoption: October 15, 1996.

Purpose: Changes incorporated into this revision include clarification to words, new definitions, applicability to address maintenance plan area, incorporation of Federal requirements for gas tanker testing, and providing reference to other applicable regulations.

Citation of Existing Rules Affected by this Order: Amending SWAPCA 490-010, 490-020, 490-025, 490-030, 490-040, 490-080, 490-090, 490-200, 490-201, 490-202, 490-203, 490-204, 490-205, 490-207, and 490-208.

Statutory Authority for Adoption: RCW 70.94.141 and 70.94.331.

Adopted under notice filed as WSR 96-17-041 on August 19, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 15, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 15, repealed 0.

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

October 18, 1996
Robert D. Elliott
Executive Director

SWAPCA 490
EMISSION STANDARDS AND CONTROLS FOR SOURCES EMITTING VOLATILE ORGANIC COMPOUNDS

SWAPCA

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AMENDATORY SECTION

SWAPCA 490-010 Policy and Purpose
[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) It is the policy of the ~~department of ecology (ecology)~~ Southwest Air pollution Control Authority (SWAPCA) under the authority vested in it by Chapter 43.21A, 70.94.141, 70.94.152, and 70.94.331 RCW to provide for the systematic control of air pollution from air contaminant sources within Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties ~~and for the proper development of the state's natural resources~~.

(2) ~~It is t~~ The purpose of this regulation ~~chapter~~ is to establish technically feasible and reasonably attainable emission standards for sources emitting volatile organic compounds (VOCs) ~~and revise such standards as new information and better technology are developed and become available~~.

AMENDATORY SECTION

SWAPCA 490-020 Definitions
[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

The definitions of terms contained in SWAPCA ~~chapter 173-~~400 ~~WAC~~ are by this reference incorporated into this regulation ~~chapter~~. Unless a different meaning is clearly required by context, the following words and phrases, as used in this regulation ~~chapter~~, shall have the following meanings:

(1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.

(2) "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.

(3) "Class II hardboard paneling finish" means finishes which meet the specifications of Voluntary Product Standard PS-59-73 as approved by the American National Standards Institute.

(4) "Closed refinery system" means a system that will process or dispose of those VOCs collected from another system. The mass quantity of collected VOCs emitted to the ambient air from the closed refinery system shall not exceed that required for a disposal system.

(5) "Condensate" means hydrocarbon liquid separated from a gas stream which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

(6) "Condenser" means a device for cooling a gas stream to a temperature where specific VOCs become liquid and are removed.

(7) "Control system" means one or more control devices, including condensers, that are designed and operated to reduce the quantity of VOCs emitted to the atmosphere.

(8) "Crude oil" means a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons which is a liquid at standard conditions.

(9) "Cutback asphalt" means an asphalt that has been blended with petroleum distillates to reduce the viscosity for ease of handling and lower application temperature. An inverted emulsified asphalt shall be considered a cutback asphalt when the continuous phase of the emulsion is a cutback asphalt.

(10) "Disposal system" means a process or device that reduces the mass quantity of the VOC that would have been emitted to the ambient air by at least ninety percent prior to their actual emission.

(11) "Dry cleaning facility" means a facility engaged in the cleaning of fabrics in an essentially nonaqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning, and drying by tumbling in an airstream. The facility includes, but is not limited to, any washer, dryer, filter and purification system(s), waste disposal system(s), holding tank(s), pump(s) and attendant piping and valve(s).

(12) "External floating roof" means a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

(13) "Flexographic printing" means the application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

(14) "Gasoline" means a petroleum distillate which is a liquid at standard conditions and has a true vapor pressure greater than 200 mm of Hg (4 psia) at 20°C, and is used as a fuel for internal combustion engines.

(15) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks.

(16) "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.

(17) "Hardboard" means a panel manufactured primarily from interfelted lignocellulosic fibers which are consolidated under heat and pressure in a hot press.

(18) "Hardwood plywood" means plywood whose surface layer is a veneer of hardwood.

(19) "Lease custody transfer" means the transfer of produced crude oil or condensate, after processing or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

(20) "Liquid-mounted seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof.

(21) "Liquid service" means equipment that processes, transfers or contains a VOC or VOCs in the liquid phase.

(22) "Low organic solvent coating" refers to coatings which contain less organic solvent than the conventional coatings used by the industry. Low organic solvent coatings include water-borne, higher solids, electrodeposition and powder coatings.

(23) "Natural finish hardwood plywood panels" means panels whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented by fillers and toners.

(24) "Packaging rotogravure printing" means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packaging products and labels for articles to be sold.

(25) "Petroleum liquids" means crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery.

(26) "Petroleum refinery" means a facility engaged in producing gasoline, aromatics, 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. Not included are facilities re-refining used motor oils or waste chemicals, processing finished petroleum products, separating blended products, or air blowing asphalt.

(27) "Prime coat" means the first of two or more films of coating applied in an operation.

(28) "Printed interior panels" means panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.

(29) "Proper attachment fittings" means hardware for the attachment of gasoline transfer or vapor collection lines that meet or exceed industrial standards or specifications and the standards of other agencies or institutions responsible for safety and health.

(30) "Publication rotogravure printing" means rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, and other types of printed materials.

(31) "Refinery unit" means a set of components that are a part of a basic process operation, such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

(32) "Roll printing" means the application of words, designs, and pictures to a substrate usually by means of a series of hard rubber or steel rolls each with only partial coverage.

(33) "Rotogravure printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique which involves intaglio or recessed image areas in the form of cells.

(34) "Single coat" means only one film of coating is applied to the metal substrate.

(35) "Submerged fill line" means a pipe, tube, fitting or other hardware for loading liquids into a tank with either a discharge opening flush with the tank bottom; or with a discharge opening below the lowest normal operating 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.

(36) "Submerged loading" means the filling of a tank with a submerged fill line descending nearly to the bottom.

(37) "Suitable closure or 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.

(38) "Thin particleboard" means a manufactured board one-quarter inch or less in thickness made of individual wood particles which have been coated with a binder and formed into flat sheets by pressure.

(39) "Tileboard" means paneling that has a colored waterproof surface coating.

(40) "Topcoat" means the final film or series of films of coating applied in a two-coat (or more) operation.

(41) "Transport tank" means a container used for shipping gasoline on land.

(42) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined with methods described in American Petroleum Institute Bulletin 2517, 1980.

(43) "Unit turnaround" means the procedure of shutting down, repairing, inspecting, and restarting a unit.

(44) "Valves not externally regulated" means valves that have no external controls, such as in-line check valves.

(45) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.

(46) "Vapor control system" means a system designed and operated to reduce or limit the emission of VOCs, or to recover the VOCs to prevent their emission into the ambient air.

(47) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

(48) "Volatile organic compound (VOC)" means any organic compound which participates in atmospheric photochemical reactions; that is, any organic compound other than those which the administrator designates as having negligible photochemical reactivity. VOC may be measured by a reference method, an equivalent method, an alternative method or by procedures specified under 40 CFR Part 60. A reference method, an equivalent method, or an alternative method, however, may also measure nonreactive organic compounds. In such cases, an owner or operator may exclude the nonreactive organic compounds when determining compliance with a standard.

(49) "Waxy, heavy pour crude oil" means a crude oil with a pour point of 50°F or higher as determined by the American Society for Testing and Materials Standard D97-66, "Test for Pour Point of Petroleum Oils."

AMENDATORY SECTION

SWAPCA 490-025 General Applicability

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

In addition to the general applicability of SWAPCA ~~chapter 173-~~400 ~~WAC~~ to all emission sources, specific emission standards listed in this regulation ~~chapter~~ will take precedence over the general emission standards of SWAPCA ~~chapter 173-~~400 ~~WAC~~.

(1) This regulation ~~chapter~~ shall apply to the specified emission sources of VOCs located in or operating within designated ozone nonattainment areas and areas covered by a maintenance plan ~~of the state of Washington~~ within the jurisdiction of SWAPCA.

(2) This regulation ~~chapter~~ does not apply to those sources under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC).

(3) A source of VOC emissions not belonging to any of the categories listed in SWAPCA ~~WAC 173-~~490-030 nor specifically identified in any section, but which is located on the same or adjacent property and owned or operated by the same person as a regulated emission source, shall not be required to comply with ~~the~~ this regulation~~s of this chapter~~.

(4) Sources of VOC emissions may be exempted, by the director, from any or all requirements to control or reduce the emissions of VOCs when:

(a) The source is a development operation and the equipment is used exclusively for research, laboratory analysis or determination of product quality and commercial acceptance, provided emissions of VOCs from such operations do not exceed 300 kg (660 lbs) per month; or

(b) The source has emissions of VOCs which do not exceed 18 kg (40 lbs) per month and registration is not required under SWAPCA ~~WAC 173-~~490-030; or

(c) The source is a spray booth which is used solely for maintenance and utility activities and whose emissions do not exceed 18 kg (40 lbs) per month.

(5) Sources of VOCs may be granted exemptions from emissions standards for a period not to exceed thirty days if the source is a newly permitted source which is to replace a similar permitted source and the new source is intended to utilize the existing emission control system. This provision is intended to apply to a break-in period prior to the shutdown and removal of the existing source.

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AMENDATORY SECTION

SWAPCA 490-030 Registration and Reporting

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) The owner or operator of a stationary emission source of VOCs in the following source categories and located in a designated ozone nonattainment area or area covered by a maintenance plan shall register the source with SWAPCA ~~ecology~~ unless registration is required by ~~an authority or~~ the Energy Facility Site Evaluation Council (EFSEC) as provided under RCW 80.50.

(a) Petroleum refineries.
(b) Petroleum liquid storage tanks.
(c) Gasoline loading terminals.
(d) Bulk gasoline plants.
(e) Gasoline dispensing facilities.
(f) Surface coaters.
(g) Open top vapor degreasers.
(h) Conveyorized degreasers.
(i) Gasoline transport tanks.
(j) Vapor collection systems.
(k) Perchloroethylene dry cleaning systems.
(l) Graphic arts systems.
(m) Surface coaters of miscellaneous metal parts and products.
(n) Synthesized pharmaceutical manufacturing facilities.
(o) Flatwood panel manufacturers and surface finishing facilities.

(2) A new emission source of VOCs that must comply with any requirements in SWAPCA ~~WAC 173-~~490-040, ~~173-~~490-200, ~~173-~~490-201, ~~173-~~490-202, ~~173-~~490-203, ~~173-~~490-204, ~~173-~~490-205, ~~173-~~490-206 and ~~173-~~490-207, shall comply with the requirements of SWAPCA ~~WAC 173-~~400-100 and shall register with SWAPCA ~~ecology or an authority~~ prior to operation of the new source, and shall submit sufficient information to demonstrate that the new source is capable of complying with the requirements in this regulation ~~chapter~~. An opportunity shall be provided for an inspection of the new source by SWAPCA ~~ecology or local authority~~ inspectors prior to its operation.

AMENDATORY SECTION

SWAPCA 490-040 Requirements

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

To demonstrate compliance with this regulation ~~chapter~~, refer to SWAPCA ~~WAC 173-~~400-105.

(1) **Petroleum refineries.**

This regulation ~~chapter~~ shall apply to all petroleum refineries with a crude oil or feed stock capacity greater than one million four hundred thirty thousand liters (1,430,000 l or 9,000 bbl) per day.

(a) Vacuum producing system.

(i) Noncondensable VOC from vacuum producing systems shall be piped to an appropriate firebox, incinerator or to a closed refinery system.

(ii) Hot wells associated with contact condensers shall be tightly covered and the collected VOC introduced into a closed refinery system.

(b) Wastewater separator.

(i) Wastewater separator forebays shall incorporate a floating pontoon or fixed solid cover with all openings sealed, totally enclosing the compartmented liquid contents, or a floating pontoon or a double deck-type cover equipped with closure seals between the cover edge and compartment wall.

(ii) Accesses for gauging and sampling shall be designed to minimize VOC emissions during actual use. All access points shall be closed with suitable covers when not in use.

(c) Process unit turnaround.

(i) The VOC contained in a process unit to be depressurized for turnaround shall be introduced to a closed refinery system, combusted by a flare, or vented to a disposal system.

(ii) The pressure in a process unit following depressurization for turnaround shall be less than five psig before venting to the ambient air.

(iii) Venting or depressurization to the ambient air of a process unit for turnaround at a pressure greater than five psig shall be allowed if the owner demonstrates the actual emission of VOC to the ambient air is less than permitted by SWAPCA ~~WAC 173-~~490-040 (1)(c)(ii).

(d) Maintenance and operation of emission control equipment. Equipment for the reduction, collection or disposal of VOC shall be maintained and operated in a manner consistent with the level of maintenance and housekeeping of the overall plant.

(2) **Petroleum liquid storage tanks.**

(a) All fixed-roof tanks (except as noted in subparagraph (d) of this subsection) storing volatile organic petroleum liquids with a true vapor pressure as stored greater than 78 mm of Hg (1.5 psi) at actual monthly average storage temperatures and having a capacity greater than one hundred fifty thousand liters (40,000 gallons) shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subpart K); or

(ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in SWAPCA ~~WAC 173-~~490-040 (2)(a)(i) or its equivalent; or

(iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's specifications in effect when installed.

(b) All seals used in SWAPCA ~~WAC 173-~~490-040 (2)(a)(ii) and (iii) are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears or other openings.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in SWAPCA ~~WAC 173-~~490-040 (4)(b) shall be exempt from the requirements of SWAPCA ~~WAC 173-~~490-040(2).

(3) Gasoline loading terminals.

(a) This regulation ~~chapter~~ shall apply to all gasoline loading terminals with an average annual daily gasoline

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throughput greater than seventy-five thousand liters (75,000 l or 20,000 gallons).

(b) Loading facilities. Facilities for the purpose of loading gasoline into any transport tank shall be equipped with a vapor recovery system (VRS) as described in SWAPCA ~~WAC 173-~~490-040 (3)(c) and comply with the following conditions:

(i) The loading facility shall employ submerged or bottom loading for all transport tanks.

(ii) The VRS shall be connected to the transport tank being loaded and shall operate during the entire loading of every transport tank loaded at the facility.

(iii) The loading of all transport tanks shall be performed such that ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released to the ambient air. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.

(iv) All loading lines and vapor lines shall be equipped to close automatically upon disconnect. The point of closure shall be on the tank side of any hose or intermediate connecting line.

(c) Vapor recovery system (VRS). The VRS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VRS shall prevent at least ninety percent by weight of the gasoline vapors displaced during loading of each transport tank from entering the ambient air and in no case shall the gasoline vapors emitted to the ambient air exceed eighty milligrams per liter of gasoline loaded.

(ii) The VRS shall be equipped with a signal device to alert personnel when the system is not operating or unintentionally shuts down.

(iii) The back pressure in the VRS collection lines shall not exceed the transport tank's pressure relief settings.

(d) Alternative loading facility. The loading of transport tanks by other means and using other vapor control systems shall require the facility owner to demonstrate that the emission of gasoline vapors to the ambient air is less than eighty milligrams per liter of gasoline loaded.

(4) **Bulk gasoline plants.**

(a) This regulation ~~chapter~~ shall apply to all bulk gasoline plants with an annual average daily gasoline throughput greater than fifteen thousand liters (15,000 l or 4,000 gallons).

(b) Storage tanks. All storage tanks with a capacity greater than two thousand one hundred liters (2100 l or 550 gallons) and used for the storage of gasoline shall comply with the following conditions:

(i) Each storage tank shall be equipped with a submerged fill line.

(ii) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

(iii) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.

(iv) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Transport tanks. All transport tanks, except those meeting the conditions in SWAPCA ~~WAC 173-~~490-040 (4)(d), transferring gasoline with storage tanks in a bulk gasoline plant shall comply with the following conditions:

(i) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.

(ii) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.

(iii) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(d) Transport tanks used for gasoline and meeting all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines:

(i) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of SWAPCA ~~WAC 173-~~490-040(5); and

(ii) The transport tank has a total capacity less than fifteen thousand liters (15,000 l or 4,000 gallons) and is of a compartmented design and construction requiring the installation of four or more separate vapor balance fittings.

(e) Gasoline transfer operations. No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a transport tank and a storage tank except under the following conditions:

(i) All tanks shall be submerged filled or bottom loaded.

(ii) The loading of all tanks, except those exempted under SWAPCA ~~WAC 173-~~490-040 (4)(d) shall be performed such that ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released into the ambient air. Emissions from pressure relief valves shall not be included in the controlled emissions.

(f) Equipment or system failures. Failures or leaks in the vapor balance system shall be limited by the following conditions:

(i) During the months of April, May, June, July, August, September and October, failures of the vapor balance system to comply with this regulation ~~chapter~~ shall require that gasoline transfer operations stop for the failed part of the system. Other transfer points that can operate in compliance may be used.

(ii) Loading or unloading of the transport tank connected to the failed part of the vapor balance system may be completed.

(iii) Breakdowns and upset conditions during all months of the year shall also comply with the provisions of SWAPCA ~~WAC 173-~~400-105(5).

(g) The owner or operator of a bulk gasoline plant or transport tank shall take all reasonable necessary measures to prevent the spilling, discarding in sewers, storing in open containers or handling of gasoline in a manner on the plant site that will result in evaporation to the ambient air.

(5) **Gasoline dispensing facilities (Stage I).**

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(a) This regulation ~~chapter~~ shall apply to all gasoline dispensing facilities with a total annual gasoline ~~output~~ throughput greater than ~~seven hundred fifty-seven thousand liters (~~200,000 gallons~~) or sixty-three thousand one hundred liters (~~16,670 gallons~~)~~ per month and total gasoline storage capacity greater than ~~thirty-eight thousand liters (~~10,000 gallons).

(b) All gasoline storage tanks of the facilities defined in SWAPCA ~~WAC 173-~~490-040 (5)(a) shall be equipped with submerged or bottom fill lines and fittings for vapor balancing gasoline vapors with the delivery transport tank.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of SWAPCA ~~WAC 173-~~490-040 (5)(b) if installed prior to January 1, 1979.

(d) The vapor balance system (for the purpose of measuring compliance with the emission control efficiency) shall consist of the transport tank, gasoline vapor transfer lines, storage tank and all tank vents. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built and operated according to accepted industrial practices will satisfy this requirement.

(e) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.

(6) **Surface coaters.**

The operation of a coater and dryer, that may serve one or more process lines, shall comply with the following emission limits if the potential uncontrolled emissions of VOC from the coater, flashoff areas, and dryer would be greater than 18 kg (40 pounds) in any given twenty-four hour period. The emission limits and uncontrolled emission quantity shall include the additional quantity of emissions from the dryer during the twelve hour period after application of the coating.

Process	Limitation Grams/Liter of Coating (Excluding Water)	lb/Gal.of Coating (Excluding Water)
Can Coating		
Sheet basecoat and overvarnish; two-piece can exterior	340	2.8
Two and three piece can interior body spray, two piece can exterior end	510	4.2
Side-seam spray	660	5.5
End sealing compound	440	3.7
Coil coating	310	2.6
Fabric coating	350	2.9
Vinyl coating	450	3.8
Paper coating	350	2.9
Auto and light duty truck coating		
Prime	230	1.9
Topcoat	340	2.8
Repair	580	4.8
Metal furniture coating	360	3.0
Magnet wire coating	200	1.7
Large appliance coating	340	2.8

(7) **Open top vapor degreasers.**

(a) All open top vapor degreasers shall:

(i) Have a cover that may be readily opened and closed. When a degreaser is equipped with a lip exhaust, the cover shall be located below the lip exhaust. When a degreaser has a freeboard ratio equal to or greater than 0.75 and the opening is greater than one square meter (10 square feet) the cover shall be power operated.

(ii) Have one of the following:

(A) A freeboard ratio equal to or greater than 0.75; or

(B) A freeboard chiller; or

(C) A closed design such that the cover opens only when the part enters or exits the degreaser.

(iii) Be equipped with at least the following three safety switches:

(A) Condenser-flow switch and thermostat (shuts off sump heat if coolant is either not circulating or too warm); and

(B) Spray safety switch (shuts off spray pump if the vapor level drops excessively; and

(C) Vapor level control thermostat (shuts off sump heat when vapor level rises too high).

(iv) Post a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Do not degrease porous or absorbent materials such as cloth, leather, wood or rope.

(B) The cover of the degreaser should be closed at all times except when processing workloads.

(C) When the cover is open the lip of the degreaser should not be exposed to steady drafts greater than 15.3 meters per minute (50 feet per minute).

(D) Rack parts so as to facilitate solvent drainage from the parts.

(E) Workloads should not occupy more than one-half of the vapor-air interface area.

(F) When using a powered hoist, the vertical speed of parts in and out of the vapor zone should be less than 3.35 meters per minute (11 feet per minute).

(G) Degrease the workload in the vapor zone until condensation ceases.

(H) Spraying operations should be done within the vapor layer.

(I) Hold parts in the degreaser until visually dry.

(J) When equipped with a lip exhaust, the fan should be turned off when the cover is closed.

(K) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(L) Water shall not be visible in the solvent stream from the water separator.

(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses. For example, leaks from drain taps, cracked gaskets, and malfunctioning equipment must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(e) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm which processes solvents for disposal.

(8) **Conveyorized degreasers.**

(a) The owner or operator of conveyorized cold cleaners and conveyorized vapor degreasers shall comply with the following operating requirements:

(i) Exhaust ventilation shall not exceed twenty cubic meters per minute per square meter (65 cfm per ft.^{2}) of degreaser opening, unless necessary to meet OSHA requirements.

(ii) Post in the immediate work area a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Rack parts for best drainage.

(B) Maintain vertical speed of conveyed parts to less than 3.35 meters per minute (11 feet per minute).

(C) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(D) Water shall not be visible in the solvent stream from the water separator.

(iii) Vapor degreasers shall be equipped with at least the following three safety switches:

(A) Condenser flow switch and thermostat (shuts off sump heat if coolant is either not circulating or too warm); and

(B) Spray safety switch (shuts off spray pump if the vapor level drops excessively); and

(C) Vapor level control thermostat (shuts off sump heat when vapor level rises too high).

(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses. For example, leaks from drain taps, cracked gaskets, and malfunctioning equipment must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(e) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm which processes solvents for disposal.

(f) All conveyorized cold cleaners and conveyorized vapor degreasers with air/vapor interfaces of 2.0 m^2 or greater shall have a carbon adsorption system, exhausting less than 25 ppm of solvent averaged over a complete adsorption cycle (based on exhaust ventilation of 15 m^3 per min per m^2 of air/vapor area, when downtime covers are open), or a system with control effectiveness equal to or better than a carbon adsorption system.

(9) **Cutback asphalt paving.**

(a) All paving applications of cutback asphalts are prohibited during the months of April, May, June, July, August, September and October, except as provided for in SWAPCA ~~WAC 173-~~490-040 (9)(b).

(b) The following paving uses and applications of cutback asphalts are permitted during all months of the year.

(i) As a penetrating prime coat on aggregate bases prior to paving.

(ii) The manufacture of patching mixes used exclusively for pavement maintenance and needed to be stockpiled for times longer than one month.

(iii) All paving uses when the temperature during application is below 10°C (50°F). Any person using cutback asphalt for paving shall demonstrate that the ambient air temperature at 8 a.m. (PST) is below 50°F. The paving application of cutback asphalt when the ambient air temperature is 50°F or higher is in violation of this regulation ~~chapter~~.

(10) **Cold cleaners.**

(a) The owners or operators of all cold cleaners shall comply with the following equipment specifications:

(i) Be equipped with a cover that is readily opened and closed.

(ii) Be equipped with a drain rack that returns the drained solvent to the solvent bath.

(iii) Have a freeboard ratio of at least 0.5.

(iv) Have a visible fill line.

(b) An owner or operator of a cold cleaner shall be responsible for following the required operating parameters and work practices. The owner shall post and maintain in the work area of each cold cleaner a pictograph or instructions clearly explaining the following work practices:

(i) The solvent level shall not be above the fill line.

(ii) The spraying of parts to be cleaned shall be performed only within the confines of the cold cleaner.

(iii) The cover of the cold cleaner shall be closed when not in use or when parts are being soaked or cleaned by solvent agitation.

(iv) Solvent-cleaned parts shall be rotated to drain cavities or blind holes and then set to drain until dripping has stopped.

(v) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm which processes solvents for disposal.

(c) The owner or operator shall maintain cold cleaners in good working condition and free of solvent leaks.

(d) If the solvent has a vapor pressure greater than 2.0 kPa (0.3 psi) measured at 38°C (100°F), or if the solvent is agitated or heated, then the cover must be designed so that it can be easily operated with one hand.

(e) If the solvent has a vapor pressure greater than 4.3 kPa (0.6 psi) measured at 38°C (100°F), then the drainage facility must be internal, so that parts are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(f) If the solvent has a vapor pressure greater than 4.3 kPa (0.6 psi) measured at 38°C (100°F), or if the solvent is heated above 50°C (120°F), one of the following solvent vapor control systems must be used:

(i) The freeboard ratio must be equal to or greater than 0.70; or

(ii) Water must be kept over the solvent. The solvent must be more dense and insoluble in water.

AMENDATORY SECTION

SWAPCA 490-080 Exceptions and Alternative Methods

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Other emission reduction methods may be used if the source operator demonstrates to SWAPCA ~~ecology~~ that they are at least as effective as the required methods; and

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(2) The operation of a natural gas-fired incinerator and associated capture system installed for the purpose of complying with this regulation ~~chapter~~ shall be required only during the months of April, May, June, July, August, September and October, unless the operation of such devices is required for purposes of occupational health or safety, or for the control of toxic substances, malodors, or other regulated pollutants.

AMENDATORY SECTION

SWAPCA 490-090 New Source Review

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

The provisions of SWAPCA ~~WAC 173-~~400-110 shall apply to all new sources and emissions units to which this regulation ~~chapter~~ is applicable.

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AMENDATORY SECTION

SWAPCA 490-200 Petroleum Refinery Equipment Leaks

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all petroleum refineries as qualified in SWAPCA ~~WAC 173-~~490-025.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a petroleum refinery shall:

(i) Develop and conduct a monitoring program consistent with the provisions in SWAPCA ~~WAC 173-~~490-200(3), ~~173-~~490-200(4), ~~173-~~490-200(5), and ~~173-~~400-105;

(ii) Record all leaking components which have a VOC concentration greater than 10,000 ppm when tested according to the provisions in SWAPCA ~~WAC 173-~~490-200(3) and place an identification tag on each component consistent with the provisions of SWAPCA ~~WAC 173-~~490-200 (4)(c);

(iii) Correct and retest the leaking component, as defined in SWAPCA ~~WAC 173-~~490-200 (2)(a)(ii), as soon as practicable, but not later than fifteen days after the leak is recorded. If a leak continues after all reasonable corrective actions have been taken, then the component shall be repaired or replaced on the next scheduled turnaround.

(iv) Identify all leaking components, as defined in SWAPCA ~~WAC 173-~~490-200 (2)(a)(ii), that cannot be corrected until the refinery unit is shut down for turnaround.

(b) The owner or operator of a petroleum refinery shall not install or operate a valve at the end of a pipe or line containing VOC unless the pipe or line is sealed with a second suitable closure. Exceptions to this requirement are the ends of a pipe or line connected to pressure relief valves, aspirator vents or other devices specifically required to be open for safety protection. The sealing device may be removed only when a sample is being taken or during maintenance operations.

(3) Testing procedures. To demonstrate compliance with this regulation ~~chapter~~, refer to SWAPCA ~~WAC 173-~~400-105(5).

(4) Monitoring.

(a) The owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions:

(i) Monitor yearly by the methods referenced in SWAPCA ~~WAC 173-~~490-200(3) all pump seals, pipeline valves in liquid service and process drains;

(ii) Monitor quarterly by the methods referenced in SWAPCA ~~WAC 173-~~490-200(3) all compressor seals, pipeline valves in gaseous service and pressure relief valves in gaseous service;

(iii) Monitor weekly by visual methods all pump seals;

(iv) Monitor immediately any pump seal from which liquids are observed leaking;

(v) Monitor any relief valve within twenty-four hours after it has vented to the atmosphere; and

(vi) After a leaking component is repaired, monitor for leaks prior to return to service.

(b) Pressure relief devices that are connected to an operating flare header, vapor recovery device, inaccessible valves, storage tank valves, and valves that are not externally regulated are exempt from the monitoring requirements in SWAPCA ~~WAC 173-~~490-200 (4)(a).

(c) The owner or operator of a petroleum refinery, upon the detection of a leaking component, as defined in SWAPCA ~~WAC 173-~~490-200 (2)(a)(ii), shall affix a weatherproof and readily visible tag, bearing an identification number and the date the leak is located, to the leaking component. This tag shall remain in place until the leak is corrected.

(5) Recordkeeping.

(a) The owner or operator of a petroleum refinery shall maintain a leaking component's monitoring log as specified in SWAPCA ~~WAC 173-~~490-200 (2)(a)(ii) that shall contain, at a minimum, the following data:

(i) The name of the process unit where the component is located.

(ii) The type of component (e.g., valve, seal).

(iii) The tag number of the component.

(iv) The date on which a leaking component is discovered.

(v) The date on which a leaking component is repaired.

(vi) The date and instrument reading of the recheck procedure after a leaking component is repaired.

(vii) A record of the calibration of the monitoring instrument.

(viii) Those leaks that cannot be repaired until turnaround.

(ix) The total number of components checked and the total number of components found leaking.

(b) Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report prepared.

(c) Copies of the monitoring log shall immediately be made available to SWAPCA ~~ecology~~, upon verbal or written request, at any reasonable time.

(6) Reporting. The owner or operator of a petroleum refinery shall notify SWAPCA ~~ecology~~ in writing within forty-five days following each quarterly or annual inspection for component leaks when:

(a) The number of discovered leaks has increased by more than ten percent above the number recorded during the last inspection of the same components;

(b) The number of leaking components has increased for two consecutive quarterly or annual inspections;

(c) The number of leaks not corrected within fifteen days exceeds five percent of the leaks detected;

(d) The next scheduled process unit turnaround needed to repair an uncorrectable leak is more than twelve months away.

(7) Petition for alternative monitoring.

(a) After two complete liquid service inspections and five complete gaseous service inspections, the owner or operator of a petroleum refinery may petition the director for alternative monitoring procedures or a reduction in monitoring frequency.

(b) A petition for alternative monitoring procedures shall contain:

(i) The name and address of the company and the name and telephone number of the responsible person over whose signature the petition is submitted;

(ii) A detailed description of the problems encountered under SWAPCA ~~WAC 173-~~490-200(4); and

(iii) A detailed description of the alternative monitoring procedures and how this alternative procedure will solve or reduce the problems encountered under SWAPCA ~~WAC 173-~~490-200(4).

(c) A petition for a reduction in monitoring frequency shall contain:

(i) The information requested in SWAPCA ~~WAC 173-~~490-200 (7)(b)(i);

(ii) A detailed description of the proposed component-monitoring schedule;

(iii) A demonstration by the owner or operator that the facility is currently operating with a low level of component leaks and is committed to a maintenance program that will assure a frequency and severity of component leaks as good as that attainable under SWAPCA ~~WAC 173-~~490-200(2).

(d) An approved petition for a reduction in monitoring frequency shall begin with the next quarterly inspection and shall be valid for a period of twelve quarters (three years). At the time of the last inspection in the twelve quarters, a new submittal of the information required in SWAPCA ~~WAC 173-~~490-200 (7)(c) shall be made if the reduced frequency of monitoring is to continue.

(e) SWAPCA ~~Ecology~~ may approve a part or all of a petition for alternative monitoring requested under SWAPCA ~~WAC 173-~~490-200 (7)(b) or (c). Approval or disapproval will be in writing and within forty-five calendar days of receipt of the petition by SWAPCA ~~ecology~~. A failure to approve or disapprove a new petition or petition for renewal within the stated time limit shall be taken as an approval.

AMENDATORY SECTION

SWAPCA 490-201 Petroleum Liquid Storage in External Floating Roof Tanks

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

(a) This section shall apply to all petroleum liquid storage vessels equipped with external floating roofs, having capacities greater than 150,000 liters (40,000 gallons), and as qualified in SWAPCA ~~WAC 173-~~490-025.

(b) This section does not apply to petroleum liquid storage vessels that:

(i) Are used to store waxy, heavy pour crude oil; or

(ii) Have capacities less than 1,600,000 liters (420,000 gallons) and are used to store produced crude oil and condensate prior to lease custody transfer; or

(iii) Contain a petroleum liquid with a true vapor pressure of less than 10.5 kPa (1.5 psia); or

(iv) Contain a petroleum liquid with a true vapor pressure less than 27.6 kPa (4.0 psia); are of welded construction; and presently possess a metallic-type shoe seal, a liquid-mounted foam seal, a liquid-mounted liquid filled type seal, or other closure device of demonstrated equivalence approved by SWAPCA ~~ecology~~; or

(v) Are of welded construction, equipped with a metallic-type shoe primary seal and have secondary seal from the top of the shoe seal to the tank wall (shoe-mounted secondary seal).

(2) Provisions for specific processes.

(a) No owner(s) or operator(s) of a petroleum liquid storage vessel shall store a petroleum liquid in that vessel unless:

(i) The vessel has been fitted with:

(A) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or

(B) A closure or other device which controls VOC emissions with an effectiveness equal to or greater than a seal required under SWAPCA ~~WAC 173-~~490-201 (2)(a)(i)(A) and approved by SWAPCA ~~ecology~~.

(ii) All seal closure devices meet the following requirements:

(A) There are no visible holes, tears, or other openings in the seal or seal fabric;

(B) The seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall; and

(C) For vapor mounted primary seals, the accumulated area of gaps exceeding 0.32 cm (1/8 inch) in width between the secondary seal and the tank wall shall not exceed 21.2 cm^2 per meter of tank diameter (1.0 $in.^2$ per foot of tank diameter), as determined by the method in SWAPCA ~~WAC 173-~~490-201(3).

(iii) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:

(A) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and

(B) Equipped with projections into the tank which remain below the liquid surface at all times.

(iv) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

(v) Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and

(vi) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least ninety percent of the area of the opening.

(b) The owner(s) or operator(s) of a petroleum liquid storage vessel with an external floating roof subject to this regulation ~~chapter~~ shall:

(i) Perform routine inspections annually in order to insure compliance with SWAPCA ~~WAC 173-~~490-201 (2)(a)

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and the inspection shall include a visual inspection of the secondary seal gap;

(ii) Measure the secondary seal gap annually in accordance with SWAPCA ~~WAC 173-~~490-201(3) when the floating roof is equipped with a vapor-mounted primary seal; and

(iii) Maintain records of the types of volatile petroleum liquids stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed in SWAPCA ~~WAC 173-~~490-201 (2)(b)(i) and (ii).

(c) The owner(s) or operator(s) of a petroleum liquid storage vessel with an external floating roof exempted from this regulation ~~chapter~~ by SWAPCA ~~WAC 173-~~490-201 (1)(b)(iii), but containing a petroleum liquid with a true vapor pressure greater than 7.0 kPa (1.0 psi), shall maintain records of the average monthly storage temperature, the type of liquid, and the maximum true vapor pressure for all petroleum liquids with a true vapor pressure greater than 7.0 kPa.

(d) Copies of all records under SWAPCA ~~WAC 173-~~490-201 (2)(b) and (c) shall be retained by the owner(s) or operator(s) for a minimum of two years after the date on which the record was made.

(e) Copies of all records required under SWAPCA ~~WAC 173-~~490-201 shall immediately be made available to the director, upon verbal or written request, at any reasonable time.

(3) Testing and monitoring.

(a) The owner or operator of a storage vessel covered under SWAPCA ~~WAC 173-~~490-201 shall demonstrate compliance by the methods of this subsection or an alternative method approved by SWAPCA ~~ecology~~.

(b) A person proposing to measure the seal fit of a storage vessel in order to comply with this section shall notify SWAPCA ~~ecology~~ of the intent to measure not less than five working days before the measurement so the director or a representative may observe the measurement if desired.

(c) Compliance with SWAPCA ~~WAC 173-~~490-201 (2)(a)(ii)(C) shall be determined by physically measuring the length and width of all gaps around the circumference of the secondary seal in each place where a 0.32 cm (1/8 in.) diameter probe passes freely (without forcing or binding against the seal) between the seal and the tank wall and summing the area of the individual gaps.

AMENDATORY SECTION

SWAPCA 490-202 Leaks from Gasoline Transport Tanks and Vapor Collection Systems

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, bulk gasoline plants and gasoline dispensing facilities as qualified in SWAPCA ~~WAC 173-~~490-025 and ~~173-~~490-040.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a gasoline loading or unloading facility shall only allow the transfer of gasoline between the facility and a transport tank when a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle.

(b) The owner(s) or operator(s) of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank:

(i) Is tested annually according to the schedule in SWAPCA 490-202 (3)(b) and the test procedure referenced in SWAPCA ~~WAC 173-~~490-202 (3)(c);

(ii) Sustains a pressure change of no more than 0.75 kilopascals (3 inches of water) in five minutes when pressurized to a gauge pressure of 4.5 kilopascals (460 mm H_2O or 18 inches of water) or evacuated to a gauge pressure of 1.5 kilopascals (150 mm H_2O or 6 inches of water) during the testing required in SWAPCA ~~WAC 173-~~490-202 (2)(b)(i). Effective December 15, 1997, certification and allowable pressures shall be as provided below in accordance with 40 CFR 63.420 et seq. (Subpart R);

Tank or Compartment Capacity liters (gallons)	Certification Pressure mm H_2O (in. H_2O)	Pressure Change Any Time mm H_2O (in. H_2O)
9464 or more (2500 or more)	25 (1.0)	64 (2.5)
9463 to 5676 (2499 to 1500)	38 (1.5)	76 (3.0)
5679 to 3785 (1499 to 1000)	51 (2.0)	89 (3.5)
3782 or less (999 or less)	64 (2.5)	102 (4.0)

(iii) Is repaired by the owner(s) or operator(s) and retested within fifteen days of testing if it does not meet the criteria of SWAPCA ~~WAC 173-~~490-202 (2)(b)(ii);

(iv) All transport tanks transferring gasoline at bulk plants and stationary tanks (including dispensing facilities) shall use gasoline vapor recovery equipment as provided in SWAPCA 491-040(3).

(c) The owner(s) or operator(s) of a transport tank shall:

(i) Have a current leak test certification for the transport tank on file with each gasoline loading or unloading facility where gasoline is transferred; or

(ii) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:

(A) Shows the date that the gasoline tank truck last passed the test required in SWAPCA ~~WAC 173-~~490-202 (2)(b)(i) and (ii);

(B) Shows the identification number of the gasoline tank truck tank; ~~and~~

(C) ~~Expires not more than one year from the date of the leak tight test.~~ Shows the certification number of the tanker; and

(D) Shows the expiration date.

(d) The owner(s) or operator(s) of a vapor collection system shall:

(i) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:

(A) A gauge reading of tank pressure will not exceed 4.5 kilopascals (18 inches of water) or vacuum 1.5 kilopascals (6 inches of water);

(B) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of 2.5 cm (1 inch) from potential leak

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sources when measured by the method in SWAPCA ~~WAC 173-~~490-202(3); and

(C) There are no visible liquid leaks.

(ii) Repair and retest a vapor collection system that exceeds the limits of SWAPCA ~~WAC 173-~~490-202 (2)(d)(i) within fifteen days.

(e) SWAPCA ~~Ecology~~ may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in SWAPCA ~~WAC 173-~~490-202 (3)(d) to confirm continuing compliance with SWAPCA ~~WAC 173-~~490-202 (2)(b) or (d).

(f) SWAPCA may, at any time, require that a cargo tank be tested for leak detection, pressure decay, or vapor tightness using the procedures identified in 40 CFR 63.425 (f), (g), and (h). The allowable pressure change for testing under 40 CFR 425 (g) and (h) shall be as provided in column three of the table in 2(b) of this section.

(3) Testing and monitoring.

(a) The owner(s) or operator(s) of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with SWAPCA ~~WAC 173-~~490-202 (2)(a) and (b), respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests. Persons or companies performing the testing shall be approved by SWAPCA. Persons or companies performing testing shall submit a copy of their test procedures and test equipment calibration procedures to SWAPCA for review and approval for initial qualification. SWAPCA may request calibration and test procedures as necessary to assure continued proper test protocol.

(b) ~~The owner(s) or operator(s) of a gasoline transport tank shall notify ecology in writing of the date and location of a certification test at least ten calendar days before the anticipated test date.~~ Certification testing shall be performed annually and the certification sticker shall be replaced annually. Certification testing shall be performed no later than the expiration date on the sticker and no sooner than 30 days prior to the expiration date. Renewals shall be made for a period of one year from the previous expiration date. Expiration dates shall initially be established by SWAPCA based on a successful certification test. The expiration date may be requested to be adjusted by an owner or operator but, if adjusted, shall not exceed one year from the date of the last valid certification test.

(c) ~~To demonstrate compliance with this chapter, refer to WAC 173-400-105.~~ Compliance shall be demonstrated for each required test by the following methods:

TEST TYPE	METHOD
Annual certification (40 CFR 63.425(e))	EPA Method 27
Leak detection test (40 CFR 63.425(f))	EPA Method 21
Nitrogen pressure decay field test (40 CFR 63.425(g))	See 40 CFR 63.425(g)
Continuous performance pressure decay (40 CFR 63.425(h))	EPA Method 27

(d) Monitoring to confirm the continuing existence of leak tight conditions shall be consistent with the procedures in SWAPCA 490-202 (3)(c) ~~on file with and approved by ecology~~.

(4) Recordkeeping.

(a) The owner(s) or operator(s) of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(b) The records of certification tests required by SWAPCA ~~WAC 173-~~490-202 (4)(a) shall, as a minimum, contain:

(i) The transport tank identification number and tank capacity;

(ii) The initial test pressure and the time of the reading;

(iii) The final test pressure and the time of the reading;

(iv) The initial test vacuum and the time of the reading;

(v) The final test vacuum and the time of the reading;

(vi) At the top of each report page, the company name, date and location of the tests on that page; and

(vii) Name, signature, and title of the person conducting the test.

(c) The owner(s) or operator(s) of a gasoline transport tank shall annually certify that the transport tank passed the required tests.

(d) Each owner or operator of a gasoline transport tank shall pay a fee and register annually for each gasoline transport tank as provided in SWAPCA 400-100(3). The registration fee is due at the time of initial certification and subsequently at the time of annual certification renewal.

(~~d~~e) Copies of all records required under SWAPCA ~~WAC 173-~~490-202 shall immediately be made available to SWAPCA ~~ecology~~, upon written request, at any reasonable time.

AMENDATORY SECTION

SWAPCA 490-203 Perchloroethylene Dry Cleaning Systems

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all dry cleaning systems using perchloroethylene cleaning solvent and as qualified in SWAPCA ~~WAC 173-~~490-203 (1)(a) and (b) and ~~173-~~490-025.

(a) The following dry cleaning systems are exempt from the requirements of SWAPCA ~~WAC 173-~~490-203 (2)(a)(i) and (ii):

(i) Coin-operated systems;

(ii) Systems located in a facility with inadequate space to accommodate an adsorber;

(iii) Systems with insufficient steam capacity to desorb adsorbers.

(b) An exemption for the conditions stated in SWAPCA ~~WAC 173-~~490-203 (2)(a)(i) and (ii) may be granted by SWAPCA ~~ecology~~ when sufficient evidence is submitted by the owner(s) or operator(s) of the dry cleaning system to justify the exemption.

(c) A material balance will be used to determine VOC losses.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a perchloroethylene dry cleaning facility subject to this regulation ~~chapter~~ shall:

(i) Vent the entire dryer exhaust through a properly functioning carbon adsorption system or equally effective control device;

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(ii) Emit no more than 100 ppmv when demonstrated in accordance with SWAPCA ~~WAC 173-~~490-203 (3)(c)(i), of VOCs from the dryer control device before dilution;

(iii) Immediately repair all components found to be leaking liquid VOCs;

(iv) Cook or treat all diatomaceous earth filters so that the residue contains 25 kg or less of VOCs per 100 kg of wet waste material;

(v) Reduce the VOCs from all solvent stills to 60 kg or less per 100 kg of wet waste material;

(vi) Drain all filtration cartridges, in the filter housing or other enclosed container, for at least twenty-four hours before discarding the cartridges; and

(vii) When possible, dry all drained cartridges without emitting VOCs to the atmosphere.

(3) Testing and monitoring.

(a) Compliance with SWAPCA ~~WAC 173-~~490-203 (2)(a)(i), (vi), and (vii) shall be determined by means of visual inspection.

(b) Compliance with SWAPCA ~~WAC 173-~~490-203 (2)(a)(iii) shall be determined by means of visual inspection of the following components:

(i) Hose connections, unions, couplings and valves;

(ii) Machine door gaskets and seatings;

(iii) Filter head gasket and seating;

(iv) Pumps;

(v) Base tanks and storage containers;

(vi) Water separators;

(vii) Filter sludge recovery;

(viii) Distillation unit;

(ix) Diverter valves;

(x) Saturated lint from lint basket; and

(xi) Cartridge filters.

(c) Compliance with SWAPCA ~~WAC 173-~~490-203 (2)(a)(ii) shall be demonstrated by:

(i) A test consistent with the procedures on file with and approved by SWAPCA ~~ecology~~; or

(ii) The proper installation, operation, and maintenance of equipment that has been demonstrated by the owner(s) or operator(s) to adequately meet the emission limits in SWAPCA ~~WAC 173-~~490-203 (2)(a)(ii).

(d) Compliance with SWAPCA ~~WAC 173-~~490-203 (2)(a)(iv) and (v) shall be demonstrated by tests consistent with the procedures on file with and approved by SWAPCA ~~ecology~~.

AMENDATORY SECTION

SWAPCA 490-204 Graphic Arts Systems

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

(a) This section shall apply to all packaging rotogravure, publication rotogravure, specialty printing operations, and flexographic printing facilities that use more than 90 megagrams (100 tons) per year of VOCs as a component of ink, for the thinning of ink, cleaning of presses, press components and equipment; and are covered by SWAPCA ~~WAC 173-~~490-025.

(b) Machines that have both coating units (apply a uniform layer of material across the entire width of a web) and printing units (forming words, designs, and pictures) shall be included under SWAPCA ~~WAC 173-~~490-204 rather than SWAPCA ~~WAC 173-~~490-040(6), Surface Coaters.

(2) Provisions for specific processes.

(a) No owner(s) or operator(s) of a packaging rotogravure, publication rotogravure or flexographic printing subject to this regulation and employing solvent containing ink may operate, cause, allow or permit the operation of the facility unless:

(i) The volatile fraction of ink, as it is applied to the substrate, contains twenty-five percent by volume or less of organic solvent and seventy-five percent by volume or more of water;

(ii) The ink as it is applied to the substrate, less water, contains sixty percent by volume or more nonvolatile material; or

(iii) The owner(s) or operator(s) installs and operates a system that captures at least ninety percent by weight and;

(A) A carbon adsorption system which reduces the volatile organic emissions from the capture system by at least ninety percent by weight;

(B) An incineration system which oxidizes at least ninety percent of the nonmethane VOCs (VOC measured as total combustible carbon) to carbon dioxide and water; or

(C) An alternative VOC emission reduction system demonstrated to have at least a ninety percent reduction efficiency, measured across the control system, and has been approved by SWAPCA ~~ecology~~.

(b) A collection system shall be used with the emission controls of SWAPCA ~~WAC 173-~~490-204 (2)(a)(iii). The design and operation of the collection system shall be consistent with good engineering practice, and shall provide an overall reduction in the emission of VOCs of at least:

(i) Seventy-five percent where a publication rotogravure process is used; or

(ii) Sixty-five percent where a packaging rotogravure process is used; or

(iii) Sixty percent where a flexographic process is used.

(3) Testing and monitoring.

(a) To demonstrate compliance with this regulation ~~chapter~~, refer to SWAPCA ~~WAC 173-~~400-105.

(b) When add-on control equipment is used, continuous monitors of the following parameters shall be installed, periodically calibrated, and operated at all times that the associated control equipment is operating:

(i) Exhaust gas temperature of all incinerators;

(ii) Temperature rise across a catalytic incinerator bed;

(iii) Breakthrough of VOC on a carbon adsorption unit; and

(iv) Any other continuous monitoring or recording device required by SWAPCA ~~ecology~~.

(c) The owner or operator of a facility shall be responsible for all expenses of monitoring required by SWAPCA ~~WAC 173-~~490-204 (3)(b).

AMENDATORY SECTION

SWAPCA 490-205 Surface Coating of Miscellaneous Metal Parts and Products

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to surface coating of miscellaneous metal parts and products in

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the following industries, if the potential uncontrolled emissions of VOC is greater than 10 tons per year and as qualified in SWAPCA ~~WAC 173-~~490-205 (1)(b), (c), and (d), and ~~173-~~490-025.

(a) Miscellaneous metal parts and products shall include:

(i) Large farm machinery (harvesting, fertilizing and planting machines, tractors, combines, etc.);

(ii) Small farm machinery (lawn and garden tractors, lawn mowers, rototillers, etc.);

(iii) Small appliances (fans, mixers, blenders, crock pots, dehumidifiers, vacuum cleaners, etc.);

(iv) Commercial machinery (office equipment, computers and auxiliary equipment, typewriters, calculators, vending machines, etc.);

(v) Industrial machinery (pumps, compressors, conveyor components, fans, blowers, transformers, etc.);

(vi) Fabricated metal products (metal covered doors, frames, etc.); and

(vii) Any other industrial category which coats metal parts or products under the Standard Industrial Classification Code of Major Group 33 (primary metal industries), Major Group 34 (fabricated metal products), Major Group 35 (nonelectric machinery), Major Group 36 (electrical machinery), Major Group 37 (transportation equipment), Major Group 38 (miscellaneous instruments), Major Group 39 (miscellaneous manufacturing industries), Major Group 40 (railroad transportation), and Major Group 41 (transit passenger transportation).

(b) This section is not applicable to the surface coating of the following metal parts and products:

(i) Automobiles and light-duty trucks;

(ii) Metal cans;

(iii) Flat metal sheets and strips in the form of rolls or coils;

(iv) Magnet wire for use in electrical machinery;

(v) Metal furniture;

(vi) Large appliances;

(vii) Airplanes;

(viii) Automobile refinishing;

(ix) Customized top coating of automobiles and trucks, if production is less than thirty-five vehicles per day; and

(x) Exterior of marine vessels.

(c) This regulation ~~chapter~~ applies to the application area, flashoff area, air and forced air drier, and oven used in the surface coating of the metal parts and products in SWAPCA ~~WAC 173-~~490-205 (1)(a). This regulation ~~chapter~~ also applies to prime coat, top coat, and single coat operations.

(d) The application of coatings whose formulations are controlled by federal specifications and the use of which is required by federal agencies shall be exempt from the emission limits in SWAPCA ~~WAC 173-~~490-205 (2)(a).

(e) A case-by-case determination of the emission controls best representing RACT may be substituted for the requirements of SWAPCA ~~WAC 173-~~490-205(2). Such a determination shall be approved by SWAPCA ~~ecology~~.

(2) Provisions for specific processes.

(a) The owner or operator of a coating application system shall not emit a quantity of VOCs greater than those listed by specific coating, excluding water and as delivered to the application system:

(i) Clear coatings	0.52 kg/liter(4.3 lb/gallon)
(ii) Extreme performance coatings	0.42 kg/liter(3.5 lb/gallon)
(iii) Air dried coatings	0.42 kg/liter(3.5 lb/gallon)
(iv) All others	0.36 kg/liter(3.0 lb/gallon)
(v) Powder coatings	0.05 kg/liter(0.4 lb/gallon)

(b) When more than one emission limitation listed in SWAPCA ~~WAC 173-~~490-205 (2)(a) applies to a specific coating, the least stringent will apply.

(c) All VOC emissions from solvent washings shall be considered in the emission limitations in SWAPCA ~~WAC 173-~~490-205 (2)(a), unless the solvent is directed into containers that prevent evaporation into the atmosphere.

(d) The emission limits set forth in SWAPCA ~~WAC 173-~~490-205 (2)(a) shall be achieved by:

(i) The application of low solvent coating technology; or

(ii) An incineration system that oxidizes at least ninety percent of the VOCs (VOC measured as total combustible carbon) to carbon dioxide and water; or

(iii) An equivalent means of VOC reduction certified by the owner(s) or operator(s) and approved by SWAPCA ~~ecology~~.

(e) A collection system shall be used together with the incinerator of SWAPCA ~~WAC 173-~~490-205 (2)(d)(ii). The design and operation of the collection system shall be consistent with good engineering practice and provide for an overall VOC emission reduction necessary to comply with the emission limits of SWAPCA ~~WAC 173-~~490-205 (2)(a). The required VOC emission reduction shall be calculated on a unit volume of uncured solids basis.

(3) Testing and monitoring.

(a) SWAPCA ~~Ecology~~ may require the owner(s) or operator(s) of a source to demonstrate at his/her own expense, compliance by the methods of SWAPCA ~~WAC 173-~~490-205 (3)(c).

(b) The owner(s) or operator(s) of a source shall notify SWAPCA ~~ecology~~ at least ten days before a proposed emission certification test so the director or a representative may observe the test.

(c) To demonstrate compliance with this regulation ~~chapter~~, refer to SWAPCA ~~WAC 173-~~400-105.

(d) SWAPCA ~~Ecology~~ may require monitoring of the following parameters:

(i) Exhaust gas temperature of all incinerators;

(ii) Temperature rise across a catalytic incinerator bed; and

(iii) Breakthrough of VOC on a carbon adsorption unit.

AMENDATORY SECTION

SWAPCA 490-207 Surface Coating of Flatwood Paneling

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

(a) This section shall apply to all flatwood panel manufacturers and surface finishing facilities as qualified in SWAPCA ~~WAC 173-~~490-207 (1)(b) and (c) and ~~173-~~490-025.

(b) These regulations ~~chapters~~ shall apply to all operations and equipment that is used to apply, convey and dry

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(including flashoff areas) a surface pattern or coating on the following products:

(i) Printed interior panels made of hardwood plywood and thin particleboard;

(ii) Natural finish hardwood plywood panels; or

(iii) Hardboard paneling with Class II finishes.

(c) These regulations ~~chapters~~ do not apply to the manufacture of exterior siding, tileboard, or particleboard used as a furniture component.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a facility shall not emit VOCs from a coating application system in excess of:

(i) 2.9 kg per 100 square meters of coated finished product (6.0 lb/1,000 square feet) from printed interior panels, regardless of the number of coats applied;

(ii) 5.9 kg per 100 square meters of coated finished product (12.0 lb/1,000 square feet) from natural finish hardwood plywood panels, regardless of the number of coats applied; and

(iii) 4.9 kg per 100 square meters of coated finished product (10.0 lb/1,000 square feet) from Class II finishes on hardboard panels, regardless of the number of coats applied.

(b) The emission limits in SWAPCA ~~WAC 173-~~490-207 (2)(a) shall be achieved by:

(i) The application of low solvent content coating technology; or

(ii) An incineration system which oxidizes at least ninety percent of the nonmethane VOCs entering the incinerator (VOC measured as total combustible carbon) to carbon dioxide and water; or

(iii) An equivalent means of VOC removal. The equivalent means must be certified by the owner(s) or operator(s) and approved by SWAPCA ~~ecology~~.

(c) A capture system shall be used in conjunction with the emission control systems in SWAPCA ~~WAC 173-~~490-207 (2)(b)(ii) and (iii). The design and operation of the capture system must be consistent with good engineering practice and shall be required to provide for an overall emission reduction sufficient to meet the emission limitation in SWAPCA ~~WAC 173-~~490-207 (2)(a).

(3) Testing and monitoring.

(a) SWAPCA ~~Ecology~~ may require the owner or operator of a facility to demonstrate at his/her own expense compliance by the methods of WAC 173-490-207 (3)(c).

(b) The owner(s) or operator(s) of a facility shall notify SWAPCA ~~ecology~~ at least ten days before a proposed emission certification test so the director or a representative may observe the test.

(c) To demonstrate compliance with this regulation ~~chapter~~, refer to SWAPCA 400-105 ~~WAC 173-400-105~~.

(d) SWAPCA ~~Ecology~~ may require monitoring of the following parameters:

(i) Exhaust gas temperature of all incinerators;

(ii) Temperature rise across a catalytic incinerator bed; and

(iii) Breakthrough of VOC on a carbon adsorption unit.

AMENDATORY SECTION

SWAPCA 490-208 Aerospace Assembly and Component Coating Operations

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all aerospace component coating facilities that emit an annual average of eighteen kilograms (forty pounds) or more of VOCs per operating day and as qualified in SWAPCA ~~WAC 173-~~490-025.

(2) It shall be unlawful for any person to cause or allow:

(a) The application of any primer or topcoat to aerospace components which contains in excess of:

(i) 650 grams of VOC per liter of primer, less water, as applied.

(ii) 600 grams of VOC per liter of topcoat, less water, as applied.

(b) The application of any temporary protective coating to aerospace components that contains more than 250 grams of VOC per liter of material, less water, as applied.

(c) The use of VOCs of composite vapor pressure of 10.4 kPa (1.5 psia) or greater at a temperature of 21.1°C (70°F) for surface preparation or cleanup, excluding paint removal.

(d) The use of VOCs for the cleanup of spray equipment used in aerospace component coating operations unless 85 percent of the VOCs by weight, are collected and disposed so that they are not emitted to the atmosphere.

(e) The use of a stripper which contains more than 400 grams of VOC per liter or has a composite vapor pressure of VOCs more than 1.3 kPa (0.19 psia) at 21.1°C (70°F).

(3) The emission limits of paragraph (2) shall be achieved by:

(a) The application of reasonably available low solvent coating technology;

(b) A vapor collection and disposal system; or

(c) An equivalent method of VOC reduction certified by the owner(s) or operator(s) and approved by SWAPCA ~~ecology~~.

(4) The provisions of SWAPCA ~~WAC 173-~~490-208 (2)(a) and (2)(b) shall not apply to the following materials:

(a) Coatings for masking in chemical etching operations,

(b) Adhesive bonding primer,

(c) Flight test coatings,

(d) Space vehicle coatings, or

(e) Fuel tank coatings.

(5) Upon the submission of an alternative coating evaluation, SWAPCA ~~ecology~~ may determine that a reasonably available low solvent coating does exist for a given application and may exempt the coating from requirements of SWAPCA ~~WAC 173-~~490-208. All alternative coating evaluations shall contain, as a minimum:

(a) Types of products to be coated,

(b) Types of coatings evaluated,

(c) Results of performance tests,

(d) Status of research into development of low VOC coatings for the application,

(e) Feasibility of installing control equipment,

(f) Mitigating measures that could be implemented to reduce VOC emissions.

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Reviser's note: The brackets and enclosed material in the text above 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 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.

WSR 96-21-102
PERMANENT RULES
SOUTHWEST AIR POLLUTION CONTROL AUTHORITY
[Filed October 21, 1996, 10:16 a.m.]

Date of Adoption: October 15, 1996.

Purpose: Changes in this revision include clarification to existing language and definitions, removal of obsolete compliance dates, changes to Stage I throughput to be consistent with chapter 173-490 WAC and provide reference to testing and reporting requirements, removed Skamania County from Stage II requirements, increased throughput for Cowlitz, Lewis and Wahkiakum to 1.2 million gallons.

Citation of Existing Rules Affected by this Order: Amending SWAPCA 491-010, 491-015, 491-020, 491-030, 491-040, 491-050, and 491-060.

Statutory Authority for Adoption: RCW 70.94.141 and 70.94.331.

Adopted under notice filed as WSR 96-17-042 on August 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: Minor clarification to SWAPCA 491-040(5) that Stage II for Clark County is required by December 31, 1998, or at the time of upgrade. One sentence was moved and slightly changed to read properly. Changes provide for consistency with SHB 2376.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 6, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 6, repealed 0.

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

October 18, 1996
Robert D. Elliott
Executive Director

SWAPCA 491
EMISSION STANDARDS AND CONTROLS FOR SOURCES EMITTING GASOLINE VAPORS

AMENDATORY SECTION

SWAPCA 491-010 Policy and Purpose
[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) It is the policy of the Southwest Air Pollution Control Authority (SWAPCA) ((~~the department of ecology (ecology)~~)) under the authority ((~~vested~~)) provided in ((~~it by chapters 43.21A and~~)) Chapter 70.94.141, 70.94.152 and 70.94.331 RCW to provide for the systematic control of air pollution from air contaminant sources within the jurisdiction of SWAPCA. ((~~and for the proper development of the state's natural resources.~~))

(2) It is the purpose of this ((~~chapter~~)) regulation to establish standards for the control of air contaminants emitted from gasoline marketing and dispensing sources within the jurisdiction of SWAPCA including Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties.

AMENDATORY SECTION

SWAPCA 491-015 Applicability
[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

This regulation ((~~chapter shall~~)) appl((~~y~~))ies to gasoline marketing operations within SWAPCA jurisdiction, including the storage, transport, and transfer of gasoline, ((~~including the~~)) transfer from storage tanks into transport tanks, and transfer from storage tanks into motor vehicles. ((~~The requirements of this chapter supersede any less restrictive requirements of chapter 173-490 WAC, Emission standards and controls for sources emitting volatile organic compounds (VOC).~~)) This regulation applies to facilities with above ground and underground storage tanks.

AMENDATORY SECTION

WAC 491-020 Definitions
[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

The definitions of terms contained in ((~~chapter 173-400 WAC~~)) SWAPCA 400 are by this reference incorporated into this ((~~chapter~~)) regulation. Unless a different meaning is clearly required by context, the following words and phrases, as used in this ((~~chapter~~)) regulation, shall have the following meanings:

(1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.

(2) "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.

(3) "Certified vapor recovery system" means a vapor recovery system which has been certified by the ((~~department of ecology~~)) California Air Resources Board (CARB).

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Only Stage II vapor recovery systems with a single coaxial hose can be certified. ((~~The department~~)) SWAPCA may certify vapor recovery systems in addition to those certified by the California Air Resources Board as of the effective date of the regulation.

(4) "Gasoline" means a petroleum distillate which is a liquid at standard conditions and has a true vapor pressure greater than four pounds per square inch absolute (4.0 psia) at twenty degrees C (20 °C), and is used as a fuel for internal combustion engines. Also any liquid sold as a vehicle fuel with a true vapor pressure greater than four pounds per square inch absolute at twenty degrees C (20 °C) shall be considered "gasoline" for purpose of this regulation.

(5) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks (above ground or underground).

(6) "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.

(7) "Leak free" means a liquid leak of less than four drops per minute.

(8) "SWAPCA" means the Southwest Air Pollution Control Authority.

(((~~8~~))9) "Stage I" means gasoline vapor recovery during all gasoline marketing transfer operations except motor vehicle refueling.

(((~~9~~))10) "Stage II" means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.

(1((~~0~~))1) "Submerged fill line" means any discharge pipe or nozzle which meets either of the following conditions:

- Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank, or;
- Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is eighteen inches from the bottom of the tank.

(1((~~1~~))2) "Submerged loading" means the filling of a tank with a submerged fill line.

(1((~~2~~))3) "Suitable cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve, or similar device that prevents the accidental spilling or emitting of gasoline. Pressure relief valves, aspirator vents, or other devices specifically required for safety and fire protection are not included.

(1((~~3~~))4) "Throughput" means the amount of material passing through a facility.

(1((~~4~~))5) "Top off" means to attempt to dispense gasoline to a motor vehicle fuel tank after a vapor recovery dispensing nozzle has shut off automatically.

(1((~~5~~))6) "Transport tank" means a container used for shipping gasoline over roadways.

(1((~~6~~))7) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined by methods described in American Petroleum Institute (API) Bulletin 2517, 1980.

(1((~~7~~))8) "Upgraded" means the modification of a gasoline storage tank, including tank installation or replacement, or piping to add cathodic protection, tank lining or spill and overfill protection that involved removal of ground or ground cover above a portion of the product piping.

(1((~~8~~))9) "Vapor balance system" means a system consisting of the transport tank, gasoline vapor transfer lines, storage tank, and all tank vents designed to route displaced gasoline vapors from a tank being filled with liquid gasoline.

(((~~19~~))20) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.

(2((~~0~~))1) "Vapor control system" means a system designed and operated to reduce or limit the emission of gasoline vapors emission into the ambient air.

(2((~~1~~))2) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

(2((~~2~~))3) "Vapor tight" means a leak of less than one hundred percent of the lower explosive limit on a combustible gas detector measured at a distance of one inch from the source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.

(24) "WDOE" or "Ecology" means the Washington Department of Ecology.

(2((~~3~~))5) "Western Washington counties" means the following counties: Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

AMENDATORY SECTION

SWAPCA 491-030 Registration

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) The owner or operator of a gasoline loading terminal, bulk gasoline plant, or gasoline dispensing facility subject to the provisions of SWAPCA ((~~WAC 173-~~))491-040 (2) through (5) shall register annually the facility with SWAPCA ((~~ecology or local air authority~~)). Annual registration shall be made by the owner or operator on a form provided by SWAPCA ((~~ecology or local air authority~~)) within sixty days of receipt of the form. Such registration form shall require information relevant to determining whether the facility is in compliance with this regulation ((~~the requirements of this chapter~~)) and be accompanied by the following fee:

Gasoline loading terminals	-	five hundred dollars
Bulk gasoline plants	-	two hundred dollars
Gasoline dispensing facilities	-	one hundred dollars((~~, or a greater amount duly adopted by a local air pollution authority~~)).
Gasoline transport tankers	-	fifty dollars.

The amount of the fees collected shall only be used to administer the registration program for facilities subject to this regulation ((~~chapter~~)).

(2) Administration of the registration program shall include:

(a) Initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution ((~~registration~~)).

(b) On-site inspections necessary to verify compliance with registration requirements.

(c) Data storage and retrieval systems necessary for support of the registration program.

(d) Emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration.

(e) Staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements.

(f) Clerical and other office support provided in direct furtherance of the registration program.

(g) Administrative support provided in directly carrying out the registration program.

(3) ((~~Ecology or local air authority~~)) SWAPCA will provide a written verification of registration to owners or operators of facilities subject to the provisions of SWAPCA ((~~WAC 173-~~))491-040 (2) through (5). Such verification shall be available for inspection by SWAPCA ((~~ecology or local air authority~~)) personnel during normal business hours.

(4) The owner or operator of a gasoline loading terminal or a gasoline dispensing facility shall maintain total annual gasoline throughput records for the most recent two calendar years. Such records shall be available for inspection by SWAPCA ((~~ecology or local air authority~~)) personnel during normal business hours.

AMENDATORY SECTION

SWAPCA 491-040 Gasoline Vapor Control Requirements

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Fixed-roof gasoline storage tanks.

(a) All fixed-roof gasoline storage tanks having a nominal capacity greater than forty thousand gallons shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subpart K).

(ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in (a)(i) of this subsection or its equivalent.

(iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's equipment specifications in effect when it was installed.

(b) All seals used in (a)(ii) and (iii) of this subsection are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears, or other openings.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in subsection (3)(b) of this section shall be exempt from the requirements of subsection (1) of this section.

(e) All fixed roof gasoline storage tanks subject to this section shall comply no later than December 31, 1993 or at the time that the throughput is exceeded.

(2) Gasoline loading terminals.

(a) This ((~~chapter~~)) section shall apply to all gasoline loading terminals with an average annual gasoline throughput greater than 7.2 million gallons on a calendar basis and shall comply no later than December 31, 1993 or when the throughput is exceeded. ((~~according to the schedule of compliance in WAC 173-491-050.~~))

(b) Loading facilities. Facilities ((~~for the purpose of~~)) loading gasoline into any transport tank shall be equipped with a vapor control system (VCS) as described in (c) of this subsection and comply with the following conditions:

(i) The loading facility shall employ submerged or bottom loading for all transport tanks.

(ii) The VCS shall be connected during the entire loading of all transport tanks.

(iii) The loading of all transport tanks shall be performed such that the transfer is at all times vapor tight. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.

(iv) All loading lines and vapor lines shall be equipped to close automatically when disconnected. The point of closure shall be on the tank side of any hose or intermediate connecting line.

(c) Vapor control system (VCS). The VCS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VCS shall not allow organic vapors emitted to the ambient air to exceed thirty-five milligrams per liter (three hundred twenty-two milligrams per gallon) of gasoline loaded.

(ii) The VCS shall be equipped with a device to monitor the system while the VCS is in operation.

(iii) The back pressure in the VCS collection lines shall not exceed the transport tank's pressure relief settings.

(3) Bulk gasoline plants and transport tanks.

(a) This section shall apply to all bulk gasoline plants with an average annual gasoline throughput greater than 7.2 million gallons on a calendar basis and shall comply no later than December 31, 1993 or when the throughput is exceeded and gasoline transport tanks. ((~~according to the schedule of compliance in WAC 173-491-050.~~))

(b) Deliveries to bulk gasoline plant storage tanks.

(i) The owner or operator of a bulk gasoline plant shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated properly. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built, and operated according to accepted industrial practices will satisfy this requirement.

(ii) Storage tank requirements. All storage tanks with a nominal capacity greater than five hundred fifty gallons and used for the storage of gasoline shall comply with the following conditions:

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(A) Each storage tank shall be equipped with a submerged fill line.

(B) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

(C) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically when disconnected.

(D) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety but in no case greater than ninety percent of the tank's safe working pressure.

(iii) Transport tank requirements. All transport tanks transferring gasoline to storage tanks in a bulk gasoline plant shall comply with the following conditions:

(A) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.

(B) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically when disconnected.

(C) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Gasoline transfer operations.

(i) No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a stationary storage tank and a transport tank except when the following conditions exist:

(A) The transport tanks are being submerged filled or bottom loaded.

(B) The loading of all transport tanks, except those exempted under (c)(ii) of this subsection are being performed using a vapor balance system.

(C) The transport tanks are equipped to balance vapors and maintained in a leak tight condition in accordance with subsection (6) of this section.

(D) The vapor return lines are connected between the transport tank and the stationary storage tank and the vapor balance system is operated properly.

(ii) Transport tanks used for gasoline ((~~and~~)) that meet((~~ing~~)) all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines if:

(A) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of subsection (4) of this section; and

(B) The transport tank has a total nominal capacity less than four thousand gallons and is constructed so that it would require the installation of four or more separate vapor balance fittings.

(4) Gasoline dispensing facilities (Stage I).

(a) This section shall apply to the delivery of gasoline to gasoline dispensing facilities with an annual gasoline throughput greater than three hundred sixty thousand gallons in Cowlitz, Lewis, Skamania and Wahkiakum Counties. For Clark County, this section applies to gasoline dispensing facilities with greater than 200,000 gallons annual throughput on a calendar basis. All facilities subject to this section shall comply when the throughput is exceeded. ((~~in accordance with the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with a total gasoline nominal storage capacity greater than ten thousand gallons.~~))

(b) All gasoline storage tanks of the facilities defined in (a) of this subsection shall be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of (b) of this subsection if installed prior to January 1, 1979.

(d) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.

(e) All gasoline dispensing facilities subject to this section shall be equipped with CARB or SWAPCA certified Stage I vapor recovery fittings or equipment.

(f) Only two point Stage I fittings shall be used with vacuum assist Stage II systems. Coaxial Stage I fittings may continue to be used for balance type Stage II systems and systems without Stage II gasoline vapor recovery controls.

(g) All Stage I gasoline vapor recovery equipment shall be maintained in proper working order at all times. All Stage I gasoline vapor recovery equipment shall be maintained in accordance with the CARB Executive Order(s) certifying the equipment or system. Whenever a Stage I gasoline vapor recovery system or component is determined to be defective or not operating properly, the owner or operator shall immediately take the system out of service until repairs are made. Systems shall not be returned to service until the defective system is operating properly.

(h) Any alteration of the equipment, parts, design, or operation of the Stage I gasoline vapor recovery system as certified by CARB is prohibited, and shall not be performed without submittal of a Notice of Construction application and prior approval from SWAPCA.

(i) All new gasoline dispensing facilities shall have a tank tightness test performed at the time of installation to ensure proper connection and absence of leaks refer to WDOE publication 91-43 "Tank Owner/Operator's Guide to Tightness Testing"). Results of the testing shall be submitted to SWAPCA within 14 calendar days of testing.

(j) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.

(5) Gasoline dispensing facilities (Stage II).

(a) This section shall apply to the refueling of motor vehicles for the general public from stationary tanks at all gasoline dispensing facilities located in ((~~western Washington counties~~)) Cowlitz, Lewis, and Wahkiakum Counties with an annual gasoline throughput greater than ((~~eight hundred forty thousand gallons~~)) one million two hundred thousand gallons (1,200,000). ((~~with the exception of~~)) For Clark((~~, King, Pierce, and Snohomish counties where~~)) county, this section shall apply to gasoline dispensing facilities with an annual gasoline throughput greater than six hundred thousand gallons (600,000); these facilities shall install Stage II controls by December 31, 1998 of at the time of a facility upgrade (see definition). Skamania County is

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exempt from Stage II requirements as provided in Substitute House Bill 2376, as passed by the Washington State Legislature in 1996. ((~~in accordance with the schedule of compliance in WAC 173-491-050 and all new gasoline dispensing facilities with greater than ten thousand gallons gasoline nominal storage capacity in western Washington counties~~)).

(b) All gasoline dispensing facilities subject to this section shall be equipped with a CARB or SWAPCA certified Stage II vapor recovery system.

(c) The owner or operator of a gasoline dispensing facility subject to this section shall not transfer or allow the transfer of gasoline from stationary tanks into motor vehicle fuel tanks unless a certified Stage II vapor recovery system is used.

(d) All Stage II vapor recovery equipment shall be installed in accordance with the system's certification requirements and shall be maintained to be leak free, vapor tight, and in good working order.

(e) Whenever a Stage II vapor recovery system component 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.

(f) The owner or operator of each gasoline dispensing facility utilizing a Stage II system shall conspicuously post operating instructions for the system in the gasoline dispensing area. The instructions shall clearly describe how to fuel vehicles correctly using the vapor recovery nozzles and include a warning against topping off. Additionally, the instructions shall include a prominent display of ((~~ecology's~~)) SWAPCA's toll free telephone number (800-633-0709) for complaints regarding the operation and condition of the vapor recovery nozzles.

(g) Every retailer and wholesale purchaser-consumer (gasoline dispensing facility) handling over 10,000 gallons per month shall equip each pump from which gasoline or methanol is introduced into motor vehicles with a nozzle that dispenses fuel at a flowrate not to exceed 10 gallons per minute as provided in 40 CFR 80.22 Subpart B.

(h) All new or upgraded facilities with Stage II gasoline vapor recovery controls shall conduct a performance test upon installation prior to placing in service. For balance type systems, the owner/operator shall conduct and pass a back pressure/blockage test. For vacuum assist systems, the owner/operator shall conduct and pass performance testing in accordance with the applicable CARB Executive Order certifying the system. Results of all testing shall be submitted to SWAPCA within 14 calendar days of test completion.

(i) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.

((~~(6) Equipment or systems failures.~~

~~(a) Specific applicability. This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, bulk gasoline plants, and gasoline dispensing facilities as described in subsections (2) through (5) of this section.~~

~~During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year.~~

~~(b) Provisions for specific processes.~~

~~(i) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank if a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle. Certification is required annually.~~

~~(ii) The owner or operator of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank has successfully completed the annual certification testing requirements in (c) of this subsection, and such certification is confirmed either by:~~

~~(A) Have on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or~~

~~(B) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:~~

~~(I) Shows the date that the gasoline tank truck last passed the test required in (c) of this subsection;~~

~~(II) Shows the identification number of the gasoline tank truck tank; and~~

~~(III) Expires not more than one year from the date of the leak tight test.~~

~~(iii) The owner or operator of a vapor collection system shall:~~

~~(A) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:~~

~~(I) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;~~

~~(II) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and~~

~~(III) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.~~

~~(IV) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (o.34 fluid ounces) per disconnect averaged over three disconnects.~~

~~(B) Repair and retest a vapor collection system that exceeds the limits of (b)(iii)(A) of this subsection within fifteen days.~~

~~(iv) The department or local air authority may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in (c) of this subsection to confirm continuing compliance with this section.~~

~~(c) Testing and monitoring.~~

~~(i) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (a) and (b) of this subsection, respectively. All tests shall be made by, or under the~~

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~~direction of, a person qualified to perform the tests and approved by the department.~~

~~(ii) Testing to determine compliance with this section shall use procedures approved by the department.~~

~~(iii) Monitoring to confirm continuing leak tight conditions shall use procedures approved by the department.~~

~~(d) Recordkeeping.~~

~~(i) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.~~

~~(ii) The records of certification tests required by this section shall, as a minimum, contain:~~

~~(A) The transport tank identification number;~~

~~(B) The initial test pressure and the time of the reading;~~

~~(C) The final test pressure and the time of the reading;~~

~~(D) The initial test vacuum and the time of the reading;~~

~~(E) The final test vacuum and the time of the reading;~~

~~(F) At the top of each report page the company name, date, and location of the tests on that page; and~~

~~(G) Name and title of the person conducting the test.~~

~~(iii) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.~~

~~(iv) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.~~

~~(e) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.~~))

AMENDATORY SECTION

WAC 491-050 ((~~Compliance schedules.~~)) Failures, Certification, Testing and Recordkeeping

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(((~~(1) Fixed-roof gasoline storage tanks. All fixed roof gasoline storage tanks subject to WAC 173-491-040(1) shall comply no later than December 31, 1993.~~

~~(2) Gasoline loading terminals. All gasoline loading terminals subject to WAC 173-491-040(2) shall comply no later than December 31, 1993.~~

~~(3) Bulk gasoline plants. All bulk gasoline plants subject to the requirements of WAC 173-491-040(3) shall comply no later than December 31, 1993.~~

~~(4) Gasoline dispensing facilities - Stage I. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(4) shall comply no later than December 31, 1993, or whenever the facility is upgraded.~~

~~(5) Gasoline dispensing facilities - Stage II. All gasoline dispensing facilities subject to the requirements of WAC 173-491-040(5) shall comply:~~

~~(a) When upgraded except any gasoline dispensing facility upgraded or with new tank(s) installed after the effective date of this regulation but before May 1, 1992, need not comply earlier than May 1, 1992.~~

~~(b) For businesses which own ten or more gasoline dispensing facilities in the state of Washington, facilities subject to Stage II requirements as indicated in WAC 173-491-040 (5)(a) must comply according to the following schedule:~~

~~(i) Fifty percent of all gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons by May 1, 1993.~~

~~(ii) All remaining gasoline dispensing facilities with an annual throughput greater than 1.2 million gallons must comply by May 1, 1994.~~

~~(iii) Businesses which own ten or more gasoline dispensing facilities in King, Pierce, Snohomish, and Clark counties must, in addition, meet the following requirements at their facilities within King, Pierce, Snohomish, and Clark counties:~~

~~(A) At least fifty percent of the gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1994;~~

~~(B) The remaining gasoline dispensing facilities with an annual throughput greater than 840,000 gallons must comply by May 1, 1995.~~

~~(iv) All gasoline dispensing facilities must be in compliance not later than December 31, 1998.~~

~~(v) In meeting this requirement, businesses that lease some facilities and operate others must ensure that the percentage of facilities owned and operated which are required to comply with this provision at least equals the percentage of leased facilities required to comply with this provision.~~

~~(c) For businesses which own fewer than ten gasoline dispensing facilities in the state of Washington:~~

~~(i) All facilities with an annual throughput of 1.2 million gallons must comply by May 1, 1994;~~

~~(ii) All remaining facilities must comply by December 31, 1998.~~))

This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, and bulk gasoline plants as described in subsections (2) and (3) of SWAPCA 491-040.

(1) Failures.

During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the immediate discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year. Upon completion of loading or unloading of a transport tank connected at the time of the failure, gasoline transfer operations shall be discontinued for the failed part of the system.

(2) Certification.

(a) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank if a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle. Certification is required annually as provided in SWAPCA 490-202.

(b) The owner or operator of a transport tank shall not make any connection to the tank for the purpose of loading

or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank has successfully completed the annual certification testing requirements in (3) of this subsection, and such certification is confirmed either by:

(i) Have on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or

(ii) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:

(A) Shows the date that the gasoline tank truck last passed the test required in (3) of this subsection;

(B) Shows the identification number of the gasoline tank truck tank; and

(C) Expires not more than one year from the date of the leak tight test.

(c) The owner or operator of a vapor collection system shall:

(i) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:

(A) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;

(B) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and

(C) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.

(D) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (0.34 fluid ounces) per disconnect averaged over three disconnects.

(ii) Repair and retest a vapor collection system that exceeds the limits of (2)(c)(i) of this subsection within fifteen days.

(d) SWAPCA may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in (3) of this subsection to confirm continuing compliance with this section.

(3) Testing and monitoring.

(a) The owner or operator of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with (1) and (2) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by WDOE or SWAPCA.

(b) Testing to determine compliance with this section shall use procedures approved by SWAPCA. See testing requirements in SWAPCA 490.

(c) Monitoring to confirm continuing leak tight conditions shall use procedures approved by SWAPCA.

(4) Recordkeeping.

(a) The owner or operator of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(b) The records of certification tests required by this section shall, as a minimum, contain:

(i) The transport tank identification number;

(ii) The transport tank capacity;

(iii) The initial test pressure and the time of the reading;

(iv) The final test pressure and the time of the reading;

(v) The initial test vacuum and the time of the reading;

(vi) The final test vacuum and the time of the reading;

(vii) At the top of each report page the company name, date, and location of the tests on that page; and

(viii) Name and title of the person conducting the test.

(c) The owner or operator of a gasoline transport tank shall annually certify that the transport tank passed the required tests.

(d) Copies of all records required under this section shall immediately be made available to the department, upon written request, at any reasonable time.

(5) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.

NEW SECTION

SWAPCA 491-060 Severability

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW]

The provisions of this regulation are severable and if any provision is held invalid, the application of such provision to the other circumstances and the remainder of this regulation shall not be affected.

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 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.

PERMANENT

WSR 96-21-146
PERMANENT RULES
DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 23, 1996, 11:45 a.m., effective November 25, 1996]

Date of Adoption: October 23, 1996.

Purpose: Repeal of chapter 296-150A WAC, Rules and regulations for factory-built housing and commercial structures and the Governor's Advisory Board and chapter 296-150B WAC, Standards for mobile homes, commercial coaches, and recreational vehicles. These rules are being replaced with four new rules. The new rules are chapter 296-150C WAC, Commercial coaches; chapter 296-150F WAC, Factory-built housing and commercial structures; chapter 296-150M WAC, Manufactured homes; and chapter 296-150R WAC, Recreational vehicles and park trailers.

The purpose of the new rules is to: (1) Establish standards to allow licensed professionals to approve design plans for factory-built homes, commercial structures, and commercial coaches; (2) establish standards which clarify what a recreational vehicle and park trailer manufacturer must do to self certify; (3) update the standards that govern commercial coaches, factory-built homes, commercial structures, manufactured homes, recreational vehicles, and park trailers in Washington state; and (4) write rules for the user that are easier to read and use.

Citation of Existing Rules Affected by this Order: Repealing chapters 296-150A and 296-150B WAC.

Statutory Authority for Adoption: RCW 43.22.340, [43.22.]355, [43.22.]360, [43.22.]432, [43.22.]440, and [43.22.]480.

Adopted under notice filed as WSR 96-15-089 on August 7, 1996.

Changes Other than Editing from Proposed to Adopted Version: Based on comments received at the public hearings the department has made the following changes to the proposed rules. The underlined language indicates the proposed rule change. Editing changes to the proposed rules are not reflected below.

Chapter 296-150C WAC, Commercial coaches

WAC 296-150C-0020 What definitions apply to this chapter?

"Commercial coach" is a structure (referred to as a unit) that:

- Can be transported in one or more sections;
- Is used for temporary commercial purposes;
- Is built on a permanent chassis;
- Conforms to the construction standards of this chapter;
- May include plumbing, mechanical, electrical, and other systems; and
- Includes Type A and Type B vendor units.

Type A vendor unit is a commercial coach vehicle such as, but not limited to, a truck, van, or stepvan. The maximum dimensions of a Type A vendor unit are 8 feet wide by 24 feet long in the set up mode.

Type B vendor unit is a commercial coach structure such as, but not limited to, a recreational vehicle as defined by the American National Standards Institute, Inc that is being converted to a vendor unit. The maximum dimensions of a Type B vendor unit are 8 feet wide by 24 feet long in the set up mode.

Note: A commercial coach may not be used as a single family dwelling. A commercial coach does not have to be placed on a permanent foundation.

"Damaged in transit" means damage that affects the integrity of a structural design or any of the systems.

"Listed" is a piece of equipment or apparatus that has been approved by a testing agency to the appropriate standard.

"Master Design Plan" is a design plan that expires when a new state building code has been adopted.

"One Year Design Plan" is a design plan that expires one year after approval or when a new state building code has been adopted.

WAC 296-150C-0050 Can you prohibit the sale or lease of my commercial coach?

(1) We may prohibit the sale or lease of your commercial coach because it is unlawful for any person to sell, lease, or offer for sale a commercial coach within this state if it violates any of the requirements of this chapter.

(2) If an inspection reveals that a commercial coach violates this chapter, we may post a notice prohibiting the sale or lease of a commercial coach.

WAC 296-150C-0080 Do you allow a local enforcement agency to inspect commercial coaches at the manufacturing location?

(1) A local enforcement agency (city or county), under contract with us, can inspect commercial coaches. In some cases, this contract may be limited to specific portions of an inspection at specified manufacturing locations.

(2) After approving a unit, the local enforcement agency will attach the insignia, which indicates that the unit has passed inspection.

WAC 296-150C-0230 What are the insignia application requirements?

(1) If you are requesting insignia for commercial coaches that you intend to manufacture under a *new design plan,* your completed application must include:

(a) A completed design plan approval request form;

(b) One complete set of design plans, specifications, engineering analysis, and test procedures and results, plus one additional set for each manufacturing location where the design plan will be used.

(c) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp; and

(d) A one time initial filing fee, the design plan fee (if we approve your design plan), and the fee for each insignia. (See WAC 296-150F-3000.)

(2) If you are requesting insignia under an *approved design plan,* your completed application must include:

(a) A completed insignia application form; and

(b) The fee for each commercial coach insignia (see WAC 296-150C-3000).

(3) If you are requesting an insignia for a commercial coach vendor unit, your insignia application must include:

(a) A completed insignia application form;

(b) Two complete design plans, engineering data, or test results; and

(c) The design plan fee and the fee for each insignia (see WAC 296-150C-3000).

WAC 296-150C-0240 What documentation do you need to perform an alteration inspection?

(1) If you alter a commercial coach, we must inspect the alteration.

(2) Before we perform an alteration inspection and attach an alteration insignia, you must send us:

(a) A description of the proposed alteration;

(b) Applicable specifications, engineering analysis, test procedures and results for design plan review;

(c) The design plan review fee (if we approve your design plan);

(d) The inspection fee; and

(e) The insignia application and fee. (See WAC 296-150C-3000.)

(3) A design plan review is not required if the alteration can be made without altering any of the existing structure.

WAC 296-150C-0250 How do I replace lost or damaged insignia?

(1) If an insignia is lost or damaged after it is placed on a commercial coach, you may obtain a replacement insignia.

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(2) You should contact us and provide the following information:

(a) Your name, address, and telephone number;

(b) The name of the manufacturer or person converting the vendor unit;

(c) The serial number;

(d) The manufacturer number (CC#) if available;

(e) The insignia number if available; and

(f) The required fee. (See WAC 296-150C-3000.)

(3) If we can determine that your unit previously had an insignia, we will:

(a) Perform an inspection to ensure that no unauthorized remodeling has occurred;

Note: If unauthorized remodeling has occurred see WAC 296-150C-0200.

(b) Attach an insignia to your unit once we receive your insignia fee. (See WAC 296-150C-3000.)

WAC 296-150C-0300 When is design plan approval required?

Design plans for commercial coaches are required for units that are sold, leased, or used in Washington state and must be approved when:

(1) You build a new unit;

(2) You modify an approved design plan through addendums; or

(3) You add options to an approved design plan through addendums.

(4) You change the occupancy classification of the building.

WAC 296-150C-0310 Who can approve design plans?

(1) Design plans can be approved by us or by a licensed professional or firm authorized by us. (See WAC 296-150C-0420.)

(2) All electrical design plans for new or altered electrical installations for educational institutions, health care facilities, and other buildings (see chapters 296-46, 296-130, 296-140, and 296-150 WAC Table 1 or 2) must be reviewed and approved by us.

WAC 296-150C-0320 What must I provide with my request for commercial coach design plan approval by the department?

All requests for design plan approval must include:

(1) A completed design plan approval request form;

(2) Two sets of design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design; (see WAC 296-150C-0340 and 296-150C-0350).

(3) At least one set of design plans must have an original wet stamp from an approved professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp;

(4) Receipt of a one time initial design plan filing fee and the initial design plan review fee; (see WAC 296-150C-3000).

(5) A "key drawing" to show the arrangement of modules if the plan covers three or more modules;

(6) The occupancy class of the commercial coach according to the occupancy classifications in the Uniform Building Code.

WAC 296-150C-0410 When does my design plan expire?

Commercial Coach Master Design Plan:

(1) Your commercial coach master design plan expires when there is a code change. You must submit new design plans for approval when there is a state building code cycle change.

You may use your approved master design plans to order insignia as long as they comply with the applicable codes.

Commercial Coach One Year Design Plan:

(2) Your commercial coach one year design plan expires one year after approval or when there is a code change. You must submit new design plans for approval when there is a state building code cycle change. You may use your approved one year design plans to order insignia as long as they comply with the applicable codes.

(3) All National Electrical Code amendments may be incorporated by an addendum to your design plan.

Note: The State Building Code is on a three year code cycle which coincides with the State Building Code Council amendment cycle. The National Electrical Code (NEC) cycle, however, does not coincide with the other code cycles.

Commercial Coach Vendor Unit

(4) Your vendor unit design plan expires after the unit is converted or altered. You can only use this design plan once.

(5) The effective date of this rule is November 25, 1996. Manufacturers who have approved design plans can continue production under the old rules for one hundred twenty days after the effective date of these rules. Manufacturers who are submitting new design plans after the effective date of these rules can submit and produce under the old rules for one hundred twenty days after the effective date of these rules.

WAC 296-150C-0460 What information must a manufacturer provide when a professional or firm does the design plan approval?

All professional or firm approved design plans must include:

(1) A completed departmental design plan approval request form;

(2) Two or more sets of design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design. These design plans must have an original wet stamp, be signed, and dated by the approving professional(s) (see WAC 296-150C-0340 and 296-150C-0350);

(3) A cover sheet on the design plan noting which professional approved each portion of the design plan;

(4) A copy of the authorization letter from us; and

(5) The design plan fee for design plans approved by professionals or firms. (See WAC 296-150C-3000.)

(6) A professional who designs and certifies that the commercial coach design meets state requirements cannot also approve the design plan in the plan approval process.

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WAC 296-150C-0470 What happens after we receive the professional or firm approved design plan and information?

(1) After we receive your approved design plans and information, we will review the information and assign a plan approval number. We will send a copy of the design plan with the plan approval number to the manufacturer.

(2) We may periodically audit design plans approved by a professional engineer, architect, or firm to ensure compliance with design plan requirements. The department's periodic audit should not be construed as certifying that the plans are safe.

(3) If the audit reveals that the design plans approved by the professionals and firms do not comply with this chapter, you will be notified and required to pay our fees for review and approval of the design plans. (See WAC 296-150C-3000.)

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WAC 296-150C-0490 Who approves addendums to design plans approved by a professional or firm?

(1) You must have the professional or firm approve an addendum to a design plan, if they initially approved your design plan.

(2) If the professional or firm who approved your design plan is no longer on the department list you may have us approve your addendum.

WAC 296-150C-0540 Who inspects commercial coaches for installation at the building site?

The local enforcement agency (city or county) must approve the permits necessary for installation.

Note: The local enforcement agency may not open the concealed construction of a commercial coach to inspect it if our insignia is attached.

Note: Alterations to a commercial coach must be inspected and approved by us.

WAC 296-150C-0870 Standard wind loads.

The commercial coach and each wind resisting part must be designed for the following wind loads:

Horizontal	15 lb/ft2	(1 day load duration)
Vertical upward	9 lb/ft2	(1 day load duration)
Vertical downward	(See WAC 296-150C-0850 Roof loads)	

A commercial coach must be designed for higher wind loads if area records or experience indicate that it will be subjected to wind loads in excess of the above loads if required by the local jurisdiction.

WAC 296-150C-0880 Windstorm protection—Provisions for support and anchoring.

(1) Each commercial coach must have provisions for support and anchoring systems that, when properly designed and installed, will resist overturning and lateral movement of the commercial coach as imposed by the respective design loads. Support and anchoring systems can be installed according to the table in WAC 296-150C-1210 or designed by a professional engineer.

(2) The manufacturer of each commercial coach is required to make provision for the support and anchoring systems but is not required to provide the anchoring equipment or stabilizing devices.

(3) The manufacturer must provide printed instructions with each commercial coach specifying the location and required capacity of stabilizing devices on which the design is based.

WAC 296-150C-0960 Roof trusses.

(1) The construction of roof trusses must be approved by a professional engineer. Roof trusses may be produced by one of the following methods:

(a) Use of stress graded materials when an approved testing agency certifies truss construction and load requirements are met; the testing agency must prepare an approved quality control program which allows them to test the trusses with appropriate testing procedures.

(b) Use of nongraded materials, if each truss is tested in an approved testing jig at the manufacturer's site with a load equivalent to full design load (1.75 times the full design load sustained for 12 hours).

(2)(a) Representative trusses must be tested from the production line, when we request. The approved testing agency or engineer must submit the testing report to us.

(b) All test reports are to be stamped, signed, and dated by the approved testing agency or engineer who performs the test.

(c) These tests must not occur more than two times a year per design unless there are problems with the roof trusses.

(d) The manufacturer is required to maintain an acceptable quality level not exceeding 1% using acceptable sampling procedures.

Note: The acceptable quality level is defined as the maximum allowable percentage of defective units.

WAC 296-150C-1000 Drilling or notching of wood wall structural members.

(1) Cutting and notching. In exterior walls and bearing partitions, any wood stud may be cut or notched to a depth not exceeding 25 percent of its width. Cutting or notching of studs to a depth not greater than 40 percent of the width of the stud is permitted in nonbearing partitions supporting no loads other than the weight of the partition.

(2) Bored holes. A hole not greater in diameter than 40 percent of the stud width may be bored in any wood stud. Bored holes not greater than 60 percent of the width of the stud are permitted in nonbearing partitions or in any wall where each bored stud is doubled, provided not more than two such successive doubled studs are so bored.

In no case shall the edge of the bored holes be nearer than 5/8 inch (16mm) to the edge of the stud. Bored holes shall not be located at the same section of stud as a cut or notch.

(3) Drilling or notching of studs greater than allowed in subsection (1) or (2) of this section must be substantiated by engineering analysis.

WAC 296-150C-1080 Chassis.

Each commercial coach chassis must be designed and constructed to be capable of:

(1) Effectively sustaining the design loads consisting of the dead load plus the live load of the floor and the superim-

posed dynamic load resulting from highway movement, in no case shall the dynamic load be required to exceed twice the dead load; and

(2) Accepting the shock and vibration from the roadway and towing vehicle through the use of adequate running gear assemblies. Running gear assemblies consist of axles, springs, spring hangers, hubs, bearings, tires, rims and their related hardware. Running gear assemblies must be capable of sustaining the loads in subsection (1) of this section.

WAC 296-150C-1120 Kitchen cabinet protection.

The bottom and sides of combustible kitchen cabinets over cooking ranges or tops, including a space of 6 inches from the edge of the burners, must be protected with at least 1/2-inch thick sheetrock covered with at least 26 gauge sheet metal (.017 stainless steel, .024 aluminum or .020 copper) or equivalent protection. The protective metal over the range must form a hood with at least a 3-inch eyebrow (measuring horizontally from face of cabinet). The hood must be centered over and at least as wide as the top of the cooking range.

WAC 296-150C-1150 Hallways.

(1) Hallways in structures required to meet the accessibility standards must have a minimum horizontal dimension that conforms to accessibility standards set by the Washington state Uniform Building Code.

(2) Hallways in nonaccessible construction site trailers must have a minimum of horizontal dimension of 32 inches.

WAC 296-150C-1180 Commercial coach exits.

When applicable, a commercial coach must comply with Uniform Building Code, Chapter 11 Accessibility and with the following requirements:

(1) Commercial coaches must have at least two exterior doors that are remote from each other. Remote shall mean that in (a) Single wide units the doors may not be less than twelve feet apart, and (b) Multi-wide units the doors may not be less than twenty feet apart, center to center from each other measured in a straight line regardless of the length of travel between doors.

Exception: A commercial coach that is 24 feet long or less needs only one exit door, unless it has a dormitory sleeping area.

(2) Exterior doors must be constructed for exterior use. All exterior doors must provide a least 35-inch wide by 79-inch high clear opening (36" x 80" door). Each swinging exterior door must have a key-operated lock that has a deadlock latch. A deadlock with a passage set installed below the deadlock may be used as an acceptable alternate for each exterior door. The locking mechanism must be engaged or disengaged by the use of a lever or other device from the interior of the commercial coach. Locks must not require the use of a key for operation from the inside.

(3) Every room designed for sleeping, must have at least one window which can be opened from the inside without using tools. This window must provide an opening of at least 22 inches in its smallest dimension and 5 square feet in area with the bottom of the opening not more than 3 feet above the floor. If a screen or storm window is used you must be able to remove it without using tools.

WAC 296-150C-1190 Interior privacy.

If a commercial coach interior door, such as a bathroom door, has a privacy lock, the lock must contain an emergency release. The emergency release must be on the outside to permit entry when the door is locked from the inside.

WAC 296-150C-1195 Fire warning equipment—Automatic smoke detectors.

(1) At least one listed smoke detector (which may be a single station smoke detector) must be installed in each commercial coach to protect each separate bedroom. Smoke detectors must meet the requirements of the Standard for Single and Multiple Station Smoke Detectors of the Underwriters Laboratories Inc. (UL 217). All dormitories must have at least one installed smoke detector.

(2) A smoke detector must be installed in the hallway or area next to the bedroom, and must be mounted, where possible, between the commercial area and the first bedroom door on an interior wall. Where mounting cannot be achieved due to limited interior wall space, the smoke detector must be located as close as practical to the first bedroom door on an interior wall. Commercial coaches having bedrooms separated by one or a combination of common use areas (such as a kitchen, dining area, or a commercial area, but, not a bathroom) must have at least two smoke detectors, one smoke detector protecting each bedroom.

(3) Smoke detectors must be installed per their listing. The smoke detector mounting must be attached to an electrical outlet box and the detector must be permanently wired into a general purpose electrical circuit. There must be no switches in the circuits to the detectors other than the circuit breaker serving the circuits.

(4) The commercial coach manufacturer must provide a copy of the testing and maintenance instructions supplied by the manufacturer of the smoke detector for the information of the consumer and users of the commercial coach.

WAC 296-150C-1320 Dielectric strength test.

(1) The wiring of each commercial coach must be subjected to a 1-minute, 900-volt, dielectric strength test between live parts (including neutral) and the commercial coach ground. All switches must be closed during the test. (Closed switches are in the on position.) The test may also be performed at 1,080 volts for 1 second. This test must be performed after branch circuits are complete and after fixtures or appliances are installed.

Exception: Fixtures and appliances are not required to withstand the dielectric strength test.

(2) Each commercial coach designed with a 480-volt electrical system must be subjected to a one-minute 1,275-volt dielectric strength test between current-carrying conductors and the coach ground. The test may also be performed at 1,500 volts for one second.

(3) Low-voltage circuit conductors in each commercial coach must withstand the applied potential without electrical breakdown of a one-minute, 500-volt, or a one-second, 600-volt, dielectric strength test. The potential must be applied between live and grounded conductors.

(4) The test is to be performed by the manufacturer and witnessed by the inspector.

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WAC 296-150C-1450 Gas piping—Testing for leakage before appliances are connected.

(1) The piping system must stand a pressure of at least ten inches mercury or three pounds per square inch (psi) gauge for a period of at least fifteen minutes without showing any drop in pressure.

(2) Pressure must be measured with a gauge calibrated to be read in increments of not greater than one-tenth pound.

(3) The source of pressure must be isolated before the pressure tests are made. Before a test is begun, the temperature of the ambient air and of the piping must be approximately the same, and constant air temperature must be maintained throughout the test.

WAC 296-150C-1660 Chassis approval.

The vendor unit chassis and running gear must be approved by either:

(1) Engineering calculations done per WAC 296-150C-1080; or

(2) A letter from an engineer which certifies that the chassis will support the loads imposed upon the chassis. This letter must be sealed with a wet stamp and signed by the engineer who made the analysis.

WAC 296-150C-1730 Electrical for vendor units.

The electrical system in any vendor unit must comply with the National Electrical Code as referenced in chapter 19.28 RCW, Article 550 and the applicable portions of other Articles as required by this section:

(1) Appliances must be installed per Article 422 - Appliances.

(2) Generators must be installed per Article 445 - Generators.

Chapter 296-150F WAC, Factory-built housing and commercial structures

WAC 296-150F-0020 What definitions apply to this chapter?

"Damage in transit" is damage that affects the integrity of structural design or damage to any other system referenced in the codes required by the State Building Code, or other applicable codes.

"Master design plan" is a design plan that expires when a new State Building Code has been adopted.

"One-year design plan" is a design plan that expires one year after approval or when a new State Building Code has been adopted.

"Temporary insignia" is a label that we attach to a structure to verify that the factory-built house or commercial structure meets the requirements of this chapter. A temporary insignia is used when the final destination of a structure has not been determined. This temporary insignia must be replaced with a permanent insignia are shown in WAC 296-150F-3000.

WAC 296-150F-0230 What are the insignia application requirements?

(1) If you are requesting insignia for units that you intend to manufacture under a *new design plan*, your completed application must include:

(a) A completed design plan approval request form;

(b) One complete set of design plans, specifications, engineering analysis, test procedures and results, plus one additional set for each manufacturing location where the design plan will be used.

(c) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp; and

(d) A one time initial filing fee, the design plan fee (if we approve your design plan) and the fee for each insignia. (See WAC 296-150F-3000.)

(2) If you are requesting insignia under an *approved design plan*, your completed application must include:

(a) A completed application for insignia form; and

(b) The fee for each insignia requested. (See WAC 296-150F-3000.)

WAC 296-150F-0310 Who can approve design plans?

(1) Design plans can be approved by us or by a licensed professional or firm authorized by us (see WAC 296-150F-0420 and 296-150F-0430.)

(2) All electrical design plans for new or altered electrical installations for educational institutions, health care facilities, and other buildings (see chapters 296-46, 296-130, 296-140, and 296-150 WAC Table 1 or 2) must be reviewed and approved by us.

WAC 296-150F-0320 What must I provide with my request for design plan approval by the department?

All requests for design plan approval must include:

(1) A completed design plan approval request form;

(2) One complete set of design plans, specifications, engineering analysis, test procedures and results plus one additional set for each manufacturing location where the design plan will be used (see WAC 296-150F-0340 and 296-150F-0350);

(3) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp;

(4) A one time initial filing fee and the design plan fee (see WAC 296-150F-3000); and

(5) A "key drawing" to show the arrangement of modules if the plan covers three or more modules.

WAC 296-150F-0410 When does my design plan expire?

Master design plan:

(1) Your master design plan expires when there is a code change. You must submit new design plans for approval when there is a State Building Code cycle change. You may use your approved master design plans to order insignia as long as they comply with the applicable codes.

One-year design plan:

(2) Your factory-built home or commercial structure one-year design plan expires either one year after approval or when there is a code change. You must submit new design plans for approval when there is a State Building Code cycle change. You may use your approved master design plans to order insignia as long as they comply with the applicable codes.

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(3) All National Electrical Code amendments may be incorporated by an addendum to your design plan.

Note: The State Building Code is on a three-year code cycle which coincides with the State Building Code Council amendment cycle. The National Electrical Code (NEC) cycle, however, does not coincide with the other code cycles.

WAC 296-150F-0460 What information must a manufacturer provide when a professional or firm does the design plan approval?

You must provide the following information with your approved design plan:

(1) A completed departmental design plan approval request form;

(2) Two or more sets of the design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design. These design plans must have an original wet stamp, be signed, and dated by the approving professional(s) (see WAC 296-150F-0340 and 296-150F-0350);

(3) A cover sheet on the design plan noting which professional approved each portion of the design plan;

(4) A copy of the authorization letter from us;

(5) The design plan fee for design plans approved by professionals or firms (see WAC 296-150F-3000); and

(6) A professional who designs and certifies that a factory-built home or commercial structure design meets the state requirements cannot also approve the design plan in the plan approval process.

WAC 296-150F-0470 What happens after we receive the professional or firm approved design plan and information?

(1) After we receive your approved design plans and information, we will review the information and assign a plan approval number. We will send a copy of the design plan with the plan approval number to the manufacturer.

(2) We may periodically audit design plans approved by a professional engineer, architect, or firm to ensure compliance with design plan requirements. The department's periodic audit should not be construed as certifying that the plans are safe.

(3) If the audit reveals that the design plans approved by the professionals and firms do not comply with this chapter, you will be notified and required to pay our fees for review and approval of the design plans. (See WAC 296-150C-3000.)

WAC 296-150F-0490 Who approves addendum's to design plans approved by a professional or firm?

(1) You must have the professional or firm approve an addendum to a design plan, if they initially approved your design plan.

(2) If the professional or firm who approved your design plan is no longer on the list you may have us approve your addendum.

WAC 296-150F-0540 Who inspects factory-built housing and commercial structures for installation at the building site?

(1) The local enforcement agency (city or county) must approve the permits necessary for installation.

(2) The local enforcement may also request a set of design plans and specifications for the unit from you.

Note: The local enforcement agency may not open the concealed construction of a factory-built house or commercial structure to inspect it if our insignia is attached.

WAC 296-150F-0580 Must I obtain an insignia for used factory-built structures?

All used factory-built housing and commercial structures that are to be installed on a building site in Washington state must have an insignia of approval from us prior to being installed on a building site.

Chapter 296-150M WAC, Manufactured homes

WAC 296-150M-0020 What definitions apply to this chapter?

"Equipment" is all material, appliances, devices, fixtures, fittings, or accessories used in the alteration or installation of a manufactured home.

"Homeowner" is an individual who owns a manufactured home for the purposes of this chapter.

"Installation" is the activity needed to prepare a building site and to set a manufactured home on that site. Site means a tract, parcel, or subdivision of land, including a mobile home park.

"Manufactured home" is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least 8 feet wide and 40 feet long when transported; or when installed on the site is 320 square feet or greater (see RCW 46.04.302).

Note: Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions do not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

Exception: A structure that meets the requirements of a manufactured home as set out in 24 CFR 3282.7(u), except the size requirements is considered a manufactured home if the manufacturer files with the secretary of HUD a certificate noted in 24 CFR 3282.13.

"Mobile home" is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

WAC 296-150M-0050 Can I sell or lease a manufactured home that has been posted with a prohibited sale or lease notice?

(1) If we find your manufactured home violates this chapter or federal standard 24 CFR 3280, we may attach a prohibited sale or lease notice to your unit.

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(2) You may not sell, lease, or offer for sale a manufactured home that is posted with a prohibited sale or lease notice.

(3) The notice must remain posted until:

(a) the code violation is corrected;

(b) we inspect and approve the correction; and

(c) you pay the required fees. (See WAC 296-150M-3000.)

WAC 296-150M-0360 When is design plan approval required for an alteration?

(1) Design plan approval is required when you make a structural alteration to your manufactured home.

(2) A structural alteration is a change to the body or frame of a manufactured home.

For example:

(a) A structural alteration is made if you change the size of a room or the pitch of a roof on your manufactured home.

(b) Any addition such as a carport that adds structural load to the manufactured home and is not fully self-supporting is an alteration.

WAC 296-150M-0500 When must an inspection be requested?

(1) You must request an inspection by us if, you are altering a manufactured home.

(2) You must request inspections by the local enforcement agency, for manufactured home installations.

(3) The installation of manufactured housing must be enforced and fees charged by the counties and cities in the same manner the State Building Code is enforced under RCW 19.27.050.

WAC 296-150M-0600 Who establishes standards for installation of manufactured homes?

(1) The director of labor and industries is responsible for establishing uniform installation standards where possible and practical for persons or entities engaged in performing the installation of manufactured homes within the state.

(2) Local jurisdictions may adopt additional installation requirements only for those special situations in hazardous areas as defined in WAC 296-150M-0620.

WAC 296-150M-0610 What instructions are used for a manufactured home installation?

The following instructions must be used for an initial or relocated manufactured home installation:

(1) Installation of a new manufactured home.

(a) The initial manufactured home installation must be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions do not address an aspect of the installation, you may request:

(i) Specific instructions from the manufacturer; or

(ii) Specific instructions from a professional engineer or architect licensed in Washington state.

For example: (a) A manufactured home is installed over a basement and the manufacturer's instructions do not address this application;

(b) A manufactured home is installed on a site where the specific soil bearing capacity is not addressed in the manufacturer's instructions.

(c) A manufactured home must be anchored per the manufacturer's installation instructions or per the design of a professional engineer or architect licensed in Washington.

(d) A manufactured home must have skirting around its entire perimeter. It must be installed per the manufacturer's installation or if the manufacturer is not specific, to the standards in this section. It must be vented and allow access to the under floor area per the manufacturer's installation instructions or per the standards in subsection (3) of this section.

(e) A manufactured home site must be prepared per the manufacturer's installation manual or per ANSI A225.1, 1994 edition, section 3.

(f) Heat duct crossovers must be installed per the manufacturer's installation instruction manual or per the standards in subsection (6) of this section.

(g) Dryer vents must exhaust to the exterior side of the wall or skirting.

(h) Hot water tank pressure relief lines must exhaust to the exterior side of the exterior wall or skirting and must exhaust downward.

(i) Water piping must be protected against freezing as per the manufacturer's installation instructions or by use of a heat tape listed for use with manufactured homes and installed per the heat tape manufacturer's installation instructions.

(j) The testing of water lines, waste lines, gas lines, and electrical systems must be as per the manufacturer's installation instructions or per HUD standard 3280.

(2) Relocation installation of a manufactured home.

(a) A relocated manufactured home installation should be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions are unavailable, you may use:

(i) The American National Standard Institute (ANSI) standard ANSI A225.1-Manufactured Homes Installation, 1994 edition instructions; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(c) A manufactured home must be anchored per the manufacturer's installation instructions. If the manufacturer's installation instructions are not available you may use:

(i) The American National Standard Institute (ANSI) standard ANSI A225.1-Manufactured Homes Installation, 1994 edition instructions; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(d) A manufactured home must have a skirting around its entire perimeter. It must be installed per the manufacturer's installation or if the manufacturer is not specific, to the standards in subsection (3) of this section.

(e) A manufactured home site must be prepared per the manufacturer's installation manual or per ANSI A225.1, 1994 edition, section 3.

(f) Heat duct crossovers must be installed per the manufacturer's installation manual ANSI A225.1, 1994 edition, or per the standards in subsection (6) of this section.

(g) Dryer vents must exhaust to the exterior side of the wall or skirting.

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(h) Hot water tank pressure relief lines must exhaust to the exterior side of the exterior wall or skirting and must exhaust downward.

(i) Water piping must be protected against freezing as per the manufacturer's installation instructions or per ANSI A225.1, section 8.

(j) The testing of water lines, waste lines, gas lines, and electrical systems must be as per the manufacturer's installation instructions or per HUD standard CFR 3280.

(3) Skirting must be of materials suitable for ground contact. Metal fasteners must be galvanized, stainless steel or other corrosion resistant material. Ferrous metal members in contact with the earth, other than those that are galvanized or stainless steel, must be coated with an asphaltic emulsion. Skirting must not be attached in such a manner that can cause water to be trapped between the skirting and siding or trim. The skirting must be recessed behind the siding or trim.

(4) The skirting must be vented as follows except for manufactured homes sited in a plain. For homes sited in a flood plain, contact the local jurisdiction for proper ventilation. Skirting must be vented by openings protected from the entrance of rodents by being covered with corrosion-resistant wire mesh with mesh openings of 1/4 inch in dimension. Such openings must have a net area of not less than one square foot for each one hundred fifty square feet of under floor area. Ventilation openings must be located as close to corners and as high as practical. Openings must be located to provide cross-ventilation on at least two opposite sides.

(5) Access to the under floor area of the manufactured home must have an opening not less than 18" x 24" and must be located so that all areas under the manufactured home are available for inspection. The cover must be of metal, pressure treated wood, or vinyl.

(6) Heat duct crossovers installed to the standards in this section must be supported above the ground by strapping or blocking and be installed to avoid standing water. Heat ducts must also be installed to prevent compression and sharp bends and to minimize stress at the connections.

WAC 296-150M-0630 Who may install a manufactured home?

(1) A manufactured home may be installed by:

(a) A homeowner;

(b) A certified installer;

(c) An individual who is supervised by an on-site certified installer; or

(d) A specialty trades person.

(2) A certified installer must be a registered contractor or his or her employee, or an employee of a registered dealership. (See chapter 43.63B RCW for details to which aspects of installation require the presence of a certified installer.)

WAC 296-150M-0650 Does a manufactured home installation require an inspection?

All manufactured home installations must be inspected and approved by the local enforcement agency.

WAC 296-150M-0660 What are the requirements for on-site structures and who regulates them?

On-site structures, sometimes referred to as auxiliary structures, such as, but not limited to, carports, decks and steps should be self-supporting.

(1) On-site self-supporting structures that do not use any of the systems in the manufactured home are inspected by the local enforcement agency and should be contacted for specific on-site structure requirements.

(2) On-site structures that are not self-supporting or use one or more of the systems of the manufactured home require an inspection by us and by the local enforcement agency.

WAC 296-150M-0700 Acceptable types of ground cover.

(1) You must use a minimum of six-mil *black* polyethylene sheeting or its equivalent (exception to ANSI A225.1 (3.5.2)); or

(2) The ground cover may be omitted if the under floor areas of the manufactured home has a concrete slab floor with a minimum thickness of three and one-half inches.

WAC 296-150M-0710 Clearance under manufactured homes.

You must have a minimum clearance of *18* inches maintained beneath the lowest member of the main frame (I-beam or channel beam) and the ground or footing. No more than 25 percent of the lowest member of the main frame of the home shall be less than *18* inches above the ground or footing, *and in no case shall clearance be less than 12 inches anywhere under the home.* (Exception to ANSI A225.1 (4.1.3.3)).

Chapter 296-150R WAC, Recreational vehicles and park trailers

WAC 296-150R-0010 Authority, purpose, and scope.

(2) This chapter applies to:

(a) Manufacturers, dealers and individuals who build for sale, sell, or lease recreational vehicles or park trailers in Washington state; and

(b) Manufacturers, dealers, and individuals who alter recreational vehicles and park trailers for sale or lease in Washington state.

WAC 296-150R-0020 Definitions.

"Alteration" is the replacement, addition, modification, or removal of any equipment or material that affects fire and life safety provisions, plumbing systems, fuel systems and equipment or electrical systems of a recreational vehicle or park trailer.

The following changes are not considered alterations for purposes of this chapter:

(a) Repairs with approved parts;

(b) Modification of a fuel burning appliance according to the terms of its listing; and

(c) Adjustment and maintenance of equipment.

"National Electrical Code" 1996 edition is the electrical code required for ANSI A119.2 compliance. The National Electrical Code 1993 edition is the electrical code required for ANSI A119.5 compliance.

"Recreational vehicle" is a vehicular type unit primarily designed as temporary living quarters for recreational

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camping, travel, or seasonal use that either has its own motive power, or is mounted on, or towed by another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, truck campers.

"State-plan insignia" is an insignia which is obtained under the state design plan approval process.

WAC 296-150R-0340 What happens if you approve my design plan?

(1) Your design plan will be approved if it complies with the requirements of this chapter and ANSI.

(2) We will send you an approved copy of the design plan with the approval number.

(3) You must keep copies of the approved design plan for all models produced at the manufacturing location.

(4) If your design plan is not approved, you will be notified in writing of plan deficiencies. You may send a corrected design plan to us.

WAC 296-150R-0400 What constitutes an acceptable quality control program/manual for state plan insignia?

Your quality control program must implement your approved quality control manual. The quality control manual must provide instructions, procedures, and assign responsibilities to assure quality control requirements are met when vehicles are manufactured. The minimum quality control manual requirements are:

(1) An organization chart which identifies quality assurance positions and describes quality control responsibilities and accountability for the following plant personnel: General manager, plant production manager, plant foreman, lead persons, production, quality control, sales, engineering, purchasing, and receiving staff;

(2) A method to distribute all comprehensive design plans and installation instructions or other documentation that ensures that all products used are installed correctly for all recreational vehicle or park trailer models produced at each manufacturing location.

(3) Procedures for maintaining the quality assurance of each vehicle model;

(4) Drawings and procedures displaying manufacturing processes including a schematic plant layout;

(5) Descriptions of production stations, including surge-hold stations, on-site or off-site repair-rework locations, and off-line construction sites. Descriptions should identify by station and location the work, tests, or inspections performed and the job title of the person performing the quality control review;

(6) Inspection and equipment maintenance instructions, including jig maintenance, check-off lists, and other documentation verifying quality control performance and accountability;

(7) Coordination of staff duties ensuring smooth transition of manufacturing responsibilities during a shift change;

(8) Instructions regarding the identification, control, and handling of damaged goods or materials that do not comply with existing rules and ANSI;

(9) Information about recreational vehicle and park trailer material storage and environmental control including protection from the weather and the elimination of scrap and age-dated materials which have exceeded their life;

(10) Verification that testing equipment is properly calibrated and that your gauges are accurate;

(11) Information about production line testing which includes descriptions of procedures, test equipment, and the location of each test. The information should demonstrate accountability for test completion, for rework and repair, and for retesting;

(12) Instructions, procedures, descriptions, and responsibilities for insignia storage, security, application, and inventory;

(13) Procedures for mixed production lines, for variable production rates, for new or substitute personnel, and for new or changed inspections and tests;

(14) Instructions, procedures, and responsibilities for keeping vehicle records which include the unit serial number, model, plan approval number, dealer location or destination, insignia number, inspection, and test results;

(15) Information about your quality control training program; and

(16) Procedures for introducing new designs, models, materials and equipment to staff that ensures products are built according to the standards and manufacturer's instructions.

WAC 296-150R-0800 What is required for self-certification?

If you want to be self-certified, you must:

(1) Send us a written request for self-certification;

(2) Have us approve your self-certification quality control manual;

(3) Have us approve your comprehensive design plans for the current models you sell in Washington state if you do not already have approved design plans;

(4) Initially be audited by us, and then be audited at least every six months by an industry association or independent inspection auditor who conducts quality control audits;

(5)(a) The manufacturer must designate an industry association or other independent auditor to perform audits of the manufacturer at least every six months.

(b) The manufacturer must provide written approval from the auditor designated under (5)(a) of this section and provide a copy of such approval to the department. The approval form must allow us to review all documentation and information collected by the auditor during the auditor's periodic audits of the manufacturer. The department shall conduct a performance audit of the industry association or other qualified independent inspection auditor at least once every two years.

(c) If the designated auditor refuses to allow the department to conduct a performance audit, then the department may conduct a performance audit of the manufacturer's quality control program. If both the designated auditor and manufacturer refuse to allow a performance audit, then the department may conduct a comprehensive audit as authorized by RCW 43.22.355(4).

NOTE: If you do not use an industry association or independent inspection auditor to conduct your quality control audits, you may apply for insignia under the state plan process for insignia approval.

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WAC 196-150R-0850 What constitutes an acceptable quality control program/manual for self-certification?

Your quality control program must implement your approved quality control manual. The quality control manual must provide instructions, procedures, and assign responsibilities to assure quality control expectations are met when vehicles are manufactured. The minimum quality control manual requirements are:

(1) An organization chart which identifies quality assurance positions and describes quality control responsibilities and accountability for the following plant personnel: General manager, plant production manager, plant foreman, lead persons, production, quality control, sales, engineering, purchasing and receiving staff;

(2) A method to distribute all comprehensive design plans and installation instruction or other documentation that ensures that all products used are installed correctly in all recreational vehicle or park trailer models produced at each manufacturing location;

(3) Procedures for maintaining the quality assurance of each vehicle model;

(4) Drawings and procedures displaying manufacturing processes including a schematic plant layout;

(5) Descriptions of production stations, including surge-hold stations, on-site or off-site repair-rework locations, and off-line construction sites. Descriptions should identify by station and location the work, tests, or inspections performed and the job title of the person performing the quality control review;

(6) Inspection and equipment maintenance instructions, including jig maintenance, check-off lists, and other documentation verifying quality control performance and accountability;

(7) Coordination of staff duties ensuring smooth transition of manufacturing responsibilities during a shift change;

(8) Instructions regarding the identification, control, and handling of damaged goods or materials that do not comply with existing rules and ANSI;

(9) Information about recreational vehicle and park trailer material storage and environmental control including protection from the weather and the elimination of scrap and age-dated materials which have exceeded their life;

(10) Verification that testing equipment is properly calibrated and that your gauges are accurate;

(11) Information about production line testing which includes descriptions of procedures, test equipment, and the location of each test. The information should demonstrate accountability for test completion, for rework and repair, and for retesting;

(12) Instructions, procedures, descriptions, and responsibilities for insignia storage, security, application, and inventory;

(13) Procedures for mixed production lines, for variable production rates, for new or substitute personnel, and for new or changed inspections and tests;

(14) Instructions, procedures, and responsibilities for keeping vehicle records which include the unit serial number, model, plan approval number (if applicable), dealer location or destination, insignia number, inspection, and test results;

(15) Information about your quality control training program;

(16) Procedures for introducing new designs, models, materials and equipment to staff to ensure products are built according to the standards and manufacturers instructions; and

(17) Written authorization as required in WAC 296-150R-0800(5).

WAC 296-150R-0860 After becoming self-certified, do I need approval to change my comprehensive design plan?

(1) Once you are self-certified, you are not required to send us your comprehensive design plans nor are we required to approve your comprehensive design plan changes.

(2) You are required to maintain your comprehensive design plans for each model at each of your manufacturing locations where the models are produced.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 294, amended 0, repealed 235.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 294, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 294, amended 0, repealed 0.

Effective Date of Rule: November 25, 1996.

October 23, 1996
Mark O. Brown
Director

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Chapter 296-150C WAC
COMMERCIAL COACHES

NEW SECTION

WAC 296-150C-0010 Authority, purpose, and scope. (1) This chapter is authorized by RCW 43.22.340 through 43.22.435 covering the construction, alteration and approval of commercial coaches sold, leased, or used in Washington state.

(2) This chapter applies to the approval of commercial coach manufacturers, dealers and to any person who manufactures or alters the plumbing, mechanical, or electrical system or the body or frame of a commercial coach.

NEW SECTION

WAC 296-150C-0020 What definitions apply to this chapter? "Alteration" is the replacement, addition, modification, or removal of any equipment or installation that affects the construction, fire and life safety, or the plumbing, mechanical, and electrical systems of a commercial coach.

The following are not considered alterations:

- Repairs with approved parts;
- Modification of a fuel-burning appliance according to the listing agency's specifications; or
- Adjustment and maintenance of equipment.

"Approved" is approved by the department of labor and industries.

"Building site" is a tract, parcel, or subdivision of land on which a commercial coach will be installed.

"Consumer" is a person or organization, excluding a manufacturer or dealer of commercial coaches, who buys or leases a commercial coach.

"Commercial coach" is a structure (referred to as a unit) that:

- Can be transported in one or more sections;
- Is used for temporary commercial purposes;
- Is built on a permanent chassis;
- Conforms to the construction standards of this chapter;
- May include plumbing, mechanical, electrical and other systems; and
- Includes Type A and Type B vendor units.

Type A vendor unit is a commercial coach vehicle such as, but not limited to, a truck, van, or step van. The maximum dimensions of a Type A vendor unit are 8 feet wide by 24 feet long in the set-up mode.

Type B vendor unit is a commercial coach structure such as, but not limited to, a recreational vehicle as defined by the American National Standards Institute, Inc. that is being converted to a vendor unit. The maximum dimensions of a Type B vendor unit are 8 feet wide by 24 feet long in the set-up mode.

Note: A commercial coach may not be used as a single-family dwelling. A commercial coach does not have to be placed on a permanent foundation.

"Damaged in transit" means damage that affects the integrity of a structural design or any of the systems.

"Dealer" is a person, company, or corporation whose business is leasing, selling, offering for lease or sale, buying, or trading commercial coaches.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Design plan" is a plan for the construction or alteration of a commercial coach or conversion of a vehicle to a commercial coach including floor plans, elevation drawings, specifications, engineering data, or test results necessary for a complete evaluation of the design.

"Design option" is a design that a manufacturer may use as an option to its commercial coach design plan.

"Equipment" is all material, appliances, devices, fixtures, fittings, or accessories used in the manufacture, assembly, conversion to, or alteration of a commercial coach.

"Factory assembled structure (FAS) advisory board" is a board authorized to advise the director of the department regarding the issues and adoption of rules relating to commercial coaches. (See RCW 43.22.420.)

"Insignia" is a label that we attach to a commercial coach to verify that the structure meets the requirements of this chapter and the applicable codes.

"Install" is to erect, construct, assemble, or set a commercial coach in place.

"Labeled" is to bear the department's insignia.

"Listed" is a piece of equipment or apparatus that has been approved by a testing agency to the appropriate standard.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the installation of a commercial coach.

"Master design plan" is a design plan that expires when a new state building code has been adopted.

"One-year design plan" is a design plan that expires one year after approval or when a new state building code has been adopted.

"System" is part of a commercial coach designed to serve a particular function. Examples include structural, plumbing, electrical, or mechanical systems.

"Vendor unit" is a type of commercial coach (referred to as a unit) that:

- Is transported in only one section;
- Is designed for highway use;
- Is temporarily occupied for distribution of items (e.g., food);
- Is built on a permanent chassis;
- Includes at least one of the following systems: Plumbing, mechanical, or electrical;
- Is a converted structure, not a newly manufactured structure; and
- Is a Type A vendor unit or a Type B vendor unit.

Note: Newly manufactured units must comply with the commercial coach construction requirements of this chapter. Unoccupied vendor units are exempt from the requirements of this chapter. For example, those vehicles where food is sold and distributed by standing alongside it.

NEW SECTION

WAC 296-150C-0030 How is this chapter enforced? (1) To enforce this chapter, we or another governmental inspection agency will inspect each commercial coach manufactured, sold, leased, or used in Washington state as required by this chapter. (See WAC 296-150C-0070 - reciprocal agreements.)

(2) We will inspect all commercial coach alterations.

(3) We will conduct inspections during normal work hours or at other reasonable times.

NEW SECTION

WAC 296-150C-0040 Will you keep my manufacturing information confidential? We will only release manufacturing information such as design plans, specifications, and test results according to the requirements of the Public Records Act. (See RCW 42.17.310 (1)(h).)

NEW SECTION

WAC 296-150C-0050 Can you prohibit the sale or lease of my commercial coach? (1) We may prohibit the sale or lease of your commercial coach because it is unlawful for any person to sell, lease, or offer for sale a commercial coach within this state if it violates any of the requirements of this chapter. (See RCW 43.22.345.)

(2) If an inspection reveals that a commercial coach violates this chapter, we may post a notice prohibiting the sale or lease of a commercial coach.

NEW SECTION

WAC 296-150C-0060 Who handles consumer complaints about commercial coaches? (1) Consumer may file complaints within one year of the date of manufacture.

(2) The complaint should be in writing and describe the item(s) that may not comply with this chapter.

(3) After we receive the complaint, we will send the manufacturer and the dealer a copy of the complaint.

(4) The manufacturer and/or dealer have thirty days to respond. We shall base our actions on the response.

NEW SECTION

WAC 296-150C-0070 Do you have reciprocal agreements with other states to inspect commercial coaches? (1) We have entered into reciprocal agreements with states who have inspection standards equal or greater than our standard.

(2) When we have a reciprocal agreement with another state:

(a) The reciprocal state inspects the commercial coaches manufactured in that state before shipment into Washington to ensure compliance with our laws. After inspection, the reciprocal state applies our insignia.

(b) The department inspects commercial coaches manufactured in Washington before shipment into the reciprocal state to ensure compliance with their laws. After inspection, we apply the insignia of the reciprocal state.

(3) We have reciprocal agreements on file.

NEW SECTION

WAC 296-150C-0080 Do you allow a local enforcement agency to inspect commercial coaches at the manufacturing location? (1) A local enforcement agency (city or county), under contract with us, can inspect commercial coaches. In some cases, their contract may be limited to specific portions of an inspection at specified manufacturing locations.

(2) After approving a unit, the local enforcement agency will attach the insignia, which indicates that the unit has passed inspection.

NEW SECTION

WAC 296-150C-0100 What happens if I disagree with your decision regarding my compliance with this chapter? (1) If we determine that you are in violation of this chapter, you will receive a notice of noncompliance. (See WAC 296-150C-0560.)

(2) If you disagree with our decision, you can send us a written request for a hearing, stating why you disagree.

(3) After we receive your hearing request, we will:

(a) Schedule a hearing within thirty days after we receive your request.

(b) Notify you of the time, date, and place for the hearing. If you fail to appear, your case will be dismissed.

(c) Hear your case.

(d) Send you written notice of our decision.

NEW SECTION

WAC 296-150C-0110 Do you have an advisory board to address commercial coach issues? The factory assembled structures (FAS) board advises us on issues relating to body and frame design, construction, alterations, plumbing, mechanical, electrical, installation, inspections, and rule adoption for commercial coaches. (See RCW 43.22.420.)

NEW SECTION

WAC 296-150C-0120 Where can I obtain technical assistance regarding commercial coaches? We offer field technical service to commercial coach manufacturers for an hourly fee. (See WAC 296-150C-3000.) Field technical service may include evaluation, consultation, plan examination, interpretation, and clarification of technical data relating to the application of our rules. It does not include inspections.

INSIGNIA

NEW SECTION

WAC 296-150C-0200 Who must obtain commercial coach insignia? (1) You must obtain an insignia from us for each commercial coach manufactured, sold, leased, or used in Washington state.

(2) You do not need an insignia for a commercial coach:

(a) When a unit has been used outside of the state for six months before being brought into Washington state (see RCW 43.22.380); or

(b) If a unit was manufactured prior to July 1, 1968. (See RCW 43.22.370.)

Note: All commercial coaches must have insignia if they are altered, this includes the exceptions in subsection (1)(a) and (b) of this section.

(3) You must obtain an insignia when commercial coaches are altered in Washington state.

(4) You must obtain an alteration insignia when a commercial coach is damaged in transit after leaving the manufacturing location or during an on-site installation, and an alteration or repair is necessary. The insignia indicates the commercial coach was altered or repaired.

(5) You must have an approved design plan and pass our inspection before we will attach an insignia.

NEW SECTION

WAC 296-150C-0210 What are the insignia requirements? (1) If you are applying for insignia, you must have your design plan approved and your commercial coach inspected and approved by us.

(2) If you are a manufacturer, dealer or owner applying for an alteration insignia, your alteration must be inspected and approved by us. Approval of the design plan may also be required.

(3) We will attach the insignia to your commercial coach after:

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(a) We receive the required forms and fees from you (see WAC 296-150C-3000); and

(b) Your commercial coach has passed final inspection.

NEW SECTION

WAC 296-150C-0220 How do I obtain insignia information and the required forms? Upon request, we will provide you with a packet of information that includes the required forms.

NEW SECTION

WAC 296-150C-0230 What are the insignia application requirements? (1) If you are requesting insignia for commercial coaches that you intend to manufacture under a *new design plan,* your completed application must include:

(a) A completed design-plan approval request form;

(b) One complete set of design plans, specifications, engineering analysis, and test procedures and results, plus one additional set for each manufacturing location where the design plan will be used.

(c) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp; and

(d) A one-time initial filing fee, the design-plan fee (if you want us to approve your design plan), and the fee for each insignia. (See WAC 296-150C-3000.)

(2) If you are requesting insignia under an *approved design plan,* your completed application must include:

(a) A completed insignia application form; and

(b) The fee for each commercial coach insignia (see WAC 296-150C-3000).

NEW SECTION

WAC 296-150C-0240 What documentation do you need to perform an alteration inspection? (1) If you alter a commercial coach, we must inspect the alteration.

(2) Before we perform an alteration inspection and attach an alteration insignia, you must send us:

(a) A description of the proposed alteration;

(b) Applicable specifications, engineering analysis, test procedures and results for design-plan review;

(c) The plan review fee (if you want us to approve your design plan);

(d) The inspection fee; and

(e) The insignia application and fee. (See WAC 296-150C-3000.)

(3) A design plan review is not required if the alteration can be made without altering any of the existing structure.

NEW SECTION

WAC 296-150C-0250 How do I replace lost or damaged insignia? (1) If an insignia is lost or damaged after it is placed on a commercial coach, you may obtain a replacement insignia.

(2) You should contact us and provide the following information:

(a) Your name, address, and telephone number;

(b) The name of the manufacturer or person converting the vendor unit;

(c) The serial number;

(d) The manufacturer number (CC#) if available;

(e) The insignia number if available; and

(f) The required fee. (See WAC 296-150C-3000.)

(3) If we can determine that your unit previously had an insignia, we will:

(a) Perform an inspection to ensure that no unauthorized remodeling has occurred;

Note: If unauthorized remodeling has occurred see WAC 296-150C-0200;

(b) Attach an insignia to your unit once we receive your insignia fee. (See WAC 296-150C-3000.)

DESIGN PLAN

NEW SECTION

WAC 296-150C-0300 When is design-plan approval required? Design plans for commercial coaches are required for units that are sold, leased, or used in Washington state and must be approved when:

(1) You build a new unit;

(2) You modify an approved design plan through addendums;

(3) You add options to an approved design plan through addendums; or

(4) You change the occupancy classification of the building.

NEW SECTION

WAC 296-150C-0310 Who can approve design plans? (1) Design plans can be approved by us or by a licensed professional or firm authorized by us. (See WAC 296-150C-0420 and 296-150C-0430.)

(2) All electrical design plans for new or altered electrical installations for educational institutions, health care facilities, and other buildings (see chapters 296-46, 296-130, 296-140, and 296-150 WAC Table 1 or 2) must be reviewed and approved by us.

DESIGN-PLAN APPROVAL BY THE DEPARTMENT

NEW SECTION

WAC 296-150C-0320 What must I provide with my request for commercial coach design-plan approval by the department? All requests for design-plan approval must include:

(1) A completed design-plan approval request form;

(2) Two sets of design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design; (See WAC 296-150C-0340 and 296-150C-0350.)

(3) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp;

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(4) Receipt of a one-time initial design plan filing fee and the initial design plan fee (see WAC 296-150C-3000);

(5) A "key drawing" to show the arrangement of modules if the plan covers three or more modules;

(6) The occupancy class of the commercial coach according to the occupancy classifications in The Uniform Building Code.

NEW SECTION

WAC 296-150C-0330 What must I provide with my request for a commercial coach vendor unit design-plan approval by the department? All requests for design-plan approval must include:

(1) A completed design-plan approval request form;

(2) Two sets of design plans, engineering analysis, or test results and procedures for a complete evaluation of the design plan; (See WAC 296-150C-0340 and 296-150C-0350.)

(3) An original wet stamp from a professional engineer or architect licensed in Washington state, if an engineering analysis is used to substantiate the structural requirements instead of test results; and

(4) Receipt of the design plan fee. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0340 What must an engineering analysis for design plans include? (1) The engineering analysis must show that the structural design meets the requirements of this chapter.

(2) An engineering analysis must be conducted according to accepted engineering practices and must be signed by a professional engineer or architect licensed in Washington. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0350 What must test procedures and results for design plans include? (1) Tests to a design must be witnessed by a professional engineer or architect licensed in Washington or by a departmental employee.

(2) Test reports must contain the following items:

(a) A description of the methods or standards that applied to the test;

(b) Drawings and a description of the item tested;

(c) A description of the test set-up;

(d) The procedure used to verify the correct load;

(e) The procedure used to measure each condition;

(f) Test data, including applicable graphs and observations of the characteristics and behavior of the item tested; and

(g) Analysis, comments, and conclusion.

(3) The written test procedures and conclusions must reference the applicable design plan.

NEW SECTION

WAC 296-150C-0380 What happens if you approve my design plan? (1) Your design plan will be approved if it meets the requirements of this chapter.

(2) We will send you an approved copy of the design plan with the design-plan approval number.

(3) You must keep copies of the approved design plan available for inspection at each location where the commercial coach is built.

(4) If your design plan is not approved, you will be notified in writing of plan deficiencies. You may send a corrected design plan to us. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0390 If my design plan is not approved, how much time do I have to submit a corrected design plan? (1) You have ninety days to correct and resubmit your original design plan and send us the resubmittal fee after we notify you of plan deficiencies. After ninety days, your initial design plan is returned to you.

(2) If you submit your corrected design plan after ninety days, the initial design plan fee is required instead of the resubmittal fee. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0400 What happens after my design plan is approved? Once your design plan is approved, we will inspect each commercial coach.

NEW SECTION

WAC 296-150C-0410 When does my design plan expire? *Commercial Coach - Master Design Plan:*

(1) Your commercial coach master design plan expires when there is a code change. You must submit new design plans for approval when there is a state building code cycle change. You may use your approved master design plans to order insignia as long as they comply with the applicable codes.

Commercial Coach - One-Year Design Plan:

(2) Your commercial coach one-year design plan expires either one year after approval or when there is a code change. You must submit new design plans for approval when there is a state building code cycle change. You may use your design plans to order insignia as long as they comply with the applicable codes.

(3) All National Electrical Code amendments may be incorporated by an addendum to your design plan.

Note: The State Building Code is on a three-year code cycle which coincides with the State Building Code Council amendment cycle. The National Electrical Code (NEC) cycle, however, does not coincide with the other code cycles.

Commercial Coach Vendor Unit:

(4) Your vendor unit design plan expires after the unit is converted or altered. You can only use this design plan once.

(5) The effective date of this rule is November 25, 1996. Manufacturers who have approved design plans can continue production under the old rules for one hundred twenty days after the effective date of these rules. Manufacturers who are submitting new design plans after the effective date of these rules can submit and produce under the old rules for one hundred twenty days after the effective date of these rules.

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NEW SECTION

WAC 296-150C-0415 Who approves addendums to design plans approved by the department? You must have us approve an addendum to a design plan, if we initially approved your design plan.

DESIGN-PLAN APPROVAL BY A LICENSED PROFESSIONAL OR FIRM

NEW SECTION

WAC 296-150C-0420 Who can be authorized to approve design plans? (1) A professional engineer, architect or firm licensed by the state of Washington according to the Engineers Registration Act, chapter 18.43 RCW and/or the Architects Registration Act, chapter 18.08 RCW; or

(2) A professional engineer, architect or firm licensed in another state that has licensing or certification requirements that meet or exceed Washington requirements.

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NEW SECTION

WAC 296-150C-0430 What information must a professional or firm provide to be authorized to approve design plans? (1) Name, a copy of your certificate of registration, and address of the professional engineer or architect; or

(2) Name, a copy of your certificate of authority, and address of the firm; and

(3) A description of the services the professional engineer, architect, or firm will provide; and

(4) A description of the professional's area(s) of expertise and qualifications which include:

(a) A summary of the professional's or firm's experience; and

(b) Verification of experience in your area of expertise such as structural, mechanical, plumbing, energy, electrical, fire and life safety, and ventilation and indoor air quality.

NEW SECTION

WAC 296-150C-0440 How will I know whether I am authorized to approve design plans? Within sixty days after you submit the information requested in WAC 296-150C-0430, we will send you a letter either approving or denying your authorization request.

(1) If we approve your request, your name is added to the list of licensed professionals and firms authorized to approve design plans.

(a) We will authorize a professional to approve portions of a design plan within his or her area of expertise; and

(b) We will authorize an engineering or architectural firm to approve plans if the firm employs or contracts with professionals within the area of expertise necessary for the design plan.

(2) If we do not approve your request, we will notify you in writing why we are denying your request for authorization. If you disagree with our decision, you can send us a written request for a hearing, stating why you disagree. (See WAC 296-150C-0100.)

NEW SECTION

WAC 296-150C-0450 How long is a licensed professional or firms authorization effective? Your authorization to approve design plans is effective until your license expires, is revoked or is suspended.

(1) You must notify us of your license renewal at least fifteen days before your license expires, to prevent your name from being removed from our licensed professional and firm list.

(2) You must notify us immediately if your license is revoked or suspended. Your name is then removed from the list of licensed professionals and firms authorized to approve design plans.

NEW SECTION

WAC 296-150C-0460 What information must a manufacturer provide when a professional or firm does the design plan approval? You must provide the following information with your approved design plans:

(1) A completed departmental design-plan approval request form;

(2) Two or more sets of design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design. These design plans must have an original wet stamp, be signed, and dated by the approving professional(s) (see WAC 296-150C-0340 and 296-150C-0350);

(3) A cover sheet on the design plan noting which professional approved each portion of the design plan;

(4) A copy of the authorization letter from us; and

(5) The design plan fee for design plans approved by professionals or firms. (See WAC 296-150C-3000.)

(6) A professional who designs and certifies that the commercial coach design meets state requirements cannot also approve the design plan in the plan approval process.

NEW SECTION

WAC 296-150C-0470 What happens after we receive the professional or firm approved design plan and information? (1) After we receive your approved design plans and information, we will review the information and assign a plan approval number. We will send a copy of the design plan with the plan approval number to the manufacturer.

(2) We may periodically audit design plans approved by a professional engineer, architect, or firm to ensure compliance with design plan requirements. The department's periodic audit should not be construed as certifying that the plans are safe.

(3) If the audit reveals that the design plans approved by the professionals and firms do not comply with this chapter, you will be notified and required to pay our fees for review and approval of the design plans. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0480 Do you have a list of professionals or firms that are authorized to approve design plans? We will maintain a list of the licensed professionals

and firms that are authorized to approve design plans for commercial coaches.

NEW SECTION

WAC 296-150C-0490 Who approves addendums to design plans approved by a professional or firm? (1) You must have the professional or firm approve an addendum to a design plan, if they initially approved your design plan.

(2) If the professional or firm who approved your design plan is no longer on the department list you may have us approve your addendum.

INSPECTIONS PRIOR TO ISSUANCE OF AN INSIGNIA

NEW SECTION

WAC 296-150C-0500 When is an inspection required? (1) Before we issue an insignia, each unit manufactured or converted must be inspected as many times as required to show compliance with this chapter.

Note: Each commercial coach must have a serial number so we can track inspections.

(2) Before we issue an insignia, each commercial coach must be inspected at the manufacturing location as many times as required. Inspections may include but are not limited to:

(a) A "cover" inspection during construction of the unit before the electrical, plumbing, mechanical, and structural systems are covered;

(b) Insulation and vapor barrier inspection, if required; and

(c) A final inspection after the commercial coach is complete.

(3) If we discover a violation during inspection, we will issue a notice of noncompliance. You can correct the violation during the inspection. If you cannot correct the violation during inspection, you must leave the item uncovered until we approve your correction.

(4) If a commercial coach is damaged in transit to the building site or during on-site installation, it must be inspected. This is considered an alteration inspection. (See WAC 296-150C-0240.)

(5) Approved design plans, specifications, engineering analysis and test results must be available during the inspection.

(6) Once your unit is inspected and approved we will attach the insignia.

Commercial Coach Vendor Unit

(7) Before we issue an insignia, each commercial coach vendor unit is inspected as follows:

(a) Inspection(s) during conversion or alteration of a commercial coach vendor unit; and

(b) A final inspection after the commercial coach vendor unit is complete.

NEW SECTION

WAC 296-150C-0510 How do I request an inspection? (1) You must contact us, and we will let you know where your request for inspection should be submitted. Our address is noted in the definition of department.

(2) We must receive in-state inspection requests at least seven calendar days prior to the date that you want the inspection.

(3) We must receive out-of-state inspection requests at least fourteen calendar days prior to the date that you want the inspection.

NEW SECTION

WAC 296-150C-0520 What happens if my commercial coach passes inspection? If your commercial coach passes inspection and you have met the other requirements of this chapter, we will attach the insignia.

NEW SECTION

WAC 296-150C-0530 Am I charged if I request an inspection but I am not prepared? (1) If you ask us to inspect a commercial coach within Washington state but you are not prepared when we arrive, you must pay the inspection fee and travel. (See WAC 296-150C-3000.)

(2) If you ask us to inspect a commercial coach outside Washington state but you are not prepared when we arrive, you must pay the inspection fee, travel, and per diem expenses. (See WAC 296-150C-3000.)

NEW SECTION

WAC 296-150C-0540 Who inspects commercial coach installation at the building site? The local enforcement agency (city or county) must approve the installation.

Note: The local enforcement agency may not open the concealed construction of a commercial coach to inspect it if our insignia is attached.

Note: Alterations to commercial coaches must be inspected and approved by us.

NEW SECTION

WAC 296-150C-0550 Do you allow a commercial coach to be completed at the installation site? Commercial coaches must be completed at the manufacturing location before an insignia is attached.

NEW SECTION

WAC 296-150C-0560 What happens if I receive a notice of noncompliance after inspection of the alteration to my commercial coach? (1) If your commercial coach alteration does not pass our inspection, you will receive a notice of noncompliance. The notice of noncompliance explains what items must be corrected.

(2) You have twenty days after receiving the notice of noncompliance to send us a written response to explain how you will correct the violations.

(3) You are not allowed to sell, lease, or offer for sale the altered commercial coach until you correct the violations. We must inspect and approve the corrections, and you must

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pay the inspection and insignia fees, if required (see WAC 296-150C-3000).

USED COMMERCIAL COACHES WITHOUT AN INSIGNIA

NEW SECTION

WAC 296-150C-0580 Must I obtain an insignia for used commercial coaches? All used commercial coaches that are to be installed on a building site or used in Washington state must have an insignia of approval from us. (See exceptions WAC 296-150C-0200 (1)(a)(b).)

NEW SECTION

WAC 296-150C-0590 How do I obtain insignia for used commercial coaches? We consider used commercial coaches as new units for purposes of insignia approval. To obtain insignia, you must:

(1) Have the design plan approved (see WAC 296-150C-0300 through 296-150C-0480);

(2) Purchase insignia (see WAC 296-150C-0200 through 296-150C-0230); and

(3) Pass a unit inspection (see WAC 296-150C-0500 through 296-150C-0560).

Note: You will be required to open up as much of the construction of the unit as is necessary for inspection to show compliance with your approved design plan.

MANUFACTURERS NOTICE TO THE DEPARTMENT

NEW SECTION

WAC 296-150C-0700 Must manufacturers of commercial coaches notify you if they manufacture at more than one location? (1) If you are manufacturing commercial coaches at more than one location, approved design plans must be available at each manufacturing location.

(2) You must send us the following information for each manufacturing location:

(a) Company name;

(b) Mailing and physical address; and

(c) Phone and FAX number if available.

(3) You must update this information as it changes.

NEW SECTION

WAC 296-150C-0710 Must manufacturers of commercial coaches notify you of a change in business name or address? (1) If you are moving you must notify us in writing prior to a change of business name or address.

(2) Your notice must include the change of name and address.

NEW SECTION

WAC 296-150C-0720 Must manufacturers of commercial coaches notify you of a change in business ownership? (1) When a manufacturer changes ownership, the new owner must notify us in writing immediately.

(2) A new owner may continue to manufacture the units according to a prior approved design plan if the prior owner provides written releases of the design plan.

COMMERCIAL COACH CONSTRUCTION CODE

GENERAL

NEW SECTION

WAC 296-150C-0800 What manufacturing codes apply to commercial coaches? (1) All design, construction, and installations of commercial coaches must conform with the following codes and the requirements of this chapter:

(a) The Washington State Ventilation and Indoor Air Quality Code, 1991 third edition as adopted by chapter 51-13 WAC;

(b) The structural and other requirements of this chapter;

(c) Occupancy classification only from chapter 3 of The Uniform Building Code, 1994 edition as adopted and amended by chapter 51-30 WAC, except commercial coaches must not be group H or R-3 occupancy;

(d) Accessibility requirements of chapter 11 of The Uniform Building Code, 1994 edition as adopted and amended by chapter 51-30 WAC;

(e) Table 16-A Uniform and concentrated floor loads and footnotes of The Uniform Building Code, 1994 edition as adopted and amended by chapter 51-30 WAC;

(f) The Uniform Mechanical Code, 1994 edition as adopted and amended by chapter 51-32 WAC except when conflicting with the provisions of this chapter, this chapter controls;

(g) The National Electrical Code as referenced in chapter 19.28 RCW and chapter 296-46 WAC;

(h) The Washington State Energy Code, 1994 second edition as adopted by chapter 51-11 WAC;

(i) The Uniform Plumbing Code, 1991 edition as adopted and amended by chapters 51-26 and 51-27 WAC.

(j) Where there is a conflict between codes, an earlier named code takes precedent over a later named code. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive governs. Where there is a conflict between a general requirement and a special requirement, the specific requirement must be applicable.

(2) All construction methods and installations must use accepted engineering practices, provide minimum health and safety to the occupants of commercial coaches and the public, and demonstrate journeyman quality of work of the various trades.

(3) Requirements for any size, weight, or quality of material modified by the terms "minimum," "not less than," "at least," and similar expressions are minimum standards. The manufacturer may exceed these rules provided the deviation does not result in inferior installation or defeat the purpose and intent of this chapter.

Note: The codes, RCW's and WAC's referenced in this rule are available to view at the Washington State Library, the Washington State Law Library, and may also be available at your local library.

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NEW SECTION

WAC 296-150C-0810 Construction definitions. The following definitions and the definitions in each of the state codes adopted in WAC 296-150C-0800 apply to commercial coach construction.

"Anchoring system" is the means used to secure a commercial coach to ground anchors or to other approved fastening devices. It may include straps, cables, turnbuckles, bolts, fasteners, or other components.

"Ceiling height" is the clear vertical distance from the finished floor to the finished ceiling.

"Dead load" is the vertical load resulting from the weight of all permanent structural and nonstructural parts of a commercial coach including walls, floors, roof, partitions, and fixed service equipment.

"Diagonal tie" is a tie intended primarily to resist horizontal or shear forces and secondarily may resist vertical, uplift, and overturning forces.

"Dormitory" is a room designed to be occupied by more than two persons.

"Exit" is a continuous and unobstructed means of egress to a public way.

"Glazed opening" is a glazed skylight or an exterior window or glazing of a door of a commercial coach.

"Gross floor area" is the net floor area within the enclosing walls of a room where the ceiling is at least five feet high.

"Habitable room" is a room or enclosed floor space arranged for living, eating, food preparation, or dormitory sleeping purposes. It does not include bathrooms, toilet compartments, foyers, hallways, or other accessory floor spaces. Any reference to "habitable dwelling" in this chapter means a temporary structure not used as a single family dwelling.

"Interior finish" is the surface material of walls, fixed or movable partitions, ceilings and other exposed interior surfaces affixed to the commercial coach structure, including paint and wallpaper. Decorations or furnishings attached to the commercial coach structure are considered part of the interior finish.

"Live load" is the weight superimposed by the use and occupancy of the commercial coach, including wind load and snow load, but not including dead load.

"Perimeter blocking" is support placed under exterior walls.

"Shear wall" is a wall designed and constructed to transfer lateral loads.

"Tiedown" is a device designed to anchor a commercial coach to ground anchors.

"Use" or "occupancy classification" is the designed purpose of a commercial coach according to The Uniform Building Code.

"Wind load" is the lateral or vertical pressure or uplift created by wind blowing in any direction.

STRUCTURAL

NEW SECTION

WAC 296-150C-0820 Structural analysis. Each commercial coach must be designed and constructed as a completely integrated structure capable of sustaining the design-load requirements of this chapter. It shall be capable of:

(1) Transmitting these loads to stabilizing devices without causing unsafe deformation or abnormal structural movement; and

(2) Withstanding the adverse effects of transportation shock and vibration, both as an integrated structure and as to its parts.

NEW SECTION

WAC 296-150C-0830 Fastening of structural systems. Roof framing must be securely fastened to wall framing, walls to floor structure, and floor structure to chassis. This must secure and maintain continuity between the floor and chassis and resist wind uplift, overturning, and sliding as imposed by design loads.

NEW SECTION

WAC 296-150C-0840 Live loads. (1) The design live loads must be established according to this chapter and must be considered to be uniformly distributed.

(2) The roof live load must not be considered as acting simultaneously with the wind load. The roof and the floor live loads must not be considered as resisting the overturning moment due to wind. The roof live load and the floor live load must be considered to act both simultaneously and separately in order to determine the critical design loading for stresses and deflections.

NEW SECTION

WAC 296-150C-0850 Roof loads. All roofs must be designed to sustain loads as follows:

(1) Dead loads plus a minimum unit live load of 30 lb/ft2 (2 months load duration); and

(2) A vertical net uplift load of 9 lb/ft2 (1 day load duration).

NEW SECTION

WAC 296-150C-0860 Snow loads. The roof of a commercial coach must be designed for the loads to which it will be subjected in areas where snow records or experience indicate snow loads in excess of 30 lb/ft2.

NEW SECTION

WAC 296-150C-0870 Standard wind loads. The commercial coach and each wind resisting part must be designed for the following wind loads:

Horizontal	15 lb/ft2	(1 day load duration)
Vertical upward	9 lb/ft2	(1 day load duration)
Vertical downward	(see WAC 296-150C-0850 Roof loads)	

A commercial coach must be designed for higher wind loads if area records or experience indicate that it will be

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subjected to wind loads in excess of the above loads if required by the local jurisdiction.

NEW SECTION

WAC 296-150C-0880 Windstorm protection—Provisions for support and anchoring. (1) Each commercial coach must have provisions for support and anchoring systems that, when properly designed and installed, will resist overturning and lateral movement of the commercial coach as imposed by the respective design loads. Support and anchoring systems can be installed according to the Table in WAC 296-150C-1210 or designed by a professional engineer.

(2) The manufacturer of each commercial coach is required to make provision for the support and anchoring systems but is not required to provide the anchoring equipment or stabilizing devices.

(3) The manufacturer must provide printed instructions with each commercial coach specifying the location and required capacity of stabilizing devices on which the design is based.

Single-Wide Commercial Coaches:

(4) The provisions made for anchoring systems must be based on the following design criteria for single-wide commercial coaches:

(a) The minimum number of ties required per side is noted in WAC 296-150C-1210.

(b) Ties must be as evenly spaced as practicable along the length of the commercial coach. No more than eight feet open-end spacing must occur on each end.

(c) If continuous straps are provided as vertical ties, they must be positioned at rafters and studs. If a vertical tie and diagonal tie are located at the same place, both ties may be connected to a single ground anchor, as long as, the anchor used is capable of carrying both loads.

(d) Add-on sections of expandable commercial coaches must have provisions for vertical ties at the exposed ends.

Double-Wide Commercial Coaches:

(5) Double-wide commercial coaches require only diagonal ties specified in the table in WAC 296-150C-1210. The ties must be placed along the outer side walls.

(6) Protection must be provided at sharp corners where the anchoring system requires the use of external cables or straps. Protection must also be provided to minimize damage to roofing or siding by the cable or strap.

(7) Anchoring equipment must be capable of resisting an allowable working load equal to or exceeding 3,150 pounds and must be capable of withstanding a 50 percent overload (*4,725 pounds total*) without failure of either the anchoring equipment or the attachment point on the commercial coach.

(8) Exposed anchoring equipment must have a resistance to weather deterioration at least equal to that provided by a coating of zinc on steel of at least 0.30 ounces per square foot of surface coated.

(a) Slit or cut edges of zinc-coated steel strapping do not need to be zinc-coated.

(b) Type 1, Class B, Grade 1 steel strapping, 1 1/4 inches wide and 0.035 inch thick, conforming with Federal Specification QQ-S-781-G, meets the requirements of this paragraph.

NEW SECTION

WAC 296-150C-0900 Interior walls and partitions. Interior walls and partitions must be:

(1) Constructed with structural capacity adequate for the intended purpose; and

(2) Capable of resisting a horizontal load of at least five pounds per square foot without exceeding the deflections specified in WAC 296-150C-0920.

NEW SECTION

WAC 296-150C-0910 Minimum uniform and concentrated live loads. See use or occupancy of the 1994 edition of The Uniform Building Code for group occupancy loads.

NEW SECTION

WAC 296-150C-0920 Design load deflection. When a structural assembly is subjected to total design live loads, the deflection for structural framing members must not exceed the following:

L = The clear span between supports or two times the length of a cantilever.

Floor	L/240
Roof and ceiling	L/180
Headers, beams, girders	L/180
Walls and partitions	L/180

NEW SECTION

WAC 296-150C-0930 Structural load tests. (1) A structural assembly or subassembly tested for qualification must sustain the design dead load plus the superimposed design live loads (see WAC 296-150C-0840) equal to 1.75 times the required live loads for a period of twelve hours without failure of the assembly or subassembly, unless otherwise specified in this chapter.

(2) An assembly or subassembly failure is defined as a rupture, fracture, or residual deflection which is greater than the limits set in WAC 296-150C-0920. The type and quality of material used in each test assembly or subassembly must be identified. The assembly or subassembly tested must represent the minimum quality of material.

(3)(a) Nationally recognized standards or engineering practices must be used for structural load tests for commercial coaches.

(b) Tests must be witnessed by a professional engineer or architect.

Note: We will provide test procedure forms upon request.

CONSTRUCTION

NEW SECTION

WAC 296-150C-0940 Fastening of structural systems. Roof framing must be securely fastened to wall framing, walls to floor structure, and floor structure to chassis to secure and maintain continuity between the floor and chassis and to resist wind uplift, overturning, and sliding as imposed by design loads.

NEW SECTION

WAC 296-150C-0950 Roof coverings/membrane/weather resistant. (1)(a) The roof covering must be securely fastened in an approved manner to the supporting roof construction and must provide weather protection for the commercial coach and the occupants. The roof covering must be installed according to the manufacturer's instructions and approved by us.

(b) Roofing membranes must be rigid enough to prevent deflection that would permit ponding of water or separation of seams due to snow or wind or during assembly or transportation.

(2) Exterior covering materials, including metal coverings, must be moisture and weather-resistant and contain corrosion resistant fasteners to prevent wind and rain deterioration.

Note: Electro-plated, electro-deposited zinc, and electro-galvanized staples are not considered corrosion resistant materials.

(3) All exterior openings or penetrations into the commercial coach around piping, ducts, plenums, or vents must be sealed with moisture resistant material.

NEW SECTION

WAC 296-150C-0960 Roof trusses. (1) The construction of roof trusses must be approved by a professional engineer. Roof trusses may be produced by one of the following methods:

(a) Use of stress graded materials when an approved testing agency certifies truss construction and load requirements are met; the testing agency must prepare an approved quality control program which allows them to test the trusses with appropriate testing procedures.

(b) Use of nongraded materials, if each truss is tested in an approved testing jig at the manufacturer's site with a load equivalent to full design load (1.75 times the full design load sustained for twelve hours).

(2)(a) Representative trusses must be tested from the production line, when we request. The approved testing agency or engineer must submit the testing report to us.

(b) All test reports are to be stamped, signed, and dated by the approved testing agency or engineer who performs the test.

(c) These tests must not occur more than two times a year per design unless there are problems with the roof trusses.

(d) The manufacturer is required to maintain an acceptable quality level not exceeding 1% using acceptable sampling procedures.

Note: The acceptable quality level is defined as the maximum allowable percentage of defective units.

NEW SECTION

WAC 296-150C-0970 Roof construction. (1) All roofs must be framed and tied into the framework and supporting walls to form an integral part of the commercial coach.

(2) All trusses must be laterally braced.

(3) All roof decks must be designed and built with sufficient slope or camber to assure adequate drainage, or must be designed to support maximum loads including possible ponding of water due to deflection.

(4) Cutting roof framework members for passage of electrical, plumbing, or mechanical systems is prohibited except where substantiated by engineering analysis.

(5) Electrical, plumbing, or mechanical systems must not penetrate the roofing membrane unless the penetration point is adequately sealed.

NEW SECTION

WAC 296-150C-0980 Wall coverings. (1) The interior finish of all walls and partitions must have a flame-spread rating not exceeding two hundred except as otherwise specified in this section. The flame-spread limitation does not apply to:

(a) Molding, trim, windows, doors, or series of doors four feet wide or less;

(b) Permanently attached decorative items such as pictures or accent panels constituting not more than ten percent of the aggregate wall surface in any room or space or more than thirty-two square feet in surface area, whichever is less.

(2) Furnace and water heater spaces must be enclosed by walls, ceiling, and doors having an interior finish with a flame-spread rating not exceeding twenty-five.

(3) Combustible kitchen cabinet doors, countertops, exposed bottom and end panels must not exceed a flame-spread rating of twenty-five. Cabinet rails, stiles, mullions, and toe strips are exempted.

(4) Finish surfaces of plastic bath tubs, shower units and tub or shower doors must not exceed a flame-spread rating of two hundred.

NEW SECTION

WAC 296-150C-0990 Sealing wall exterior openings. All exterior wall openings or penetrations into the commercial coach around piping, ducts, plenums, or vents must be sealed with moisture-resistant material.

NEW SECTION

WAC 296-150C-1000 Drilling or notching of wood wall structural members. (1) **Cutting and notching.** In exterior walls and bearing partitions, any wood stud may be cut or notched to a depth not exceeding 25 percent of its width. Cutting or notching of studs to a depth not greater than 40 percent of the width of the stud is permitted in nonbearing partitions supporting no loads other than the weight of the partition.

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(2) **Bored holes.** A hole not greater in diameter than 40 percent of the stud width may be bored in any wood stud. Bored holes not greater than 60 percent of the width of the stud are permitted in nonbearing partitions or in any wall where each bored stud is doubled, provided not more than two such successive doubled studs are so bored.

In no case shall the edge of the bored hole be nearer than 5/8 inch (16mm) to the edge of the stud. Bored holes shall not be located at the same section of stud as a cut or notch.

(3) Drilling or notching of studs greater than allowed in subsection (1) or (2) of this section must be substantiated by engineering analysis.

NEW SECTION

WAC 296-150C-1020 Wall construction. Walls must be of sufficient strength to withstand the load requirements of this chapter. The connections between the bearing walls, floor, and roof framework members must be fabricated to provide support for the material used to enclose the commercial coach and to provide for the transfer of all lateral and vertical loads to the floor and the chassis.

NEW SECTION

WAC 296-150C-1030 Fire-blocking. (1) Fire-blocking must be provided in commercial coaches to cut off all concealed draft openings in all stud walls and partitions, including furred spaces at the ceiling and floor levels and at ten foot intervals both vertical and horizontal.

(2) Fire-blocking must be provided around vents, pipes, ducts, chimneys, fireplaces, and similar openings which afford a passage for fire at ceiling and floor levels, with noncombustible material.

(3) Fire blocking must be two inch nominal lumber, gypsum board, cement asbestos board, mineral fiber or other approved materials securely fastened in place.

NEW SECTION

WAC 296-150C-1040 Floors. (1) Wood floors or subfloors in kitchens, bathrooms (including toilet compartments), laundry rooms, water heater compartments, and any other areas subject to excessive moisture must be moisture resistant; or they must be made moisture resistant by sealing or by an overlay of nonabsorbent material applied with water-resistant adhesive.

(2) Carpeting cannot be used under a heat producing appliance unless the appliance is listed for such use.

NEW SECTION

WAC 296-150C-1050 Drilling or notching of wood joist structural members. (1) Notches on the ends of joists must not exceed one-fourth the joist depth, unless substantiated by engineering design or approved tests.

(2) Holes bored in joists must not be within two inches of the top or bottom of the joist, and the diameter of any such hole must not exceed one-third of the depth of the joist.

(3) Notches in the top or bottom of the joists must not exceed one-sixth the depth and must not be located in the middle third of the span.

(4) Joists in transverse floor framing systems, which do not have perimeter blocking, must not be drilled or notched, unless substantiated by engineering design or approved tests.

NEW SECTION

WAC 296-150C-1060 Fastening of structural systems. Roof framing must be securely fastened to wall framing, walls to floor structure, and floor structure to chassis to secure and maintain continuity between these elements to resist wind uplift, overturning and sliding imposed by the design loads.

NEW SECTION

WAC 296-150C-1070 Floor closure material. Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the commercial coach due to air, water, insects, dust, and must be rodent resistant.

The closure material must meet ASTM D-781 standard or equal and be installed as follows:

(1) Fibrous material (with or without patches) must meet or exceed the level of 48 inch-pounds of puncture resistance as tested.

(2) The material must be installed according to installation instructions furnished by the supplier of the material.

(3) Patching material must be suitable for patches and the patch life must be equivalent to the material life.

NEW SECTION

WAC 296-150C-1080 Chassis. Each commercial coach chassis must be designed and constructed to be capable of:

(1) Effectively sustaining the design loads consisting of the dead load plus the live load of the floor and the superimposed dynamic load resulting from highway movement, in no case shall the dynamic load be required to exceed twice the dead load; and

(2) Accepting the shock and vibration from the roadway and towing vehicle through the use of adequate running gear assemblies. Running gear assemblies consist of axles, springs, spring hangers, hubs, bearings, tires, rims and their related hardware. Running gear assemblies must be capable of sustaining the loads in subsection (1) of this section.

MATERIALS

NEW SECTION

WAC 296-150C-1090 Standards for equipment and installations. The manufacturer's equipment and installation specifications must be followed. Other approved standards are acceptable when:

- Installed according to the manufacturer's installation instructions; and
- Approved by a listing or testing agency.

NEW SECTION

WAC 296-150C-1100 Flame-spread limitations. (1) The interior finish of all walls and partitions must have a flame-spread rating not exceeding two hundred except as otherwise specified in this section. The flame-spread limitation does not apply to:

(a) Molding, trim, windows, doors, or series of doors four feet wide or less;

(b) Permanently attached decorative items such as pictures or accent panels constituting a maximum of ten percent of the aggregate wall surface in any room or space or more than thirty-two square feet in surface area, whichever is less.

(2) All ceiling interior finish must have a maximum flame-spread rating of two hundred, excluding molding and trim two inches wide or less.

(3) Furnace and water heater spaces must be enclosed by walls, ceiling, and doors having an interior finish with a maximum flame-spread of twenty-five.

(4) Combustible kitchen cabinet doors, countertops, exposed bottom and end panels must have a maximum flame-spread of twenty-five. Cabinet rails, stiles, mullions, and toe strips are exempted.

(5) Exposed interior finishes adjacent to the cooking range must have a flame-spread of fifty. Adjacent surfaces are the exposed vertical surfaces between the range top and the overhead cabinets or ceiling and within six horizontal inches of the cooking range.

(6) Finish surfaces of plastic bath tubs, shower units and tub or shower doors must have a flame-spread of two hundred.

NEW SECTION

WAC 296-150C-1110 Combustible limitations. (1) The exposed wall adjacent to the cooking range, must be fifty flame-spread or less, such as 5/16 inch gypsum board or material having equivalent fire protective properties.

(2) All openings for pipes and vents in furnace and water heater spaces shall be tight-fitted or fire-stopped.

NEW SECTION

WAC 296-150C-1120 Kitchen cabinet protection. The bottom and sides of combustible kitchen cabinets over cooking ranges or tops including a space of six inches from the edge of the burners must be protected with at least materials rated at 25 or less flame-spread covered with at least twenty-six gauge sheet metal (.017 stainless steel, .024 aluminum or .020 copper) or equivalent protection. The protective metal over the range must form a hood with at least a three-inch eyebrow (measuring horizontally from face of cabinet). The hood must be centered over and at least as wide as the top of the cooking range.

NEW SECTION

WAC 296-150C-1130 Insulation standards. Insulation standards for commercial coaches must comply with the Washington State Energy Code, unless another state law supersedes the Washington State Energy Code.

NEW SECTION

WAC 296-150C-1140 Room sizes. (1) Every habitable room must have a minimum ceiling height of not less than seven feet.

(2) No habitable room, except a kitchen, must be less than five feet in any clear horizontal dimension.

NEW SECTION

WAC 296-150C-1150 Hallways. (1) Hallways in structures required to meet accessibility standards must have a minimum horizontal dimension that conforms to accessibility standards set by the Washington state Uniform Building Code.

(2) Hallways in nonaccessible construction site trailers must have a minimum horizontal dimension of 32 inches.

NEW SECTION

WAC 296-150C-1160 Accessibility standards. When applicable, a commercial coach must meet the accessibility standards set by the Washington State Building Code in RCW 19.27.030(5).

NEW SECTION

WAC 296-150C-1170 Light and ventilation. (1) Habitable rooms must be provided with exterior windows or doors having a total glazed area of at least ten percent of the floor area, or they must have artificial light.

(2) An area equal to a minimum of five percent of the floor area must be available for unobstructed ventilation. Glazed areas do not need to be opened if a mechanical ventilation system is provided. The mechanical ventilation system must be capable of producing a change of air in the room every thirty minutes with at least one-fifth of the air supply taken from outside the commercial coach.

(3) Each bathroom must be provided with artificial light and with external windows. The external window must have at least 1/2 square feet of glazed area fully able to open, except where a mechanical ventilation system capable of producing a change of air every twelve minutes is provided. Any mechanical ventilation system must exhaust directly to the outside of the commercial coach.

NEW SECTION

WAC 296-150C-1180 Commercial coach exits. When applicable, a commercial coach must comply with Uniform Building Code, Chapter 11 Accessibility and with the following requirements:

(1) Commercial coaches must have at least two exterior doors that are remote from each other. Remote means that in:

(a) Single-wide units the doors may not be less than twelve feet apart; and

(b) Multi-wide units the doors may not be less than twenty feet apart, center to center from each other measured in a straight line direction regardless of the length of travel between doors.

Exception: A commercial coach that is twenty-four feet long or less needs only one exit door, unless it has a dormitory sleeping area.

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(2) Exterior doors must be constructed for exterior use. Exterior doors must provide at least a thirty-five inch wide by seventy-nine inch high clear opening (36" x 80" door). Each swinging exterior door must have a key-operated lock that has a deadlock latch. A deadlock with a passage set installed below the deadlock may be used as an acceptable alternate for each exterior door. The locking mechanism must be engaged or disengaged by the use of a lever or other device from the interior of the commercial coach. Locks must not require the use of a key for operation from the inside.

(3) Every room designed for dormitory sleeping, unless it has an exterior exit door, must have at least one window which can be opened from the inside without using tools. This window must provide a clear opening of at least twenty-two inches in its smallest dimension and five square feet in area with the bottom of the opening not more than three feet above the floor. If a screen or storm window is used it must be readily removable without using tools.

NEW SECTION

WAC 296-150C-1190 Interior privacy. If a commercial coach interior door, such as a bathroom door, has a privacy lock, the lock must contain an emergency release. The emergency release must be on the outside to permit entry when the door is locked from the inside.

NEW SECTION

WAC 296-150C-1195 Fire warning equipment—Automatic smoke detectors. (1) At least one smoke detector (which may be a single station smoke detector) must be installed in each commercial coach to protect each separate bedroom. Smoke detectors must meet the requirements of the Standard for Single and Multiple Station Smoke Detectors of the Underwriters Laboratories Inc. (UL 217). All dormitories must have at least one installed smoke detector.

(2) A smoke detector must be installed in the hallway or area next to the bedroom, and must be mounted, where possible, between the commercial area and the first bedroom door on an interior wall. Where mounting cannot be achieved due to limited interior wall space, the smoke detector must be located as close as practical to the first bedroom door on an interior wall. Commercial coaches having bedrooms separated by one or a combination of common use areas (such as a kitchen, dining area, or a commercial area, but, not a bathroom) must have at least two smoke detectors, one smoke detector protecting each bedroom.

(3) Smoke detectors must be installed per their listing. The smoke detector mounting must be attached to an electrical outlet box and the detector must be permanently wired into a general purpose electrical circuit. There must be no switches in the circuits to the detectors other than the circuit breaker serving the circuits.

(4) The commercial coach manufacturer must provide a copy of the testing and maintenance instructions supplied by the manufacturer of the smoke detector for the information of the consumer and users of the commercial coach.

NEW SECTION

WAC 296-150C-1200 Installation instructions. The manufacturer must provide printed instructions upon request for each commercial coach specifying the following:

(1) The location and required capacity of stabilizing devices, such as tie downs, piers, and blocking;

(2) Devices and methods used to connect all components and systems including, chassis and utilities; and

(3) Leveling, including releveling.

NEW SECTION

WAC 296-150C-1210 Table: Number of ties required per side of commercial coach.

NUMBER OF TIES REQUIRED PER SIDE OF COMMERCIAL COACH

Note: This table is based on a minimum working load per anchor of three thousand one hundred fifty pounds with a fifty percent overload (four thousand seven hundred twenty-five pounds total).

Length of Commercial Coach (Feet)	No. of Vertical Ties	No. of Diagonal Ties
00-40	2	3
41-46	2	3
47-49	2	3
50-54	2	3
55-58	2	4
59-64	2	4
65-70	2	4

(1) Double-width commercial coaches require only the diagonal ties specified, and these must be placed along the outer side walls;

(2) Length of commercial coach (as used in this table) means length excluding draw bar;

(3) Diagonal ties in this method must deviate at least forty degrees from a vertical direction; or

(4) The number of ties required can be designed by a professional engineer.

ELECTRICAL

NEW SECTION

WAC 296-150C-1220 Electrical—General. This chapter applies to the installation of electrical equipment in any commercial coach bearing or required to bear a department insignia.

NEW SECTION

WAC 296-150C-1230 Electrical definitions. Definitions contained in the current adopted edition National Electrical Code (NEC), and the following definitions apply to the commercial coach electrical standards in this chapter.

"Converter" is a device that changes electrical energy from one form to another, as from alternating current to direct current.

"Feeder assembly" or "subpanel" is the overhead or under-chassis feeder conductor, including the grounding conductor, fittings, and equipment, or power-supply cord approved for commercial coach.

The feeder assembly or subpanel is used in commercial coaches and designed to deliver energy from the source of electrical supply to the distribution panelboard within the commercial coach.

"Low voltage" is an electromotive force rated at thirty-two volts or less, supplied from a transformer, converter, or battery.

NEW SECTION

WAC 296-150C-1240 Branch circuit and feeder calculations. Branch circuit and feeder calculations must be determined according to the National Electrical Code.

NEW SECTION

WAC 296-150C-1250 Disconnecting means and branch circuit protective equipment. (1) The branch circuit equipment may be combined with the disconnecting means as a single assembly. Such a combination may be designated as a distribution panelboard. If a fused distribution panelboard is used, the maximum fuse size for the mains must be plainly marked with lettering at least 1/4 inch high and visible when fuses are changed.

Note: See the National Electrical Code concerning identification of each disconnecting means and each feeder or branch circuit at the point where it originated and type of marking needed.

(2) Plug fuses and fuseholders must be tamper-resistant, Type "S," enclosed in dead-front fuse panelboards.

(3) A single disconnecting means must be provided in each commercial coach. It must consist of a circuit breaker or a switch, fuses, and their accessories installed in a readily accessible location near the point of entrance of the supply cord or conductors into the commercial coach. The main circuit breakers or fuses must be plainly marked "main." This equipment must contain a solderless type of grounding connector or bar for the purposes of grounding, with sufficient terminals for all grounding conductors. The neutral bar termination of the grounded circuit conductors must be insulated.

(4) The disconnecting equipment must have a rating suitable for the connected load. The distribution equipment, either circuit breaker or fused type, must be located a minimum of twenty-four inches from the bottom of such equipment to the floor level of the commercial coach. There must be an accessible space of at least thirty inches wide by thirty-six inches deep by seventy-eight inches high in front of the electrical disconnect equipment. The main circuit breakers or switches must be plainly marked "main." There must be a label attached to the panelboard stating:

"This panelboard must be connected by a feeder assembly having overcurrent protection rated at not more than_____amperes." (The correct ampere rating must be marked in the blank space.)

(5) Branch circuit distribution equipment must be installed in each commercial coach and must include overcurrent protection for each branch circuit consisting of either circuit breakers or fuses.

(6) The branch circuit overcurrent devices must be rated:

(a) Not more than the circuit conductors; and

(b) Not more than one hundred fifty percent of the rating of a single appliance rated ten amperes or more; but

(c) Not more than the overcurrent protection rating marked on the motor-operated appliance. A device not approved for branch circuit protection, such as a thermal cutout or motor overload protective device, must not be considered as the overcurrent device protecting the circuit.

(7) A 20-ampere fuse or circuit breaker must be considered adequate protection for fixture leads, cords for portable appliances and No. 14 AWG (American Wire Gauge) tap conductors, not over six feet long, for recessed lighting fixtures.

(8) If more than one outlet or load is on a branch circuit, a 15-ampere receptacle must be considered protected by a 20-ampere fuse or circuit breaker.

(9) When circuit breakers are provided for branch circuit protection, 240-volt circuits must be protected by two-pole common or companion trip circuit breakers.

NEW SECTION

WAC 296-150C-1260 Power supply—Feeder assembly equipment. A commercial coach must be provided with feeder assembly equipment, installed by the manufacturer according to National Electrical Code and the provisions of this chapter. The assembly must be either:

(1) One overhead assembly containing the required number of insulated color-coded feeder conductors, one of which must be a grounding conductor; or

(2) One under-vehicle assembly consisting of conduit running from the commercial coach branch circuit panelboard to the underside of the commercial coach. Conduit must be sized in accordance with the National Electrical Code; or

(3) Other installations approved by the department.

NEW SECTION

WAC 296-150C-1270 Identification of feeder assembly connection. (1) Each commercial coach equipped with a 120-volt electrical system must have a label, permanently attached on the outside wall adjacent to the point of entrance of the feeder assembly, that reads:

"THIS CONNECTION IS FOR 110-125 VOLT AC SERVICE. DO NOT CONNECT HIGHER VOLTAGE."

(2) Each commercial coach equipped with a 120/240-volt AC electrical system must have a label, permanently attached on the outside wall, adjacent to the point of entrance of the supply assembly or permanently installed feeders, that reads:

"THIS CONNECTION IS FOR 120/240 VOLT AC____AMPERE SERVICE." (The correct service rating shall be stamped in the blank space.)

(3) Each commercial coach equipped with a 480/277-volt electrical system must have a label, permanently attached on the outside wall, adjacent to the point of entrance of the supply assembly or permanently installed feeders, that reads:

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"THIS CONNECTION IS FOR 480/277 VOLT AC_____AMPERE SERVICE." (The correct service rating shall be stamped in the blank space.)

NEW SECTION

WAC 296-150C-1280 Wiring methods—Wiring of expandable or multiple units. (1) Where circuits in expandable or multiple units are designed to be energized from one main panelboard, permanent-type wiring methods and materials must be used for connecting the units to each other.

(2) Commercial coaches may have individual branch circuit panelboards installed in each unit subject to the requirements of this chapter.

NEW SECTION

WAC 296-150C-1290 Under-chassis wiring. Outdoor or under-chassis wiring (120/240 volts) exposed to moisture and mechanical damage must be protected by rigid metal conduit, electrical metallic tubing, liquid-tight flexible metal conduit, or nonmetallic conduit. The conductors shall be type RW, TW, or equivalent.

NEW SECTION

WAC 296-150C-1300 Equipment mounting. Electrical equipment must be securely mounted to prevent displacement during transit. Meter bases must not be mounted on commercial coaches.

NEW SECTION

WAC 296-150C-1310 Grounding—General. Grounding of both electrical and nonelectrical metal parts in a commercial coach must be through connection to a grounding bus in the commercial coach distribution panel. The grounding bus must be grounded through the green conductor in the supply cord. It may also be grounded through the feeder wiring to the service ground in the service-entrance equipment located adjacent to the commercial coach location. Do not connect either the frame of the commercial coach or the frame of any appliance to the neutral conductor in the commercial coach.

(1) The insulated neutral requirements are as follows:

(a) The grounded (neutral) circuit conductor must be insulated from the grounding conductors, from equipment enclosures, and from other grounded parts.

(b) The grounded (neutral) circuit terminals in the distribution panels and in ranges, clothes dryers, counter-mounted cooking units, and wall-mounted ovens must be insulated from the equipment enclosure.

(c) Bonding screws, straps, or buses in the distribution panel or in appliances *must be removed and discarded.*

(d) Connections of ranges and clothes dryers with 120/240 volt, 3-wire ratings must be made with 4-conductor cord and 3-pole, 4-wire grounding-type plugs or by type AC metalclad cable or individual conductors enclosed in flexible metal conduit.

(e) Type NM or type SE cable must not be used to connect a range or a dryer. This does not prohibit the use of type NM or type SE cable between the branch circuit overcurrent protective device and a junction box or range or dryer receptacle.

(f) For 120-volt rated devices, a 3-conductor cord and 2-pole, 3-wire grounding-type plug is permitted.

(2) The following equipment grounding means must be used:

(a) The green grounding wire in the supply cord or permanent feeder wiring must be connected to the grounding bus in the distribution panel or disconnecting means.

(b) In the electrical system, all exposed metal parts, enclosures, frames, lamp fixture canopies, etc., must be effectively bonded to the grounding terminal or enclosure of the distribution panel.

(c) Cord-connected appliances must be grounded by means of an approved cord with grounding conductor and grounding-type attachment plug.

(3) The following bonding requirements of noncurrent-carrying metal parts must apply:

(a) All exposed noncurrent-carrying metal parts that may become energized must be effectively bonded to the grounding terminal or enclosure of the distribution panelboard. A bonding conductor must be connected between each distribution panelboard and an accessible terminal on the chassis.

(b) Grounding terminals must be of the solderless type and approved as pressure-terminal connectors recognized for the wire size used.

(c) The bonding conductor must be solid or stranded, insulated or bare and must be No. 8 copper minimum or equal. It must be routed so as not to be exposed to physical damage.

(d) Metallic gas, water, and waste pipes and metallic air circulating ducts must be considered bonded if they are connected to the terminal on the chassis by clamps, solderless connectors or by suitable grounding-type straps.

(e) Any metallic roof and exterior covering must be considered bonded if:

(i) The metal panels overlap one another and are securely attached to the wood or metal frame parts by metallic fasteners;

(ii) The lower panel of the metallic exterior covering is secured at a cross member of the chassis by two metal fastener straps per commercial coach unit or section at opposite ends; and

(iii) The bonding strap must be a minimum of 30 gauge galvanized metal and must be a minimum of four inches wide.

NEW SECTION

WAC 296-150C-1320 Dielectric strength test. (1)(a) The wiring of each commercial coach must be subjected to a one-minute, 900-volt, dielectric strength test between live parts (including neutral) and the commercial coach ground. All switches must be closed during the test. (Closed switches are in the on position.)

(b) The test may also be performed at 1,080 volts for one second. This test must be performed after branch circuits are complete and after fixtures or appliances are installed.

Exception: Fixtures and appliances are not required to withstand the dielectric strength test.

(2) Each commercial coach designed with a 480-volt electrical system must be subjected to a one-minute 1,275-volt dielectric strength test between current-carrying conductors and the coach ground. The test may also be performed at 1,500 volts for one second.

(3) Low-voltage circuit conductors in each commercial coach must withstand the applied potential without electrical breakdown of a one-minute, 500-volt, or a one-second, 600-volt, dielectric strength test. The potential must be applied between live and grounded conductors.

(4) The test is to be performed by the manufacturer and witnessed by the inspector.

Mechanical

NEW SECTION

WAC 296-150C-1330 Mechanical—General. This chapter applies to the installation of mechanical, ventilation, and indoor air quality equipment in any commercial coach bearing or required to bear a department insignia. Mechanical, ventilation, and indoor air quality equipment and installations in or on a commercial coach shall be installed according to the requirements of the Uniform Mechanical Code, the Washington State Ventilation and Indoor Air Quality Code, the rules of this chapter, and the conditions of the equipment approval or listing agency.

NEW SECTION

WAC 296-150C-1340 Mechanical definitions. Definitions contained in the current adopted edition of the Uniform Mechanical Code, and the following definitions apply to the commercial coaches.

"Accessible" is having access to a fixture, connection, appliance, or equipment that requires the removal of an access panel, door, or similar obstruction.

"Appliance compartment" is a room having a floor area not in excess of twice the largest plan area of the room's appliance or appliances plus clearances required in this chapter.

"Automatic pilot device" is a device employed with gas-burning equipment that will either automatically shut off the gas supply to the burner being served or automatically activate, electrically or otherwise, a gas shut-off device when the pilot flame is extinguished.

"Btuh" is British thermal units per hour.

"Clearance" is the distance between the appliance, chimney, vent, or chimney or vent connector, or plenum and the nearest surface.

"Combustible material" is a material adjacent to or in contact with a heat-producing appliance, vent connector, chimney, or steam and hot water pipes, made of or surfaced with wood, compressed paper, plant fibers, or other products that will ignite and burn. Such material must be considered combustible even though flame-proofed, fire-retardant treated, or plastered.

"Connector-gas appliance" is a flexible or semi-rigid connector listed as conforming to ANSI Standard Z21.24, Metal Connectors for Gas Appliances, used to convey fuel gas, three feet or less in length (six feet or less for gas ranges), between a gas outlet and a gas appliance in the same room.

"Fuel gas piping system" is the arrangement of piping, tubing, fittings, connectors, valves, and devices designed and intended to supply or control the flow of fuel gas to an appliance.

"Gas" is fuel gas, such as natural gas, manufactured gas, undiluted liquefied petroleum gas (vapor phase only), liquefied petroleum air-gas mixtures, or mixtures of these gases that would ignite in the presence of oxygen.

"Gas-supply connection" is the terminal end or connection to which a gas-supply connector is attached.

"Input rating" is the maximum fuel-burning capacity of any warm-air furnace, recessed heater, or burner expressed in British thermal units per hour.

"Liquefied petroleum gases (LPG)" is any material that is composed predominantly of propane, propylene, butanes (normal butane or isobutane), and butylenes, or any mixture of them.

"Quick-disconnect device" is a hand-operated means of connecting and disconnecting a gas supply or connecting gas systems and is equipped with an automatic device to shut off the gas supply when disconnected.

"Readily accessible" is having direct access without the necessity of removing any panel, door, or similar obstruction.

NEW SECTION

WAC 296-150C-1350 LPG system enclosure and mounting. (1) LPG containers must not be installed, nor stored temporarily, inside any commercial coach.

Exception: This prohibition does not apply to completely self-contained hand torches, lanterns, or similar equipment with containers having a maximum water capacity of two and one-half pounds (approximately one pound LPG capacity).

(2)(a) Containers, control valves and regulating equipment, when installed, must be mounted on the "A" frame of the commercial coach or installed in a compartment that is *vapor-tight* to the inside of the commercial coach and accessible only from the outside.

(b) The compartment must be ventilated at top and bottom to diffuse vapors. The compartment must be ventilated with two vents having an aggregate area of not less than two percent of the floor area of the compartment and must open without restriction to the outside. The required vents must be equally distributed between the floor and ceiling of the compartment. If the lower vent is located in the access door or wall, the bottom edge of the vent shall be flush with the floor level of the compartment. The top vent must be located in the access door or wall with the bottom of the vent not more than twelve inches below the ceiling level of the compartment. All vents must have an unrestricted discharge to the outside atmosphere. Access doors or panels of compartments must not be equipped with locks or require special tools or knowledge to open.

(3) Doors, hoods, domes, or portions of housings and enclosures required to be removed or opened for container replacement must incorporate means for clamping them firmly in place and preventing them from working loose during transit. Provisions must be incorporated in the assembly to hold the containers firmly in position and prevent their movement during transit.

PERMANENT

(4) LPG containers must be mounted on a substantial support or a base secured firmly to the commercial coach chassis. Neither the container nor its support can extend below the commercial coach frame.

NEW SECTION

WAC 296-150C-1360 Gas piping—Piping design. Commercial coaches requiring fuel gas for any purpose must be equipped with a gas piping system that is designed for LPG only or combination LPG and natural gas.

NEW SECTION

WAC 296-150C-1370 Gas piping—Expandable or multiple commercial coaches. Where gas piping is to be installed in more than one portion of an expandable or multiple commercial coach, the design and construction must be as follows:

(1) There must be only one point of cross over, readily accessible from the exterior of the commercial coach.

(2) The connector between units must be a listed flexible gas connector approved for exterior use.

(3) A shut-off valve must be located on the supply side of the connection. Both a flexible gas connector that is approved for exterior use and a quick disconnect type of connector must be tested and approved to IAPMO TSC-9 standard or equal; and both must have a shut-off valve installed that is tested and approved to ANSI Z21.15 standard or equal.

(4) Protective caps or plugs must be permanently attached to the coach and used to seal the system when not in use.

NEW SECTION

WAC 296-150C-1380 Concealed tubing. (1) Tubing must not be run inside walls, floors, partitions, or roofs.

(2) If tubing passes through walls, floors, partitions, roofs, or similar installations, the tubing must be protected by the use of weather resistant grommets that snugly fit both the tubing and the hole through which the tubing passes.

NEW SECTION

WAC 296-150C-1390 Gas piping—Pipe-joint compound. (1) Screw joints must be made tight with pipe-joint compound that is insoluble in liquefied petroleum gas.

(2) Pipe-joint compound must be approved for the type of gas used. The pipe-joint compound must be applied to the male threads only.

NEW SECTION

WAC 296-150C-1400 Gas piping—Hangers and supports. (1) All gas piping must be adequately supported by galvanized or equivalently protected metal straps or hangers at intervals of not more than four feet, except where adequate support and protection is provided by structural members.

(2) Gas pipe supply connections must be rigidly anchored to a structural member within six inches of the supply connections.

NEW SECTION

WAC 296-150C-1410 Gas piping—Electrical ground. (1) Gas piping must not be used for an electrical ground.

(2) The gas line must be bonded.

NEW SECTION

WAC 296-150C-1420 Identification of gas supply connections. A label must be permanently attached on the outside of the exterior wall of the commercial coach adjacent to the gas supply connection which provides the following information:

(1) The type of system (i.e., liquid petroleum system or natural gas system or combination liquid petroleum and natural gas system);

(2) The appropriate Btuh input rating; and

(3) If excess ("or more") Btuh input is allowed.

For example: *Natural Gas System*
250,000 Btuh
Or More

NEW SECTION

WAC 296-150C-1430 Gas piping system openings. All openings in the gas piping system must be closed gas-tight with threaded pipe plugs or pipe caps.

NEW SECTION

WAC 296-150C-1440 Gas piping—Valves. (1) In addition to any valve on the appliance, a shut-off valve must be installed in the fuel piping outside of each gas appliance but inside the commercial coach structure and upstream of the union or connector. The shut-off valve must be located within six feet of a cooking appliance and within three feet of any other appliance. A shut-off valve may serve more than one appliance if located as required above.

(2) Shut-off valves used in connection with gas piping must be of a type designed for use with liquefied petroleum gas. Shut-off valves must be tested and approved to ANSI Z21.15 standard or equal.

NEW SECTION

WAC 296-150C-1450 Gas piping—Testing for leakage before appliances are connected. (1) The piping system must stand a pressure of at least ten psi gauge for a period of not less than fifteen minutes without showing any drop in pressure.

(2) Pressure must be measured with a gauge calibrated to be read in increments of not greater than one-tenth pound.

(3) The source of pressure must be isolated before the pressure tests are made. Before a test is begun, the temperature of the ambient air and of the piping must be approximately the same, and constant air temperature must be maintained throughout the test.

NEW SECTION

WAC 296-150C-1460 Gas piping—Testing for leakage after appliances are connected. (1) After gas appliances have been connected, the gas-piping system must be subjected to a pressure test with the burner valves closed.

PERMANENT

The test consists of air at not less than ten inches nor more than fourteen inches pressure of water column (six to eight ounces). The system must hold this pressure for a period of not less than ten minutes with no leakage. Before beginning the test, the temperature of the gas-piping system and the test air must be equalized, and this shall be maintained throughout the test.

(2) Appliance shut-off valves ahead of gas cooking appliances may be closed for the performance of this test. When the test is satisfactorily performed, these valves must be opened and, while the system is under pressure, the appliance connectors must be tested with an approved leak detector or approved bubble solution.

VENTILATION AND INDOOR AIR QUALITY

NEW SECTION

WAC 296-150C-1470 Ventilation and indoor air quality—General. Ventilation and indoor air quality equipment and installations in or on a commercial coach must be made according to the requirements of the Washington State Ventilation and Indoor Air Quality Code, the Uniform Mechanical Code, the rules of this chapter, and the conditions of the equipment approval.

NEW SECTION

WAC 296-150C-1480 Ventilation and indoor air quality definitions. Definitions contained in the current adopted edition of the Washington State Ventilation and Indoor Air Quality Code and the Uniform Mechanical Code and the following definitions apply to the commercial coach ventilation and indoor air quality rules in this chapter.

"Duct" is a conduit or passageway for conveying air to or from heating, cooling, air conditioning, or ventilation equipment, not including the plenum.

"Plenum" is an air compartment that is part of an air-distributing system to which one or more ducts are connected.

- **A furnace-supply plenum** is a plenum attached directly to, or an integral part of, the air-supply outlet of the furnace.
- **A furnace-return plenum** is a plenum attached directly to, or an integral part of, the return inlet of the furnace.

"Vent connector" is a pipe for conveying products of combustion from a fuel-burning appliance to a vent.

"Water heater" is an appliance for heating water for domestic purposes other than for space heating.

NEW SECTION

WAC 296-150C-1490 Appliances—Installation. In addition to requirements of the Washington State Ventilation and Indoor Air Quality Code:

(1) The installation of each appliance must conform to the manufacturer's installation instructions. The manufacturer's instructions must be attached to the appliance.

(2) Combustion air inlets and flue gas outlets must be listed as components of the appliance and must be completely separated. The required separation may be obtained by:

(a) The installation of direct vent system (sealed combustion system) appliances; or

(b) The installation of appliances within enclosures so that the appliance combustion system and venting system are separate from the interior atmosphere of the commercial coach. There must not be any door, removable access panel, or other opening into the enclosure from inside the commercial coach. Any openings for ducts, piping, wiring, etc., must be sealed.

NEW SECTION

WAC 296-150C-1500 Safety devices—Water heater relief valves. In addition to requirements of the Washington State Ventilation and Indoor Air Quality Code:

(1) All water heaters must be installed with approved fully automatic valve or valves designed to provide temperature and pressure relief. Temperature and pressure relief valves must be tested and approved to ANSI Z21.22 standard or equal.

(2) Any temperature relief valve or combined pressure and temperature relief valve installed for this purpose must have the temperature sensing element immersed in the hottest water within the upper six inches of the tank. It must be set to start relieving at a pressure of 150 psi or the rated working pressure of the tank, whichever is lower, and at or below a water temperature of 210 degrees Fahrenheit.

(3) Relief valves must be provided with full-sized drains. Drains must be directed to the exterior sides of the unit, exiting at least six inches above the ground, and each drain pipe must exhaust with a ninety degree downward turn. Drain lines must be of a material approved for hot water distribution and must drain fully by gravity, must not be trapped, and must not have their outlets threaded.

NEW SECTION

WAC 296-150C-1510 Air ducts—Expandable or multiple commercial coach connections. In addition to the requirements of the Uniform Mechanical Code and the Washington State Energy Code air ducts for:

(1) An expandable or multiple commercial coach may have ducts of the heating system installed in the various units. The points of connection must be so designed and constructed that when the commercial coach is fully expanded or coupled, the resulting duct joint will conform to the requirements of this chapter.

(2) Installation instructions for supporting the crossover duct from the commercial coach must be provided for on-site installation. The duct must not touch the ground.

NEW SECTION

WAC 296-150C-1520 Air ducts—Duct and plenum insulation. Every heating and cooling duct and plenum must be installed according to the Uniform Mechanical Code and the Washington State Energy Code.

PERMANENT

PLUMBING

NEW SECTION

WAC 296-150C-1530 Plumbing—General. This chapter also applies to the installation of plumbing equipment in any commercial coach bearing or required to bear a department insignia. Plumbing fixtures, equipment, and installations in commercial coaches must conform to the provisions of the Uniform Plumbing Code and the amendments adopted by the State Building Code Council, except part 1, unless specifically exempted or required by this section.

NEW SECTION

WAC 296-150C-1540 Plumbing—Definitions. The definitions listed below, in addition to the Uniform Plumbing Code definitions apply to this chapter.

"Drain outlet" is the discharge end of the commercial coach main drain to which a drain connector may be attached.

"Main drain" is the principal artery of the commercial coach drainage system to which drainage branches may be connected.

"Water-supply connection" is the fitting or point of connection of the commercial coach water distribution system designed for connection to a water connector.

NEW SECTION

WAC 296-150C-1550 Drainage—Cap or plug. Drain outlets must be equipped with a watertight cap or plug that is permanently attached to the vehicle.

NEW SECTION

WAC 296-150C-1560 Drainage—Clearance from drain outlet. The drain outlet and couplers must have a minimum clearance of three inches in any direction from all parts of the structure or appurtenances and at least eighteen inches unrestricted clearance directly in front of the drain outlet.

NEW SECTION

WAC 296-150C-1570 Water supply connection. (1) Each commercial coach equipped with a water distribution system must have a water-supply connection that terminates within eighteen inches of the outside wall of the commercial coach.

(2) Water-supply connections must be equipped with a watertight cap or plug that is permanently attached to the commercial coach.

VENDOR UNIT CONVERSION CODE

GENERAL

NEW SECTION

WAC 296-150C-1580 What manufacturing codes apply when converting structures to vendor units? (1) The conversion of a structure to a vendor unit must comply with the following codes:

(a) The Uniform Mechanical Code, with the amendments made by the Washington State Building Code Council, chapter 51-32 WAC;

(b) The National Electrical Code as referenced in chapter 19.28 RCW and chapter 296-46 WAC, Installing Electric Wires and Equipment; and

(c) The Uniform Plumbing Code 1991 edition with the amendments under chapter 19.27 RCW.

(2) All construction methods and installations must use accepted engineering practices, provide minimum health and safety to the occupants of commercial coaches and the public, and demonstrate journeyman quality of work of the various trades.

(3) Requirements for any size, weight, or quality of material modified by the terms "minimum," "not less than," "at least," and similar expressions are minimum standards. The person converting a structure to a vendor unit may exceed these rules provided the deviation does not result in inferior installation or defeat the purpose and intent of this chapter.

STRUCTURAL

NEW SECTION

WAC 296-150C-1590 Structural analysis for acceptability. (1) A "Type A vendor unit" is a commercial coach such as, but not limited to, a truck, van, or step van that meet the requirements of this chapter.

(2) A "Type B vendor unit" is a commercial coach such as, but not limited to, a recreational vehicle as defined by the American National Standard Institute, Inc. Conversion of a structure to a Type B vendor unit requires an engineering analysis or structural tests to determine whether it is structurally acceptable for use.

NEW SECTION

WAC 296-150C-1600 Live loads. (1) The design live loads for vendor units are:

(a) Roof 25 psf

(b) Floor 40 psf

(2) The roof live load must not be considered as acting simultaneously with the wind load. The roof and the floor live loads must not be considered as resisting the overturning moment due to wind.

(3) The roof live load and the floor live load must be considered to act both simultaneously and separately in order to determine the critical design loading for stresses and deflections.

NEW SECTION

WAC 296-150C-1610 Design load deflection. When a structural assembly is subjected to total design live loads, the deflection for structural framing members must not exceed the following:

L = The clear span between supports or two times the length of a cantilever.

Floor	L/240
Roof	L/180

PERMANENT

NEW SECTION

WAC 296-150C-1620 Structural load tests. (1) A structural assembly tested for qualification must sustain the design dead load plus the superimposed design live loads for vendor units (see WAC 296-150C-1600) equal to 1.75 times the required live loads for a period of twelve hours without failure of the assembly.

(2) An assembly failure is defined as a rupture, fracture, or residual deflection which is greater than the limits set in WAC 296-150C-1610.

Note: We will provide test procedure forms upon request.

CONSTRUCTION

NEW SECTION

WAC 296-150C-1630 Roof coverings/membrane/weather resistant. (1) The roof covering must be securely fastened in an approved manner to the supporting roof construction and must provide weather protection for the vendor unit and the occupants.

(2) Exterior covering materials, including metal coverings, must be moisture and weather resistant and contain corrosion resistant fasteners to prevent wind and rain deterioration.

Note: Electro-plated, electro-deposited zinc, and electro-galvanized staples are not considered corrosion-resistant materials.

(3) All exterior openings or penetrations into the commercial coach around piping, ducts, plenums, or vents must be sealed with moisture-resistant material.

NEW SECTION

WAC 296-150C-1640 Floors. Wood floors must be made moisture resistant by an overlay of nonabsorbent material applied with water-resistant adhesive.

NEW SECTION

WAC 296-150C-1650 Floor closure material. (1) Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the vendor unit due to air, water, insects, dust, and be rodent resistant.

(2) The floor closure material must meet ASTM D-781 standard or equal and be installed as follows:

(a) Fibrous material (with or without patches) must meet or exceed the level of forty-eight inch-pounds of puncture resistance as tested.

(b) Patching material must be installed according to installation instructions furnished by the supplier of the material.

(c) The material must be suitable for patches and the patch life must be equivalent to the material life.

NEW SECTION

WAC 296-150C-1660 Chassis approval. The vendor unit chassis and running gear can be approved by either:

(1) Engineering calculations done per WAC 296-150C-1080; or

(2) A letter from an engineer which certifies that the chassis will support the loads imposed upon the chassis. This letter must be sealed with a wet stamp and signed by the engineer who made the analysis.

MATERIALS

NEW SECTION

WAC 296-150C-1670 Standards for equipment and installations. (1) The manufacturer's equipment and installation specifications must be followed. Other approved standards are acceptable when:

- Installed according to the manufacturer's installation instructions; and
- Approved by a listing or testing agency.

Note: Gas furnaces, gas water heaters, and gas refrigerators *must* be sealed combustion or completely separated from the interior of the vendor unit.

(2) No solid fuel (e.g., charcoal) appliances may be installed in a vendor unit.

NEW SECTION

WAC 296-150C-1680 Flame-spread limitations. For flame-spread requirements see WAC 296-150C-1100.

NEW SECTION

WAC 296-150C-1690 Cabinet protection. (1) The bottom and sides of combustible cabinets over cooking appliances or tops including a space of six inches from the edge of the burners must be protected with at least one-quarter inch thick asbestos millboard covered with at least 26 gauge sheet metal (.017 stainless steel, .024 aluminum or .020 copper) or equivalent protection. The protective metal over the range must form a hood with not less than a three-inch eyebrow (measuring horizontally from face of cabinet).

(2) The hood must be centered over and at least as wide as the top of the cooking appliance.

NEW SECTION

WAC 296-150C-1700 Insulation standards. When a source of heating or cooling is installed, the vendor unit must comply with the Washington State Energy Code, unless another state law supersedes the Washington State Energy Code.

NEW SECTION

WAC 296-150C-1710 Light and ventilation. Each bathroom must be provided with artificial light and with a window having at least 1/2 square feet of glazed area that can be fully opened, except where a mechanical ventilation system is installed. Any mechanical ventilation system must exhaust directly to the outside of the vendor unit.

NEW SECTION

WAC 296-150C-1720 Vendor unit exits. At least one vending unit exit must comply with the following:

(1) Exterior doors must be constructed for exterior use.

(2) The exterior door must be at least thirty-inches wide by seventy-two inches high.

PERMANENT

(3) Each swinging exterior door must have a key-operated lock that has a deadlock latch. A deadlock with a passage set installed below the deadlock may be used as an acceptable alternate for each exterior door. The locking mechanism must be engaged or disengaged by the use of a lever, knob, button, handle, or other device from the interior of the vending unit.

(4) Locks must not require the use of a key for operation from the inside.

ELECTRICAL

NEW SECTION

WAC 296-150C-1730 Electrical for vendor units. The electrical system in any vendor unit must comply with the National Electrical Code as referenced in chapter 19.28 RCW, Article 550 and the applicable portions of other Articles as required by this section.

(1) Appliances must be installed per Articles 422 - Appliances.

(2) Generators must be installed per Article 445 - Generators.

MECHANICAL

NEW SECTION

WAC 296-150C-1740 Mechanical for vendor units. This chapter applies to the installation of mechanical, ventilation, and indoor air quality equipment in any vendor unit bearing or required to bear a department insignia. Mechanical, ventilation, and indoor air quality equipment is installed in or on a vendor unit, it must be installed according to the requirements of the Uniform Mechanical Code, the Washington State Ventilation and Indoor Air Quality Code, the rules of this chapter, and the conditions of the equipment approval or listing agency.

NEW SECTION

WAC 296-150C-1770 Appliances—Installation. In addition to requirements of the Washington State Ventilation and Indoor Air Quality Code:

(1) The installation of each appliance must conform to the manufacturer's installation instructions. The manufacturer's instructions must be attached to the appliance.

(2) Combustion air inlets and flue gas outlets must be listed as components of the appliance and must be completely separated. The required separation may be obtained by:

(a) The installation of direct vent system (sealed combustion system) appliances; or

(b) The installation of appliances within enclosures so that the appliance combustion system and venting system are separate from the interior atmosphere of the commercial coach. There must not be any door, removable access panel, or other opening into the enclosure from the inside of the commercial coach. Any openings for ducts, piping, wiring, etc., must be sealed.

(3) Ranges, cooktops, and ovens must not burn outside combustion air.

NEW SECTION

WAC 296-150C-1780 Safety devices—Water heater relief valves. (1) All water heaters must be installed with approved fully automatic valve or valves designed to provide temperature and pressure relief. Temperature and pressure relief valves must be tested and approved to ANSI Z21.22 standard or equal.

(2) Any temperature relief valve or combined pressure and temperature relief valve installed for this purpose must have the temperature sensing element immersed in the hottest water within the upper six inches of the tank. It must be set to start relieving at a pressure of 150 psi or the rated working pressure of the tank, whichever is lower, and at or below a water temperature of 210 degrees Fahrenheit.

(3) Relief valves must be provided with full-sized drains. Drains must be directed to the exterior of the unit, exiting at least six inches above the ground, and must exhaust downward. Drain lines must be of a material approved for hot water distribution and must drain fully by gravity, must not be trapped, and must not have their outlets threaded.

PLUMBING

NEW SECTION

WAC 296-150C-1790 Plumbing—General. This chapter also applies to the installation of plumbing equipment in any vendor unit bearing or required to bear a department insignia. Plumbing fixtures, equipment, and installations in vendor units must conform to the provisions of the Plumbing Code and the amendments adopted by the State Building Code Council, except part 1, unless specifically exempted or required by this section.

NEW SECTION

WAC 296-150C-1800 Plumbing—Definitions. Definitions contained in the Uniform Plumbing Code apply to this chapter:

"Drain outlet" is the discharge end of the commercial coach main drain to which a drain connector may be attached.

"Main drain" is the principal artery of the commercial coach drainage system to which drainage branches may be connected.

"Water-supply connection" is the fitting or point of connection of the commercial coach water distribution system to a water connector.

NEW SECTION

WAC 296-150C-1810 Drainage—Cap or plug. Drain outlets must be equipped with a watertight cap or plug that must be permanently attached to the vehicle.

NEW SECTION

WAC 296-150C-1820 Drainage—Clearance from drain outlet. The drain outlet and couplers must have a minimum clearance of three inches in any direction from all parts of the structure or appurtenances and with at least

eighteen inches unrestricted clearance directly in front of the drain outlet.

NEW SECTION

WAC 296-150C-1830 Water supply connection. Water-supply connections must be equipped with a water-tight cap or plug that must be permanently attached to the vehicle.

Note: The department of health may have more restrictive requirements. Before modifying your unit to comply with these requirements be sure to contact them.

COMMERCIAL COACH FEES

NEW SECTION

WAC 296-150C-3000Commercial coach fees.

INITIAL FILING FEE	$ 25.00

DESIGN PLAN FEES	
INITIAL FEE-MASTER DESIGN	$170.00
INITIAL FEE-ONE YEAR DESIGN	70.00
RENEWAL FEE	30.00
RESUBMIT FEE	50.00
ADDENDUM	50.00
PLANS APPROVED BY PROFESSIONALS	35.00

DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION*	$ 50.00
TRAVEL (PER HOUR)*	50.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	

DEPARTMENT AUDIT FEES	
AUDIT (PER HOUR)*	$50.00
TRAVEL (PER HOUR)*	50.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	

INSIGNIA FEES	
FIRST SECTION	$ 15.00
EACH ADDITIONAL SECTION	10.00
ALTERATION	25.00
REISSUED-LOST/DAMAGED	10.00

FIELD TECHNICAL SERVICE FEE (PER HOUR)	$50.00

* Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments
** Per state guidelines.
***Actual charges incurred.

PERMANENT

Chapter 296-150F WAC
FACTORY-BUILT HOUSING AND COMMERCIAL STRUCTURES

NEW SECTION

WAC 296-150F-0010 Authority, purpose, and scope. (1) This chapter is authorized by RCW 43.22.420, 43.22.434 and 43.22.450 through 43.22.490, covering the construction and approval of factory-built housing and commercial structures before occupancy.

(2) This chapter applies to the approval:

(a) Of factory-built structures used for residences or commercial purposes; and

(b) After occupancy of a factory-built house or commercial structure, all inspections are done by the local enforcement agency.

NEW SECTION

WAC 296-150F-0020 What definitions apply to this chapter? "Approved" is approved by the department of labor and industries.

"Building site" is a tract, parcel, or subdivision of land on which a factory-built house or commercial structure will be installed.

"Closed construction" is a factory-built house, commercial structure, or component that is not open for visible inspection at the building site. It may enclose factory-installed structural, mechanical, electrical, plumbing, or other systems and equipment.

"Commercial structure" is a structure designed or used for human habitation (such as a dormitory) or human occupancy for industrial, educational, assembly, professional, or commercial purposes. It may also include a component.

"Component" is a discrete element that cannot be inspected at the time of installation either in the factory or in a site-built unit, but is:

- Designed to be installed in a structure;
- Manufactured as a unit; and
- Designed for a particular function or group of functions.

A component may be a floor, wall panel, roof panel, plumbing wall, electrical service wall, or heating assembly.

It may also be a service core. A service core is a factory assembled, three-dimensional section of a building. It may include mechanical, electrical, plumbing, and related systems. It may be a complete kitchen, bathroom, or utility room. Service cores are referred to as "wet boxes," "mechanical cores," or "utility cores."

Note: A roof truss is not considered a component.

"Damaged in transit" is damage that effects the integrity of the structural design or damage to any other system referenced in the codes required by the State Building Code, or other applicable codes.

"Department" is the department of labor and industries. The department may also be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Design plan" is a plan for the construction of factory-built housing, commercial structures, or components that includes floor plans, elevation drawings, specifications, engineering data, or test results necessary for a complete evaluation of the design.

"Design option" is a design that a manufacturer may use as an option to its design plan.

"Equipment" is all material, appliances, devices, fixtures, fittings, or accessories used in the manufacture, assembly, installation, or alteration of factory-built housing, commercial structures, and components.

"Factory assembled structure (FAS) advisory board" is a board authorized to advise the director of the department regarding the issues and adoption of rules relating to factory-built housing, commercial structures and components. (See RCW 43.22.420.)

"Factory-built housing" is housing designed for human occupancy such as a single-family dwelling. The structure of any room is entirely or substantially prefabricated or assembled at a place other than a building site. It may also include a component. A factory-built house is also referred to as a "modular" structure. Factory-built housing does not include manufactured (mobile) housing. (See RCW 43.22.450(3).)

"Insignia" is a label that we attach to a structure to verify that a factory-built house or commercial structure meets the requirements of this chapter. It could also be a stamp or label attached to a component to verify that it meets the requirements of this chapter. See also the definition for temporary insignia.

"Install" is to erect or set in place a structure at a building site. It may also be the construction or assembly of a component as part of a factory-built house or commercial structure.

"Listed" is a piece of equipment, a component, or an installation that appears in a list published by a testing or listing agency and is suitable for use in a specified manner.

"Listing agency" is an organization whose business is approving equipment, components, or installations for publication.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the installation of factory-built housing and commercial structures.

"Master design plan" is a design plan that expires when a new State Building Code has been adopted.

"Manufacturing" is making, fabricating, forming, or assembling a factory-built house, commercial structure, or component.

"One-year design plan" is a design plan that expires one year after approval or when a new State Building Code has been adopted.

"Repair" is the replacement, addition, modification, or removal of any construction, equipment, system, or installation to correct damage in transit or during on-site installation before occupancy.

"Temporary insignia" is a label that we attach to a structure to verify that the factory-built house or commercial structure meets the requirements of this chapter. A temporary insignia is used when the final destination of a structure has not been determined. This temporary insignia must be replaced with a permanent insignia prior to delivery of the structure to a building site. Fees for temporary insignia or

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their replacement with permanent insignia are shown in WAC 296-150F-3000.

"Unit" is a factory-built house, commercial structure, or component.

NEW SECTION

WAC 296-150F-0030 How is this chapter enforced? (1) To enforce this chapter, we or another governmental inspection agency will inspect each factory-built house and commercial structure that is sited in Washington. Inspections will be conducted during normal work hours or at other reasonable times. (See WAC 296-150F-0070.)

(2) We will inspect each unit as required by the codes. (See WAC 296-150F-0500.)

NEW SECTION

WAC 296-150F-0040 Will you keep my manufacturing information confidential? We will only release manufacturing information such as design plans, specifications, and test results according to the requirements of the Public Records Act. (See RCW 42.17.310 (1)(h).)

NEW SECTION

WAC 296-150F-0070 Do you have reciprocal agreements with other states to inspect factory-built housing and commercial structures, and components? (1) We have entered into reciprocal agreements with states who have construction standards that are equal to or greater than our standards for factory-built housing and commercial structures.

(2) When we have a reciprocal agreement with another state:

(a) The reciprocal state inspects factory-built housing, commercial structures, and components manufactured in that state before shipment into Washington to ensure compliance with our laws. After inspection, the reciprocal state applies our insignia.

(b) The department inspects factory-built housing, commercial structures, and components manufactured in Washington before shipment into the reciprocal state to ensure compliance with their laws. After inspection, we apply the insignia of the reciprocal state.

(3) We have reciprocal agreements on file.

NEW SECTION

WAC 296-150F-0080 Do you allow a local enforcement agency to inspect factory-built housing, commercial structures, and components at the manufacturing location? (1) A local enforcement agency (city or county), under contract with us, can inspect factory-built housing, commercial structures, and components. In some cases their contract may be limited to specific portions of an inspection at specified manufacturing locations.

(2) After approving a unit, the local enforcement agency will attach the insignia, which indicates the unit has passed inspection.

NEW SECTION

WAC 296-150F-0100 What happens if I disagree with your decision regarding my compliance with this chapter? (1) If we determine you are in violation of this chapter, you will receive a notice of noncompliance.

(2) If you disagree with our decision, you can send us a written request for a hearing, stating why you disagree.

(3) After we receive your hearing request, we will:

(a) Schedule a hearing within thirty days after we receive your request.

(b) Notify you of the time, date, and place for the hearing. If you fail to appear, your case will be dismissed.

(c) Hear your case.

(d) Send you written notice of our decision.

NEW SECTION

WAC 296-150F-0110 Do you have an advisory board to address factory-built housing and commercial structure issues? The factory assembled structures (FAS) board advises us on issues relating to structural, plumbing, mechanical, electrical, installation, inspections, and rules for factory-assembled structures. (See RCW 43.22.420.)

NEW SECTION

WAC 296-150F-0120 Where can I obtain technical assistance regarding factory-built housing and commercial structures? We provide field technical service to factory-built housing and commercial structure manufacturers for an hourly fee. Field technical service may include an evaluation, consultation, plan examination, interpretation, and clarification of technical data relating to the application of our rules. It does not include inspections.

INSIGNIA

NEW SECTION

WAC 296-150F-0200 Who must purchase factory-built housing and commercial structure insignia? (1) You must obtain insignia from us for each factory-built house and commercial structure sited in Washington state.

(2) You do not need to purchase our insignia if you manufacture factory-built housing and commercial structure in Washington for sale outside the state.

(3) You must have an approved design plan and have passed inspection before an insignia can be attached to your factory-built home or commercial structure by us or our authorized agent.

(4) If a unit is damaged in transit after leaving the manufacturing location or during an on-site installation, and a repair is necessary, you must purchase an insignia from us. The insignia indicates that the unit was repaired.

NEW SECTION

WAC 296-150F-0210 What are the insignia requirements? (1) If you are applying for insignia for factory-built housing and commercial structures you must have your design plan approved and your units inspected and approved by us.

(2) We will attach the insignia after:

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(a) We receive the required forms and fees from you (see WAC 296-150F-3000); and

(b) Your unit has passed final inspection. (See WAC 296-150F-0500.)

NEW SECTION

WAC 296-150F-0220 How do I obtain insignia information and the required forms? Upon request, we will provide you with a packet of information that includes the required forms.

NEW SECTION

WAC 296-150F-0230 What are the insignia application requirements? (1) If you are requesting insignia for units that you intend to manufacture under a *new design plan,* your completed application must include:

(a) A completed design plan approval request form;

(b) One complete set of design plans, specifications, engineering analysis, test procedures and results, plus one additional set for each manufacturing location where the design plan will be used;

(c) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp; and

(d) A one-time initial filing fee, the design plan fee (if we approve your design plan) and the fee for each insignia. (See WAC 296-150F-3000.)

(2) If you are requesting insignia under an *approved design plan*, your completed application must include:

(a) A completed application for insignia form; and

(b) The fee for each insignia requested. (See WAC 296-150F-3000.)

NEW SECTION

WAC 296-150F-0250 How do I replace lost or damaged insignia? (1) If an insignia is lost or damaged after it is attached to your factory-built house, commercial structure, or component, you may obtain a replacement insignia.

(2) You should contact us and provide the following information:

(a) Your name, address, and telephone number;

(b) The name of the manufacturer;

(c) The serial number;

(d) The manufacturer number (M#), if available;

(e) The insignia number, if available; and

(f) The required fee. (See WAC 296-150F-3000.)

(3) If we can determine that your unit previously had an insignia, we will attach an insignia to your unit once we receive your insignia fee. (See WAC 296-150F-3000.)

DESIGN PLAN

NEW SECTION

WAC 296-150F-0300 When is design plan approval required? Design plans for factory-built housing and commercial structures prior to installation at the building site in Washington must be approved when:

(1) You build a new unit;

(2) You modify an approved design plan through an addendum; or

(3) You add options to an approved design plan through an addendum.

NEW SECTION

WAC 296-150F-0310 Who can approve design plans? (1) Design plans can be approved by us or by a licensed professional or firm authorized by us (see WAC 296-150F-0420 and 296-150F-0430).

(2) All electrical design plans for new or altered electrical installations for educational institutions, health care facilities, and other buildings (see chapters 296-46, 296-130, 296-140, and 296-150 WAC Table 1 or 2) must be reviewed and approved by us.

DESIGN-PLAN APPROVAL BY THE DEPARTMENT

NEW SECTION

WAC 296-150F-0320 What must I provide with my request for design-plan approval by the department? All requests for design-plan approval must include:

(1) A completed design-plan approval request form;

(2) One complete set of design plans, specifications, engineering analysis, test procedures and results plus one additional set for each manufacturing location where the design plan will be used (see WAC 296-150F-0340 and 296-150F-0350);

(3) At least one set of design plans must have an original wet stamp from a professional engineer or architect licensed in Washington state. We will retain the set with the original wet stamp;

(4) A one-time initial filing fee and the design-plan fee (see WAC 296-150F-3000); and

(5) A "key drawing" to show the arrangement of modules if the plan covers three or more modules.

NEW SECTION

WAC 296-150F-0340 What must an engineering analysis for design plans include? (1) The engineering analysis must show that the structural design meets the requirements of this chapter.

(2) An engineering analysis must be conducted according to accepted engineering practices and must be signed by a professional engineer or architect licensed in Washington state.

NEW SECTION

WAC 296-150F-0350 What must the test procedures and results for design plans include? (1) Tests to a design for a factory-built home or commercial structure must be witnessed by a professional engineer or architect licensed in Washington state.

(2) Test reports must contain the following items:

(a) A description of the methods or standards that applied to the test;

(b) Drawings and a description of the item tested;

(c) A description of the test set-up;

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(d) The procedure used to verify the correct load;

(e) The procedure used to measure each condition;

(f) Test data, including applicable graphs and observations of the characteristics and behavior of the item tested; and

(g) Analysis, comments, and conclusion.

(3) The written test procedures, results and conclusions must reference the applicable design plan.

NEW SECTION

WAC 296-150F-0380 What happens if you approve my design plan? (1) Your design plan will be approved if it meets the requirements of this chapter.

(2) We will send you an approved copy of the design plan with the design-plan approval number.

(3) You must keep copies of the approved design plan at each location where a factory-built house, commercial structure, or component is built.

(4) If your design plan is not approved, you will be notified in writing of plan deficiencies. You may send a corrected design plan to us. (See WAC 296-150F-3000.)

NEW SECTION

WAC 296-150F-0390 If my design plan is not approved, how much time do I have to submit a corrected design plan? (1) You have ninety days to correct and resubmit your original design plan and send us the resubmittal fee after we notify you of plan deficiencies. After ninety days, your initial design plan is returned to you.

(2) If you submit your corrected design plan after ninety days, you must send the initial design plan fee instead of the resubmittal fee. (See WAC 296-150F-3000.)

NEW SECTION

WAC 296-150F-0400 What happens after my design plan is approved? Once your design plan is approved, we will inspect each related factory-built house, commercial structure, or component.

NEW SECTION

WAC 296-150F-0410 When does my design plan expire? Master design plan:

(1) Your master design plan expires when there is a code change. You must submit new design plans for approval when there is a State Building Code cycle change. You may use your approved master design plans to order insignia as long as they comply with the applicable codes.

One-year design plan:

(2) Your factory-built home or commercial structure one-year design plan expires either one year after approval or when there is a code change. You must submit new design plans for approval when there is a State Building Code cycle change. You may use your design plan to order insignia as long as they comply with the applicable codes.

(3) All National Electrical Code amendments may be incorporated by an addendum to your design plan.

Note: The State Building Code is on a three-year code cycle which coincides with the State Building Code council amendment cycle. The National Electrical Code (NEC) cycle, however, does not coincide with the other code cycles.

NEW SECTION

WAC 296-150F-0415 Who approves addendums to design plans approved by the department? You must have us approve an addendum to a design plan, if we initially approved your design plan.

DESIGN-PLAN APPROVAL BY A LICENSED PROFESSIONAL OR FIRM

NEW SECTION

WAC 296-150F-0420 Who can be authorized to approve design plans? (1) A professional engineer, architect or firm licensed by the state of Washington according to the Engineers Registration Act, chapter 18.43 RCW and/or the Architects Registration Act, chapter 18.08 RCW; or

(2) A professional engineer, architect or firm licensed in another state that has licensing or certification requirements that meet or exceed Washington requirements.

NEW SECTION

WAC 296-150F-0430 What information must a professional or firm provide to be authorized to approve design plans? (1) Name, a copy of your certificate of registration, and address of the professional engineer or architect; or

(2) Name, a copy of your certificate of authority, and address of the firm; and

(3) A description of the services the professional engineer, architect, or firm will provide; and

(4) A description of the professional's area(s) of expertise and qualifications which include:

(a) A summary of the professional's or firm's experience; and

(b) Verification of experience in your area of expertise such as structural, mechanical, plumbing, energy, electrical, fire and life safety, and ventilation and indoor air quality.

NEW SECTION

WAC 296-150F-0440 How will I know whether I am authorized to approve design plans? Within sixty days after you submit the information requested in WAC 296-150F-0430, we will send you a letter either approving or denying your authorization request.

(1) If we approve your request, your name is added to the list of licensed professionals and firms authorized to approve design plans.

(a) We will authorize a professional to approve portions of a design plan within his or her area of expertise; and

(b) We will authorize an engineering or architectural firm to approve plans if the firm employs or contracts with professionals within the area of expertise necessary for the design plan.

(2) If we do not approve your request, we will notify you in writing why we are denying your request for authorization. If you disagree with our decision, you can send us a written request for a hearing, stating why you disagree. (See WAC 296-150F-0100.)

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NEW SECTION

WAC 296-150F-0450 How long is a licensed professional or firms authorization effective? Your authorization to approve design plans is effective until your license expires, is revoked or is suspended.

(1) You must notify us of your license renewal at least fifteen days before your license expires, to prevent your name from being removed from our licensed professional and firm list.

(2) You must notify us immediately if your license is revoked or suspended. Your name is then removed from the list of licensed professionals and firms authorized to approve design plans.

NEW SECTION

WAC 296-150F-0460 What information must a manufacturer provide when a professional or firm does the design plan approval? You must provide the following information with your approved design plan:

(1) A completed departmental design plan approval request form;

(2) Two or more sets of the design plans plus elevation drawings, specifications, engineering analysis, and test results and procedures necessary for a complete evaluation of the design. These design plans must have an original wet stamp, be signed, and dated by the approving professional(s) (see WAC 296-150F-0340 and 296-150F-0350);

(3) A cover sheet on the design plan noting which professional approved each portion of the design plan;

(4) A copy of the authorization letter from us;

(5) The design plan fee for design plans approved by professionals or firms (see WAC 296-150F-3000); and

(6) A professional who designs and certifies that the factory-built home or commercial structure design meets state requirements cannot also approve the design plan in the plan approval process.

NEW SECTION

WAC 296-150F-0470 What happens after we receive the professional or firm approved design plan and information? (1) After we receive your approved design plans and information, we will review the information and assign a plan approval number. We will send a copy of the design plan with the plan approval number to the manufacturer.

(2) We may periodically audit design plans approved by a professional engineer, architect, or firm to ensure compliance with design plan requirements. The department's periodic audit should not be construed as certifying that the plans are safe.

(3) If the audit reveals that the design plans approved by the professionals and firms do not comply with this chapter, you will be notified and required to pay our fees for review and approval of the design plans. (See WAC 296-150F-3000.)

NEW SECTION

WAC 296-150F-0480 Do you have a list of professionals or firms that are authorized to submit design plans? We will maintain a list of the licensed professionals and firms that are authorized to approve design plans for factory-built housing and commercial structures.

NEW SECTION

WAC 296-150F-0490 Who approves addendum's to design plans approved by a professional or firm? (1) You must have the professional or firm approve an addendum to a design plan, if they initially approved your design plan.

(2) If the professional or firm who approved your design plan is no longer on the department list you may have us approve your addendum.

INSPECTIONS PRIOR TO ISSUANCE OF AN INSIGNIA

NEW SECTION

WAC 296-150F-0500 When is an inspection required? (1) Before we issue an insignia, each factory-built house, commercial structure, and component must be inspected at the manufacturing location as many times as are required by the codes. (See WAC 296-150F-0600.) Inspections may include:

(a) A "cover" inspection during construction of the unit before the electrical, plumbing, mechanical, and structural systems are covered;

(b) Insulation and vapor barrier inspection, if required;

(c) Other required code inspections;

(d) A final inspection after the factory-built house, commercial structure, or component is complete;

Note: Each factory-built house, commercial structure, and component must have a serial number to enable us to track inspections.

(2) If we discover a violation during inspection, we will issue a notice of noncompliance. You can correct the violation during the inspection. If you cannot correct the violation during inspection, you must leave the item uncovered until we approve your correction.

(3) After a unit is manufactured but before occupancy, we must inspect a factory-built house or commercial structure if it is damaged in transit to the building site or during on-site installation. This is considered a repair inspection. (See WAC 296-150F-0240.)

(4) Approved design plans, specifications, engineering analysis or test results must be available during the inspections.

(5) Once your unit is inspected and approved we will attach the insignia.

Note: We only inspect factory-built housing and commercial structures before occupancy. After occupancy, the local enforcement agency is the inspection agency.

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NEW SECTION

WAC 296-150F-0510 How do I request an inspection? (1) You must contact us, and we will let you know where your request for inspection should be submitted. Our address is noted in the definition of department.

(2) We must receive in-state inspection requests at least seven calendar days prior to the date that you want the inspection.

(3) We must receive out-of-state inspection requests at least fourteen calendar days prior to the date that you want the inspection.

NEW SECTION

WAC 296-150F-0520 What happens if my factory-built house or commercial structure passes inspection? (1) If your factory-built house or commercial structure passes inspection and you have met the other requirements of this chapter, we will attach the insignia.

(2) After our final inspection, we will send a notice to the local enforcement agency (NLEA) indicating whether further inspection is necessary. (See WAC 296-150F-0550.)

NEW SECTION

WAC 296-150F-0530 Am I charged if I request an inspection but I am not prepared? (1) If you ask us to inspect a factory-built house or commercial structure within Washington state but you are not prepared when we arrive, you must pay the minimum inspection fee and travel. (See WAC 296-150F-3000.)

(2) If you ask us to inspect a factory-built home, commercial structure, or component outside Washington state but you are not prepared when we arrive, you must pay the minimum inspection fee, travel, and per diem expenses. (See WAC 296-150F-3000.)

NEW SECTION

WAC 296-150F-0540 Who inspects factory-built housing and commercial structures for installation at the building site? (1) The local enforcement agency (city or county) must approve the installation.

(2) The local enforcement agency may also request a set of design plans and specifications for the unit from you.

(3) After the unit is manufactured but before occupancy, we must inspect a factory-built house or commercial structure if it is damaged in transit to the building site or during on-site installation. This is considered a repair inspection.

Note: The local enforcement agency may not open the concealed construction of a factory-built house or commercial structure to inspect if our insignia is attached.

NEW SECTION

WAC 296-150F-0550 Do you notify the local enforcement agency after your final inspection of factory-built structures at a manufacturing location? After we perform a final inspection of a factory-built, commercial structure, or component, we will send a notice to the local enforcement agency (NLEA) that:

(1) Specifies what connections, standards, and incomplete items the local enforcement agency must check when the unit is installed; and/or

(2) Estimates the expected time of arrival of the factory-built house or commercial structure to the site.

USED FACTORY-BUILT STRUCTURES WITHOUT AN INSIGNIA

NEW SECTION

WAC 296-150F-0580 Must I obtain an insignia for used factory-built structures? All used factory-built housing and commercial structures that are to be installed on a building site in Washington state must have an insignia of approval from us prior to being installed on a building site.

NEW SECTION

WAC 296-150F-0590 How do I obtain insignia for used factory-built structures? We consider used factory-built housing and commercial structures as new structures for purposes of insignia approval. To obtain insignia, you must:

(1) Have the design plan approved by us (see WAC 296-150F-0300 through 296-150F-0480);

(2) Purchase insignia (see WAC 296-150F-0200 through 296-150F-0230); and

(3) Pass a unit inspection (see WAC 296-150F-0500 through 296-150F-0550).

Note: You will be required to open up as much of the construction of the unit as is necessary for inspection to show compliance with your approved design plan.

CODES FOR FACTORY-BUILT HOUSING, COMMERCIAL STRUCTURES, AND COMPONENTS

NEW SECTION

WAC 296-150F-0600 What manufacturing codes apply to factory-built housing and commercial structures? (1) All design, construction, installations, and alterations of factory-built housing, commercial structures, and components must conform with the following codes and the requirements of this chapter:

(a) The State Building Code, chapter 19.27 RCW;

Note: The Uniform Building Code reference to "building official" means the chief prefabricated building specialist or authorized representative at the department of labor and industries.

(b) The Energy Related Building Standards, chapter 19.27A RCW;

(c) The National Electrical Code as referenced in chapter 19.28 RCW and chapters 296-46 and 296-401 WAC.

(2) All construction methods and installations must use accepted engineering practices, provide minimum health and safety to the occupants of factory-built structures and the public, and demonstrate journeyperson quality of work of the various trades.

(3) Requirements for any size, weight, or quality of material modified by the terms "minimum," "not less than," "at least," and similar expressions are minimum standards. The manufacturer may exceed these standards, provided the

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deviation does not result in inferior installation or defeat the purpose and intent of the standard.

Note: The codes, RCW's, and WAC's referenced in this rule are available for reference at the Washington State Library, the Washington State Law Library, and may be available at your local library.

MANUFACTURER'S NOTICE TO THE DEPARTMENT

NEW SECTION

WAC 296-150F-0700 Must manufacturers of factory-built housing and commercial structures notify you if they manufacture at more than one location? (1) If you are manufacturing factory-built housing and commercial structures at more than one location, approved design plans must be available at each manufacturing location.

(2) You are required to send us the following information for each manufacturing location:

(a) Company name;

(b) Mailing and physical address; and

(c) Phone and FAX number if available.

(3) You must update this information as it changes.

NEW SECTION

WAC 296-150F-0710 Must manufacturers of factory-built housing and commercial structures notify you of a change in business name or address? (1) If you are moving, notify us in writing prior to a change of business name or address.

(2) Your notice must include the change of name and address.

NEW SECTION

WAC 296-150F-0720 Must manufacturers of factory-built housing and commercial structures notify you of a change in business ownership? (1) When a manufacturer changes ownership, the new owner must notify us in writing immediately.

(2) A new owner may continue to manufacture the units according to a prior approved design plan if the prior owner releases the design plan.

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FACTORY-BUILT HOUSING AND COMMERCIAL STRUCTURE FEES

NEW SECTION

WAC 296-150F-3000 Factory-built housing and commercial structure fees.

INITIAL FILING FEE	$ 35.00

DESIGN PLAN FEES	
INITIAL FEE-MASTER DESIGN (CODE CYCLE)	$170.00
INITIAL FEE-ONE YEAR DESIGN	100.00
RENEWAL FEE	35.00
RESUBMIT FEE	50.00
ADDENDUM	50.00
PLANS APPROVED BY PROFESSIONALS	35.00

DEPARTMENT INSPECTION FEES	
INSPECTION (PER HOUR)*	$ 50.00
TRAVEL (PER HOUR)*	50.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
NLEA CHARGE	21.00

DEPARTMENT AUDIT FEES	
AUDIT (PER HOUR)*	$50.00
TRAVEL (PER HOUR)*	50.00
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	

INSIGNIA FEES	
FIRST SECTION	$ 140.00
EACH ADDITIONAL SECTION	14.00
REISSUED-LOST/DAMAGED	35.00

TEMPORARY INSIGNIA FEES	
FIRST SECTION	$ 140.00
EACH ADDITIONAL SECTION	14.00
REPLACEMENT FOR TEMPORARY INSIGNIA	35.00

FIELD TECHNICAL SERVICE FEE (PER HOUR)	$50.00

* Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments
** Per state guidelines.
***Actual charges incurred.

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Chapter 296-150M WAC
MANUFACTURED HOMES

NEW SECTION

WAC 296-150M-0010 Authority, purpose, and scope. (1) This chapter is authorized by RCW 43.22.340 through 43.22.445. The law requires that any alteration to a manufactured home be approved by the department. A manufactured home with an approved alteration requires an alteration insignia. Alteration insignia can be purchased from us.

(2) The United States Department of Housing and Urban Development (HUD), manufactured housing standards division, has given us the authority to act as a manufactured home production Inspection Primary Inspection Agency (IPIA) and enforce 24 CFR 3280. As an IPIA:

(a) We are required to inspect every manufactured home built in Washington state sometime during production;

(b) We are authorized to audit the quality control program and the performance of quality control inspectors of manufactured home factories located in Washington state;

(c) We are authorized to supply a HUD label to the manufacturer following our inspection and approval of the manufactured home and the manufacturer's quality control program; and

(d) We are authorized to remove HUD labels according to the guidelines stated in the IPIA inspector's manual.

Note: A copy of our IPIA approval letter is on file at the department.

NEW SECTION

WAC 296-150M-0020 What definitions apply to this chapter? **"Alteration"** is the replacement, addition, modification, or removal of any equipment or installation that affects the construction, planning considerations, fire safety, or the plumbing, mechanical, and electrical systems of a manufactured home.

The following are not considered alterations:

- Repairs to equipment with approved parts; or
- Modification of a fuel-burning appliance according to the listing agency's specifications; or
- Adjustment and maintenance of equipment.

"Alteration insignia" is an insignia issued by the department of labor and industries to verify that an alteration to a manufactured home meets the requirements of federal law 24 CFR 3280 and this chapter.

"Anchoring system" is the means used to secure a mobile home to ground anchors or to other approved fastening devices. It may include straps, cables, turnbuckles, bolts, fasteners, and other components.

"ANSI" is the American National Standards Institute, Inc., and the institute's rules applicable to manufactured homes, ANSI A225.1 Manufactured Homes Installation, 1994 edition, except section 3.5.2 - Ground Cover and section 4.1.3.3 - Clearance.

"Authority having jurisdiction" means that either the department of labor and industries or the local jurisdiction is responsible for establishing specific manufactured home standards. The authority for specific manufactured home standards is divided as follows:

- The department of labor and industries establishes standards for manufactured home installation and alterations and performs alteration inspections;
- The local jurisdiction establishes standards for manufactured homes governing the building site and performs installation inspections.

"Building site" is a tract, parcel, or subdivision of land on which a manufactured home is installed.

"DAPIA" is a Design Approval Primary Inspection Agency as approved by the United States Department of Housing and Urban Development.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Design plan" is a design submitted to the department for approval of a manufactured home structural alteration.

"Equipment" is all material, appliances, devices, fixtures, fittings, or accessories used in the alteration or installation of a manufactured home.

"Footing" is the portion of a support system that transmits loads from the manufactured home to the ground.

"Foundation skirting" or **"skirting"** is the material that surrounds and encloses the space under the manufactured home.

"Homeowner" is an individual who owns a manufactured home for the purposes of this chapter.

"HUD" is the United States Department of Housing and Urban Development with headquarters located in Washington, D.C.

"Installation" is the activity needed to prepare a building site and to set a manufactured home within that site. Site means a tract, parcel, or subdivision of land including a mobile home park.

"IPIA" is a manufactured home production Inspection Primary Inspection Agency approved by the United States Department of Housing and Urban Development. The department of labor and industries is the IPIA for Washington state.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the building site and installation of a manufactured home.

"Manufactured home" is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

Note: Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions may not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

PERMANENT

Exception: A structure that meets the requirements of a manufactured home as set out in 24 CFR 3282.7(u), except the size requirements is considered a manufactured home, if the manufacturer files with the secretary of HUD a certificate noted in CFR 3282.13.

"Mobile home" is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

"Park site" is the installation location of a manufactured home within a residential area for manufactured homes.

"Structural alteration-custom design" is a design that can only be used once.

"Structural alteration-master design" is a design plan that can be used more than once. The master plan expires when there is a code change applicable to the design.

"System" is part of a manufactured home designed to serve a particular function such as structural, plumbing, mechanical, or electrical functions.

PERMANENT

NEW SECTION

WAC 296-150M-0040 Will you keep my manufacturing information confidential? We will only release manufacturing information such as design plans for structural alterations according to the requirements of the Public Records Act. (See RCW 42.17.310 (1)(h).)

NEW SECTION

WAC 296-150M-0050 Can I sell or lease a manufactured home that has been posted with a prohibited sale or lease notice? (1) If we find your manufactured home violates this chapter or federal standards in 24 CFR 3280, we may attach a prohibited sale or lease notice to your unit.

(2) You may not sell, lease, or offer for sale a manufactured home that is posted with a prohibited sale or lease notice.

(3) A prohibited sale or lease notice shall remain posted until the code violation is corrected, we inspect and approve the correction, and you pay the required fees. (See WAC 296-150M-3000.)

NEW SECTION

WAC 296-150M-0060 Who handles consumer complaints about manufactured homes? The Washington state department of community, trade and economic development (CTED), office of manufactured housing section, handles consumer complaints about manufactured homes. CTED is the state administrative agency (SAA) for the United States Department of Housing and Urban Development for the federal manufactured home program.

NEW SECTION

WAC 296-150M-0100 What happens if I disagree with your decision regarding my compliance with the federal standards, ANSI, or this chapter? (1) If we determine that you are in violation with the federal standards, ANSI A225.1, or this chapter, you will receive a notice of noncompliance.

(2) If you disagree with our decision, you can submit a written request for a hearing, stating why you disagree.

(3) After we receive your hearing request, we will:

(a) Schedule a hearing within thirty days after we receive your request.

(b) Notify you of the time, date, and place for the hearing. If you fail to appear, your case will be dismissed.

(c) Hear your case.

(d) Send you written notice of our decision.

INSIGNIA

NEW SECTION

WAC 296-150M-0200 What labels or insignia are required on my manufactured home? (1) A HUD label must be attached to the exterior of each section of a manufactured home built on or after June 15, 1976.

(2) An alteration insignia must be attached to the exterior of a manufactured home. It should be placed next to the HUD label or to the Washington state insignia.

(3) If your manufactured home does not have a HUD label or a Washington state insignia, we will attach the alteration insignia to the exterior end wall opposite the hitch end of the manufactured home. It must be placed approximately one foot above the floor line and one foot from the edge of the manufactured home.

NEW SECTION

WAC 296-150M-0250 How do I replace a lost or damaged insignia? (1) If an alteration insignia or a Washington state insignia is lost or damaged after it is placed on a manufactured home, you should notify us in writing immediately. You should provide the following information:

(a) Your name, address, and telephone number;

(b) The name and address of the previous owner and date of approval, if you are replacing an alteration insignia that was obtained before you purchased the manufactured home;

(c) The vehicle identification number or serial number and model;

(d) The insignia or label number if available;

(e) The design plan approval number, if available; and

(f) The insignia replacement fee and any inspection fees. (See WAC 296-150M-3000.)

Note: Washington state insignia (not HUD insignia) were attached to manufactured homes prior to June 15, 1976.

(2) After we receive your notice and payment for replacing the insignia, we may inspect your manufactured home to assure that the replacement insignia reflects compliance with your original insignia.

(3) If your home complies with your original insignia approval, we will attach a replacement alteration insignia or Washington state insignia to your manufactured home.

NEW SECTION

WAC 296-150M-0260 How do I replace a lost or damaged HUD label? (1) If a HUD label is lost or damaged after it is placed on a manufactured home, you should notify the manufacturer's production Inspection Primary Inspection Agency (IPIA) in writing immediately. The department of labor and industries is the IPIA for builders of manufactured homes in Washington state.

(2) If your manufactured home complies with federal standards that were in effect the date your home was built, the IPIA may replace your lost or damaged HUD label.

ALTERATIONS AND INSPECTIONS

ALTERATION APPROVAL

NEW SECTION

WAC 296-150M-0300 What approval do I need to alter a manufactured home? If you alter a manufactured home in Washington state, you must obtain our approval prior to making an alteration. This includes:

(1) Alterations made by an owner, or contractor; and

(2) Alterations made by a dealer after a manufactured home is sold.

NEW SECTION

WAC 296-150M-0310 What happens if I fail to get your approval prior to altering a manufactured home? If you alter a manufactured home without getting our approval and an alteration insignia, we may remove your Washington state insignia or HUD label and your manufactured home cannot be sold or leased.

NEW SECTION

WAC 296-150M-0320 What must I provide to request approval of an alteration? (1) For approval of an alteration, you must complete and return our alteration permit application form. The application must contain:

(a) A description of the proposed alteration(s);

(b) Applicable specifications, engineering data, test procedures and results; and

(c) Payment of the alteration permit fee, alteration insignia fee, and any inspection fees. (See WAC 296-150M-3000.)

(2) For approval of a structural alteration, we must approve the design plan. This is in addition to the requirements stated in subsection (1) of this section. (See WAC 296-150M-0370.)

NEW SECTION

WAC 296-150M-0330 How do I obtain alteration insignia information and the forms you require? Upon request, we will provide you with the forms and the fee schedules needed to obtain an alteration insignia or you can contact any department of labor and industries office for the forms. Our address is noted in the definition of department.

NEW SECTION

WAC 296-150M-0340 What must an engineering analysis for design plans include? (1) The engineering analysis must show that the structural design meets the requirements of this chapter.

(2) An engineering analysis must be conducted according to accepted engineering practices and must be signed by a professional engineer or architect licensed in Washington or by a DAPIA who approved the original design plan.

NEW SECTION

WAC 296-150M-0350 What must the test procedures and results for design plans include? (1) Tests to an alteration design must be performed and evaluated by a professional engineer or architect licensed in Washington or by a DAPIA who approved the original design plan.

(2) Test reports must contain the following items:

(a) A description of the methods or standards that applied to the test;

(b) Drawings and a description of the item tested;

(c) A description of the test set-up;

(d) The procedure used to verify the correct load;

(e) The procedure used to measure each condition;

(f) Test data, including applicable graphs and observations of the characteristics and behavior of the item tested;

(g) Engineering data; and

(h) Analysis, comments, and conclusion.

(3) The written test procedures, results, and conclusions must reference the applicable structural alteration design plan.

NEW SECTION

WAC 296-150M-0360 When is design plan approval required for an alteration? (1) Design plan approval is required when you make a structural alteration to your manufactured home.

(2) A structural alteration is a change to the body or frame of a manufactured home. For example:

(a) An alteration is made if you change the size of a room or the pitch of a roof on your manufactured home.

(b) Any addition such as a carport that adds structural load to the manufactured home and is not fully self-supporting is an alteration.

NEW SECTION

WAC 296-150M-0370 How do I obtain alteration design plan approval? (1) You must have your design plan approved by:

(a) A Design Approval Primary Inspection Agency (DAPIA), if they approved the initial design plan; or

(b) A professional engineer or architect who is licensed in Washington state.

(2) You must submit two copies of your alteration design plan with the appropriate fee to us for review and approval. (See WAC 296-150M-3000.)

PERMANENT

NEW SECTION

WAC 296-150M-0380 How will I know whether you have approved my design plan? (1) Your design plan will be approved if it meets the requirements of this chapter and federal standards in 24 CFR 3280.

(2) We will send you an approved copy of your design plan with the plan approval number.

(3) If your design plan is not approved, you will be notified in writing of plan deficiencies. You may send a corrected design plan to us. (See WAC 296-150M-3000.)

NEW SECTION

WAC 296-150M-0390 If my design plan is not approved, how much time do I have to submit a corrected plan? (1) You have ninety days to correct and resubmit your original design plan and send us the resubmittal fee after we notify you of plan deficiencies. After ninety days, your initial design plan is returned to you.

(2) If you submit your corrected design plan after ninety days, you must send the initial design plan fee instead of the resubmittal fee. (See WAC 296-150M-3000.)

NEW SECTION

WAC 296-150M-0400 How do I apply for alteration approval and obtain an alteration insignia? (1) To apply for alteration approval and the alteration insignia, you must:

(a) Complete an alteration permit form and an application for alteration insignia. We will provide the forms upon request.

(b) Submit the completed forms to us, with the inspection fee and alteration insignia fee. (See WAC 296-150M-3000.)

(2) Request inspection of your alteration at least five days before the date you want the inspection.

(3) Once we approve your alteration, we will attach the alteration insignia to your manufactured home.

Note: Specifications, engineering data, and test results should be available for our inspector. If applicable, your approved design plan must also be available during the inspection.

INSPECTION

NEW SECTION

WAC 296-150M-0500 When must an inspection be requested? (1) You must request an inspection by us, if you are altering a manufactured home.

(2) You must request an inspection by the local enforcement agency, for manufactured home installations.

(3) The installation of manufactured homes must be enforced and fees charged by the counties and cities in the same manner the State Building Code is enforced under RCW 19.27.050.

NEW SECTION

WAC 296-150M-0530 Am I charged if I request an inspection but am not prepared when you arrive? If you ask us to inspect your manufactured home or your alteration, but you are not prepared when we arrive, you must pay the minimum inspection fee. (See WAC 296-150M-3000.)

INSTALLATION REQUIREMENTS

INSTALLATION, PERMIT, INSPECTION, DISPUTE

NEW SECTION

WAC 296-150M-0600 Who establishes standards for installation of manufactured homes? (1) The director of labor and industries is responsible for establishing uniform installation standards where possible and practical for persons or entities engaged in performing the installation of manufactured homes within the state.

(2) Local jurisdictions may adopt additional installation requirements only for those special situations in hazardous areas as defined in WAC 296-150M-0620.

NEW SECTION

WAC 296-150M-0610 What instructions are used for a manufactured home installation? The following instructions must be used for an initial or relocated manufactured home installation:

(1) Installation of a new manufactured home.

(a) The initial manufactured home installation must be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions do not address an aspect of the installation, you may request:

(i) Specific instructions from the manufacturer; or

(ii) Specific instructions from a professional engineer or architect licensed in Washington state.

For example: (A) A manufactured home is installed over a basement and the manufacturer's instructions do not address this application;

(B) A manufactured home is installed on a site where the specific soil bearing capacity is not addressed in the manufacturer's instructions.

(c) A manufactured home must be anchored per the manufacturer's installation instructions or per the design of a professional engineer or architect licensed in Washington.

(d) A manufactured home must have a skirting around its entire perimeter. It must be installed per the manufacturer's installation or if the manufacturer is not specific, to the standards in this section. It must be vented and allow access to the under floor area per the manufacturer's installation instructions or per the standards in subsection (3) of this section.

(e) A manufactured home site must be prepared per the manufacturer's installation manual or per ANSI A225.1, 1994 edition, section 3.

(f) Heat duct crossovers must be installed per the manufacturer's installation instruction manual or per the standards in subsection (6) of this section.

(g) Dryer vents must exhaust to the exterior side of the wall or skirting.

(h) Hot water tank pressure relief lines must exhaust to the exterior side of the exterior wall or skirting and must exhaust downward.

(i) Water piping must be protected against freezing as per the manufacturer's installation instructions or by use of a heat tape listed for use with manufactured homes and installed per the heat tape manufacturer's installation instructions.

PERMANENT

(j) The testing of water lines, waste lines, gas lines and electrical systems must be as per the manufacturer's installation instructions or per HUD standard CFR 3280.

(2) Relocation installation of a manufactured home.

(a) A relocated manufactured home installation should be conducted according to the manufacturer's instructions.

(b) If the manufacturer's instructions are unavailable, you may use:

(i) The American National Standard Institute (ANSI) standard ANSI A225.1-Manufactured Homes Installation, 1994 edition instructions; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(c) A manufactured home must be anchored per the manufacturer's installation instructions. If the manufacturer's installation instructions are not available, you may use:

(i) The American National Standards Institute (ANSI) standard ANSI A225.1 - Manufactured Homes Installation, 1994 edition instructions; or

(ii) The instructions of a professional engineer or architect licensed in Washington state.

(d) A manufactured home must have a skirting around its entire perimeter. It must be installed per the manufacturer's installation instructions or if the manufacturer is not specific, to the standards in subsection (3) of this section.

(e) A manufactured home site must be prepared per the manufacturer's installation manual or per ANSI A225.1, 1994 edition, section 3.

(f) Heat duct crossovers must be installed per the manufacturer's installation manual, ANSI A225.1, 1994 edition, or per subsection (6) of this section.

(g) Dryer vents must exhaust to the exterior side of the wall or skirting.

(h) Hot water tank pressure relief lines must exhaust to the exterior side of the exterior wall or skirting and must exhaust downward.

(i) Water piping must be protected against freezing as per the manufacturer's installation instructions or per ANSI A225.1, section 8.

(j) The testing of water lines, waste lines, gas lines and electrical systems must be per the manufacturer's installation instructions or per HUD standard CFR 3280.

(3) Skirting must be of materials suitable for ground contact. Metal fasteners must be galvanized, stainless steel or other corrosion resistant material. Ferrous metal members in contact with the earth, other than those that are galvanized or stainless steel, must be coated with an asphaltic emulsion. Skirting must not be attached in such a manner that can cause water to be trapped between the skirting and siding or trim. The skirting must be recessed behind the siding or trim.

(4) The skirting must be vented as follows except for manufactured homes sited in a flood plain. For homes sited in a flood plain, contact the local jurisdiction for proper ventilation. Skirting must be vented by openings protected from the entrance of rodents by being covered with corrosion-resistant wire mesh with mesh openings of 1/4 inch in dimension. Such openings must have a net area of not less than one square foot for each one hundred fifty square feet of under floor area. Ventilation openings must be located as close to corners and as high as practical. Openings must be located to provide cross-ventilation on at least two opposite sides.

(5) Access to the under floor area of the manufactured home must have an opening not less than 18" x 24" and must be located so that all areas under the manufactured home are available for inspection. The cover must be of metal, pressure treated wood or vinyl.

(6) Heat duct crossovers installed to the standards in this section must be supported above the ground by strapping or blocking and be installed to avoid standing water. Heat ducts must also be installed to prevent compression and sharp bends and to minimize stress at the connections.

NEW SECTION

WAC 296-150M-0620 Do local enforcement agencies have special requirements for installing manufactured homes in hazardous areas? (1) Local enforcement agencies may have special installation requirements for manufactured homes installed in hazardous areas.

(2) A hazardous area is:

(a) An area recognized as a flood plain by the local jurisdiction; or

(b) An area considered hazardous due to the probability of earthquake. We recommend that in an earthquake area you use additional measures designed by an engineer to minimize the potential effects caused by an earthquake.

NEW SECTION

WAC 296-150M-0630 Who may install a manufactured home? (1) A manufactured home may be installed by:

- A homeowner;
- A certified installer;
- An individual who is supervised by an on-site certified installer; or
- A specialty trades person, for certain aspects of installation.

(2) A certified installer must be a registered contractor or his or her employee, or an employee of a registered dealership. (See chapter 43.63B RCW for details to which aspects of installation require the presence of a certified installer.)

NEW SECTION

WAC 296-150M-0640 Does a person who installs a manufactured home need an installation permit? (1) Any person who installs a manufactured home must obtain an installation permit from the local enforcement agency prior to installation.

(2) Any permit fees set by the local enforcement agency must be paid in full and included with the permit application.

(3) A dealer shall not deliver a manufactured home to its site without verifying that an installation permit has been obtained.

PERMANENT

NEW SECTION

WAC 296-150M-0650 Does a manufactured home installation require an inspection? All manufactured home installations must be inspected and approved by the local enforcement agency.

NEW SECTION

WAC 296-150M-0660 What are the requirements for on-site structures and who regulates them? On-site structures, sometimes referred to as auxiliary structures, such as, but not limited to, carports, decks and steps should be self-supporting.

(1) On-site self-supporting structures that do not use any of the systems in the manufactured home are inspected by the local enforcement agency and they should be contacted for specific on-site structure requirements.

(2) On-site structures that are not self-supporting or use one or more of the systems of the manufactured home require an inspection by us and by the local enforcement agency.

NEW SECTION

WAC 296-150M-0670 What happens if a dispute arises concerning an installation requirement? (1) If a dispute arises between any person, business, or local enforcement agency concerning an installation requirement of ANSI A225.1 or this chapter, the issue may be submitted to the factory assembled structures advisory (FAS) board.

(2) The board may provide an opinion on the requirement.

ADDITIONAL INSTALLATION REQUIREMENTS

NEW SECTION

WAC 296-150M-0700 Acceptable types of ground cover. (1) You must use a minimum of six-mil *black* polyethylene sheeting or its equivalent (exception to ANSI A225.1 (3.5.2)); or

(2) The ground cover may be omitted if the under floor area of the manufactured home has a concrete slab floor with a minimum thickness of three and one-half inches.

NEW SECTION

WAC 296-150M-0710 Clearance under manufactured homes. You must have a minimum clearance of eighteen inches maintained beneath the lowest member of the main frame (I-beam or channel beam) and the ground or footing. No more than twenty-five percent of the lowest member of the main frame of the home shall be less than eighteen inches above the ground or footing, and in no case shall clearance be less than twelve inches anywhere under the home. (Exception to ANSI A225.1 (4.1.3.3).)

NEW SECTION

WAC 296-150M-0720 Water heater relief lines. Hot water tank pressure relief lines must be exhausted to the exterior of the foundation skirting and directed downward.

NEW SECTION

WAC 296-150M-0730 Heat pump. Heat pump condensation lines must be extended to the exterior.

MANUFACTURED HOME FEES

NEW SECTION

WAC 296-150M-3000 Table of manufactured home fees.

INITIAL FILING FEE	$25.00

DESIGN PLAN	
STRUCTURAL ALTERATION-MASTER DESIGN (CODE CYCLE)	$100.00
STRUCTURAL ALTERATION-ONE YEAR DESIGN	70.00
RENEWAL FEE	30.00
RESUBMIT FEE	50.00
ADDENDUM	50.00

DEPARTMENT INSPECTION FEES	
INSPECTION/REINSPECTION (PER HOUR)*	$50.00

INSIGNIA FEES	
ALTERATION	$25.00
REISSUED-LOST/DAMAGED	15.00

FIELD TECHNICAL SERVICE FEES(PER HOUR)*	$50.00

IPIA	
DEPARTMENT AUDIT FEES	
PER SECTION(ONE TIME ONLY)	$23.00
INCREASED FREQUENCY VISITS(PER HOUR)*	50.00
REINSPECTION(PER HOUR)*	50.00

NOTE: Local jurisdictions may have other fees that apply.

* Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments.

PERMANENT

Chapter 296-150R WAC
RECREATIONAL VEHICLES AND PARK TRAILERS

NEW SECTION

WAC 296-150R-0010 Authority, purpose, and scope. (1) This chapter is authorized by RCW 43.22.340 through 43.22.434 and covers the requirements for:

(a) Obtaining state-plan or self-certified status if you manufacture recreational vehicles or park trailers for sale or lease in Washington state.

(b) Obtaining state-plan or self-certified insignia if you manufacture recreational vehicles or park trailers for sale or lease in Washington state.

(2) This chapter applies to:

(a) Manufacturers, dealers and individuals who build for sale, sell, or lease recreational vehicles or park trailers in Washington state; and

(b) Manufacturers, dealers, and individuals who alter recreational vehicles and park trailers for sale or lease in Washington state.

NEW SECTION

WAC 296-150R-0020 What definitions apply to this chapter? "Alteration" is the replacement, addition, modification, or removal of any equipment or material that affects the fire and life safety provisions, plumbing systems, fuel systems and equipment or electrical systems of a recreational vehicle or park trailer.

The following changes are not considered alterations for purposes of this chapter:

- Repairs with approved parts;
- Modification of a fuel burning appliance according to the terms of its listing; and
- Adjustment and maintenance of equipment.

"Alteration insignia" is an insignia which indicates a vehicle alteration was approved by the department.

"ANSI" is the American National Standards Institute, Inc., and the institute's rules applicable to recreational vehicles and park trailers. For the purposes of this chapter, references to ANSI mean ANSI A119.2 Recreational Vehicles, 1996 edition, and ANSI A119.5 Park Trailers, 1993 edition, as appropriate.

"Approved" is approved by the department of labor and industries.

"Audit" by the department can be either a comprehensive audit or a performance audit. A comprehensive audit is the department inspection of a manufacturer's quality control procedures, comprehensive plans, and vehicles. A performance audit is the department's review of the manufacturer's audit performed by the industry association or other independent auditor.

"Comprehensive design plan" consists of the design plans and copies of drawings such as:

- Floor plans relating to fire and life safety, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances and air conditioning systems, if applicable to the plan of each vehicle.
- Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.
- Electrical drawings. (See WAC 296-150R-0330 and 296-150R-0820.)

"Consumer" is a person or organization who buys or leases recreational vehicles or park trailers.

"Dealer" is a person or organization whose business is offering recreational vehicles or park trailers for sale or lease.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Equipment" is all material, appliances, fixtures, and accessories used in the manufacture or alteration of recreational vehicles or park trailers.

"Manual" is a reference containing instructions, procedures, responsibilities and other information used to implement and maintain the quality control program of a recreational vehicle or park trailer manufacturer.

"National Electrical Code" 1996 edition is the electrical code required for ANSI A119.2 compliance. The National Electrical Code 1993 edition is the electrical code required for ANSI A119.5 compliance.

"Park trailer" is a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;
- Having a gross trailer area in the set-up mode of less than 400 square feet (37.2 square meters); and
- Certified by the manufacturer as complying with ANSI A119.5.

"Quality control" is the plan and method for ensuring that the manufacture, fabrication, assembly, installation, storing, handling, and use of materials complies with this chapter and ANSI.

"Recreational vehicle" is a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

"Self-certification insignia" is an insignia which is obtained under the self-certification approval process.

"State-plan insignia" is an insignia which is obtained under the state design-plan approval process.

"System" is a part of a recreational vehicle or park trailer that is designed to serve a particular function such as plumbing, electrical, heating, or mechanical system.

"Vehicle" for the purposes of this chapter, is a recreational vehicle or a park trailer.

NEW SECTION

WAC 296-150R-0030 How is this chapter enforced? (1) We enforce this chapter through:

(a) The state plan insignia approval process (see WAC 296-150R-0300 through 296-150R-0720); or

(b) The self-certification insignia approval process (see WAC 296-150R-0800 through 296-150R-0930).

(2) Vehicle inspections occur where the recreational vehicles or park trailers are manufactured, sold, or leased. We conduct inspections during normal work hours or at other reasonable times. We may require you to remove a part of the recreational vehicle or park trailer in order to conduct our inspection.

NEW SECTION

WAC 296-150R-0040 Will you keep my manufacturing confidential? We will only release manufacturing information, such as design plans, specifications, test results, and manuals, according to the Public Records Act. (See RCW 42.17.310 (1)(h).)

NEW SECTION

WAC 296-150R-0060 Who handles consumer complaints about recreational vehicles and park trailers? (1) Consumers may file complaints with us, if they have reason to believe a manufacturer and/or dealer is in violation of this chapter and ANSI.

(2) The complaint should be in writing and describe the items that may not comply with this chapter and ANSI.

(3) After we receive the complaint, we will send the manufacturer and/or the dealer a copy of the complaint. The manufacturer and/or dealer has thirty days to respond to the complaint.

(4) If we decide an inspection is warranted and specific code violation(s) are found during the inspection, the manufacturer or dealer is charged for the inspection.

NEW SECTION

WAC 296-150R-0100 What happens if I disagree with the department's decision regarding my compliance with this chapter and ANSI? (1) If we determine that you are in violation of this chapter and ANSI, you will receive a notice of noncompliance and we may withdraw your certification. (See WAC 296-150R-0710, 296-150R-0920.)

(2) If you disagree with our decision, you can send us a written request for a hearing, stating why you disagree.

(3) After we receive your hearing request, we will:

(a) Schedule a hearing within thirty days after we receive your request.

(b) Notify you of the time, date, and place for the hearing. If you fail to appear, your case will be dismissed.

(c) Hear your case.

(d) Send you written notice of our decision.

NEW SECTION

WAC 296-150R-0110 Do you have an advisory board to address recreational vehicle and park trailer issues? The factory assembled structures (FAS) board advises us on issues relating to plumbing, heating, electrical, installation, alterations, inspections, and rules for recreational vehicles and park trailers. (See RCW 43.22.420.)

NEW SECTION

WAC 296-150R-0120 Where can I obtain technical assistance regarding recreational vehicles and park trailers? We provide field technical service to recreational vehicle and park trailer manufacturers for an hourly fee (see WAC 296-150R-3000). Field technical service may include an evaluation, consultation, plan examination, interpretation, and clarification of technical data relating to the application of our rules. It does not include inspections.

NEW SECTION

WAC 296-150R-0130 Do you allow recreational vehicles and park trailers to be displayed without an insignia? We allow one recreational vehicle or park trailer to be displayed without an insignia, if you:

(1) Get written approval from us in advance of displaying the unit; we should receive your written request at least thirty days prior to display of the unit. Your request must include:

(a) The model and serial number of the unit;

(b) The location where the unit will be displayed; and

(c) The date(s) the unit will be displayed.

(2) Are licensed in Washington state through the department of licensing;

(3) Have your approval letter available at the display;

(4) Place three visible signs on the display unit:

(a) One at the main entry door;

(b) One inside the front of the unit; and

(c) One inside the back of the unit.

The signs must read: *Not For Sale - Display Only.*

The letters on the sign must be one inch or higher.

REQUIREMENTS FOR INSIGNIA AND OTHER VEHICLE IDENTIFICATION

NEW SECTION

WAC 296-150R-0200 Who should obtain recreational vehicle and park trailer insignia? (1) If you manufacture recreational vehicles or park trailers to be sold or leased in Washington, you must purchase either a state-plan or self-certified insignia for each vehicle.

(2) Individuals that build recreational vehicles or park trailers to sell or lease in Washington must purchase an insignia.

(3) If you have a vehicle with either a state-plan or self-certified insignia and you plan to alter or have another person alter it, you must obtain an alteration insignia from us.

NOTE: You do not need to purchase our insignia if you manufacture recreational vehicles or park trailers in Washington for sale outside the state.

NEW SECTION

WAC 296-150R-0210 How do I obtain insignia information and the forms you require? Upon request, we will provide you with a packet of information that includes required forms and fee schedule for obtaining the state-plan or self-certified insignia. Our address is noted in the definition of department.

NEW SECTION

WAC 296-150R-0220 How do I obtain insignia based on state-plan approval? (1) If you are approved to purchase insignia based on state-plan approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150R-3000.)

(2) The application must include:

(a) A signed statement from you certifying that you are manufacturing your units according to your approved design plans and your quality control program; and

(b) A list of the approved design plans against which you will apply the insignia.

NEW SECTION

WAC 296-150R-0230 How do I obtain insignia based on self-certification approval? If you are approved to purchase insignia based on self-certification approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150R-3000.) The application must include the design plan with a signed statement from you certifying that you are manufacturing your units according to your comprehensive design plans and your quality control program.

NEW SECTION

WAC 296-150R-0250 How do I replace lost or damaged insignia? (1) If an insignia is lost or damaged after it is placed on a recreational vehicle or park trailer and you are the manufacturer or owner, you must notify us in writing immediately.

(2) Your notification should include the following information:

(a) Your name, address, and telephone number;

(b) The vehicle identification number or serial number and model;

(c) The insignia number and design-plan approval number, if applicable; and

(d) The required fee. (See WAC 296-150R-3000.)

(3) If we can determine that your unit previously had an insignia, we will attach the insignia to your vehicle once we receive your insignia fee. (See WAC 296-150R-3000.)

PERMANENT

NEW SECTION

WAC 296-150R-0280 What other vehicle identification is required? Every *new* recreational vehicle or park trailer manufactured, offered for sale or lease, or sold or leased in Washington must also have a vehicle identification number (VIN) label in compliance with the Federal Department of Transportation (DOT) safety standards.

Note: Truck campers do not require a vehicle identification number (VIN). They have a manufacturer's serial number.

NEW SECTION

WAC 296-150R-0290 When and where should the insignia and the vehicle identification label be attached to the vehicle? (1) Insignia must be attached to the finished vehicle before it leaves the approved manufacturer's location.

(2) The state-plan or self-certification insignia must be attached adjacent to the main door, on the strike side of the door, at least twelve inches above the floor line. The strike side of the door is opposite the hinge side of the door.

(3) The alteration insignia must be attached next to the certification insignia.

(4) The vehicle identification number (VIN) label must be attached on the vehicle as required by the Federal Department of Transportation. Any other vehicle identification label must be attached next to the certification insignia or on the exterior front half of the left side of the vehicle, at least six inches above the floor line.

PERMANENT

STATE PLAN

NEW SECTION

WAC 296-150R-0300 What is required to obtain insignia based on state-plan approval? If you want to obtain insignia based on state-plan approval, you must:

(1) Have your design plan and quality control manual approved by us; and

(2) Pass a quality control program comprehensive audit which includes a random inspection of your vehicles.

NEW SECTION

WAC 296-150R-0310 What is required after I am approved as a state-plan manufacturer? Once you have obtained approval as a state-plan manufacturer:

(1) You are required to submit comprehensive design plans to us for approval;

(2) You can inspect your own vehicles based upon your quality control manual specifications; and

(3) You are subject to an annual comprehensive audit at your manufacturing location(s).

DESIGN PLAN

NEW SECTION

WAC 296-150R-0320 How do I apply for design-plan approval? Upon request, we will send you a design-plan approval request form.

NEW SECTION

WAC 296-150R-0330 What is required for comprehensive design-plan approval? If you are the manufacturer applying for state-plan approval:

(1) You must submit two sets of comprehensive design plans (do not send originals) to us for approval. Design plans must be accompanied by the initial filing fee, if appropriate, and the design plan fee. (See WAC 296-150R-3000.)

(2) Your comprehensive design plan must indicate compliance with the appropriate ANSI standards in the following plans and drawings:

(a) Floor plans relating to fire and life safety, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances, and air conditioning systems, if applicable, of each vehicle.

(b) Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.

(c) Electrical drawings.

Note: We will provide a check list with detailed requirements for each type of plan upon request.

(3) Current comprehensive design plans must be available at each manufacturing location.

(4) You must have an approved quality control manual. (See WAC 296-150R-0400, 296-150R-0410.)

Note: You do not need a quality control manual if you are an individual asking us to inspect a vehicle.

NEW SECTION

WAC 296-150R-0340 What happens if you approve my design plan? (1) Your design plan will be approved if it complies with the requirements of this chapter and ANSI.

(2) We will send you an approved copy of the design plan with the approval number.

(3) You must keep copies of the approved design plan for all models produced at the manufacturing location.

(4) If your design plan is not approved, you will be notified in writing of plan deficiencies. You may send a corrected design plan to us.

NEW SECTION

WAC 296-150R-0350 If my design plan is not approved, how much time do I have to submit a corrected plan? (1) You have ninety days to correct and resubmit your original design plan and send us the resubmittal fee once we notify you of plan deficiencies. After ninety days, your initial design plan is returned to you.

(2) If you submit your corrected design plan after ninety days, you must send the initial design plan fee instead of the resubmittal fee. (See WAC 296-150R-3000.)

QUALITY CONTROL PROGRAM/MANUAL

NEW SECTION

WAC 296-150R-0400 What constitutes an acceptable quality control program/manual for state-plan insignia? Your quality control program must implement your approved quality control manual. The quality control manual must provide instructions, procedures, and assign responsibilities to assure quality control requirements are met when vehicles are manufactured. The minimum quality control manual requirements are:

(1) An organization chart which identifies quality assurance positions and describes quality control responsibilities and accountability for the following plant personnel: General manager, plant production manager, plant foreperson, lead persons, production, quality control, sales, engineering, purchasing, and receiving staff;

(2) A method to distribute all comprehensive design plans and installation instructions or other documentation that ensures all products used are installed correctly in all recreational vehicle or park trailer models produced at each manufacturing location;

(3) Procedures for maintaining the quality assurance of each vehicle model;

(4) Drawings and procedures displaying manufacturing processes including a schematic plant layout;

(5) Descriptions of production stations, including surge-hold stations, on-site or off-site repair-rework locations, and off-line construction sites. Descriptions should identify by station and location the work, tests, or inspections performed and the job title of the person performing the quality control review;

(6) Inspection and equipment maintenance instructions, including jig maintenance, check-off lists, and other documentation verifying quality control performance and accountability;

(7) Coordination of staff duties ensuring smooth transition of manufacturing responsibilities during the shift change;

(8) Instructions regarding the identification, control, and handling of damaged goods or materials that do not comply with existing rules and ANSI;

(9) Information about recreational vehicle and park trailer material storage and environmental control including protection from the weather and the elimination of scrap and age-dated materials which have exceeded their life;

(10) Verification that testing equipment is properly calibrated and that your gauges are accurate;

(11) Information about production line testing which includes descriptions of procedures, test equipment, and the location of each test. The information should demonstrate accountability for test completion, for rework and repair, and for retesting;

(12) Instructions, procedures, descriptions, and responsibilities for insignia storage, security, application, and inventory;

(13) Procedures for mixed production lines, for variable production rates, for new or substitute personnel, and for new or changed inspections and tests;

(14) Instructions, procedures, and responsibilities for keeping vehicle records which include the unit serial number, model, plan approval number, dealer location or destination, insignia number, inspection, and test results;

(15) Information about your quality control training program; and

(16) Procedures for introducing new designs, models, materials and equipment to staff that ensures products are built according to the standards and the manufacturer's instructions.

NEW SECTION

WAC 296-150R-0410 How do I apply to have my quality control manual approved? We will provide the form and instructions upon request.

NEW SECTION

WAC 296-150R-0420 What happens if my quality control manual is approved? (1) Your quality control manual will be approved if it meets the requirements of this chapter and ANSI.

(2) We will send you an approved copy of your quality control manual.

(3) If your quality control manual is not approved, you will be notified in writing of the deficiencies. You may send us a corrected quality control manual.

PERMANENT

DESIGN PLAN/QUALITY CONTROL MANUAL—REVIEW, CHANGE/ADDENDUM, EXPIRATION, AND RENEWAL

NEW SECTION

WAC 296-150R-0440 Do I need approval to change my design plan or quality control manual after I receive state-plan approval? (1) Once you have received state-plan approval and you want to change your design plan or quality control manual, we must approve the changes/addendums.

(2) You should send design plan or quality control manual changes to us thirty days before you want the changes/addendums to take effect.

NEW SECTION

WAC 296-150R-0450 When does state-plan insignia approval expire? As a state-plan manufacturer, your approval for insignia is based upon approval of your design plan and quality control manual. Design plans are considered approved until a new ANSI code edition is adopted or unless revisions to ANSI prior to code changes would not support our design plan approval.

Note: ANSI codes are normally adopted for a three-year period.

INSPECTION

NEW SECTION

WAC 296-150R-0600 When does a manufacturer, individual builder, or a dealer need to request a vehicle inspection? If you are a manufacturer, individual builder, or a dealer, you must request a vehicle inspection by us:

(1) If you have approval of your design plan and quality control manual and need to complete the state-plan process;

(2) If you are making a vehicle alteration which must be inspected and approved by us; or

(3) If you are correcting a violation which must be inspected and approved by us.

Note: An individual who is building a vehicle to own, sell, or lease must obtain a vehicle identification number from the state patrol prior to our issuance of certification insignia.

NEW SECTION

WAC 296-150R-0610 How do I request a vehicle inspection and what documentation is required? (1) Complete an inspection application which can be obtained from us.

(2) Send the completed application, application fee, and inspection fee to us prior to the date you would like an inspection performed. (See WAC 296-150R-3000.)

(3) During the inspection, have your approved design plans, specifications, and test results available for our inspector.

(4) A vehicle inspection will be completed in two phases. The "cover" inspection during the construction of the unit before the electrical, plumbing, mechanical, heating, and structural systems are covered. The final inspection takes place after the vehicle is complete.

NEW SECTION

WAC 296-150R-0620 What happens if my vehicle passes inspection? (1) If your vehicle passes inspection and you have met the other requirements of this chapter and ANSI, you will be approved to purchase state-plan insignia from us.

(2) If you send your insignia application and fee to us prior to the inspection, we will attach your insignia when we approve the vehicle.

NEW SECTION

WAC 296-150R-0630 What happens if my vehicle does not pass inspection? (1) If your vehicle does not pass inspection, you will receive a notice of noncompliance.

(2) You have ten days after receiving the notice of noncompliance to send us a written response explaining how you will correct the violation(s) and prevent its reoccurrence.

(3) You are not allowed to move, sell or lease a vehicle until:

(a) You correct the violation(s);

(b) We inspect and approve the correction(s); and

(c) You pay the inspection fee and the insignia fee, if required. (See WAC 296-150R-3000.)

(4) If you fail to make the corrections, the sale or lease of your vehicle is prohibited by RCW 43.22.340 until the corrections are made.

Note: You will be allowed to return a vehicle to the manufacturing location or to another location for correction with our approval.

NEW SECTION

WAC 296-150R-0640 Am I charged if I request an inspection but I am not prepared? (1) If you ask us to inspect recreational vehicles or park trailers within Washington state but are not prepared when we arrive, you must pay the minimum inspection fee and travel.

(2) If you ask us to inspect recreational vehicles or park trailers outside Washington state but are not prepared when we arrive, you must pay the minimum inspection fee, travel, and per diem expenses.

AUDIT

NEW SECTION

WAC 296-150R-0700 What does our annual quality control program audit for state-plan insignia include? (1) During your annual comprehensive audit for state-plan insignia, we will review your quality control program and randomly inspect your vehicles.

(2) If our comprehensive audit indicates that you are complying with the requirements of this chapter and ANSI, you may purchase state-plan insignia.

(3) If we discover a quality control program deficiency or a vehicle violation during our comprehensive audit, you will receive a notice of noncompliance and cannot purchase state-plan insignia until the deficiency or violation is corrected.

(a) You can correct the deficiency or violation during the comprehensive audit; or

(b) You have fourteen days after receiving the notice of noncompliance to send us a written response explaining your correction of the deficiency or violation;

(c) You are subject to a follow-up comprehensive audit.

LOSS OF STATE-PLAN APPROVAL

NEW SECTION

WAC 296-150R-0710 Can you withdraw my state-plan insignia approval? Should you fail to meet the requirements of this chapter and ANSI after you have been approved to purchase state-plan insignia, we will withdraw your certification.

NEW SECTION

WAC 296-150R-0720 What happens if my state-plan insignia approval is withdrawn? If your state-plan insignia approval is withdrawn because you have failed to comply with this chapter and ANSI:

(1) You must return any issued but unused insignia to us; and

(2) You cannot sell or lease vehicles in Washington.

SELF-CERTIFICATION

AUDIT TO RECEIVE SELF-CERTIFICATION

NEW SECTION

WAC 296-150R-0800 What is required for self-certification? If you want to be self-certified, you must:

(1) Send us a written request for self-certification;

(2) Have us approve your self-certification quality control manual;

(3) Have us approve your comprehensive design plans for the current models you sell in Washington state if you do not already have approved design plans;

(4) Initially be audited by us, and then be audited at least every six months by an industry association or independent inspection auditor who conducts quality control audits;

(5)(a) The manufacturer must designate an industry association or other independent auditor to perform audits of the manufacturer at least every six months.

(b) The manufacturer must provide written approval from the auditor designated under (a) of this subsection and provide a copy of such approval to the department. The approval form must allow us to review all documentation and information collected by the auditor during the auditor's periodic audits of the manufacturer. The department shall conduct a performance audit of the industry association or other independent inspection auditor at least once every two years.

(c) If the designated auditor refuses to allow the department to conduct a performance audit, then the department may conduct a performance audit of the manufacturer's quality control program. If both the designated auditor and manufacturer refuse to allow a performance audit, then the department may conduct a comprehensive audit as authorized by RCW 43.22.355(4).

Note: If you do not use an industry association or independent inspection auditor to conduct your quality control audits, you may apply for insignia under the state-plan process for insignia approval.

NEW SECTION

WAC 296-150R-0810 What does the initial self-certification audit include? During the initial self-certification comprehensive audit, we will:

(1) Review your quality control program;

(2) Review your comprehensive design plans; and

(3) Randomly inspect your vehicles.

NEW SECTION

WAC 296-150R-0820 How will I know if I am approved for self-certification? (1) If the initial self-certification comprehensive audit indicates that you are complying with this chapter and ANSI, we will send you a self-certification approval letter. Once you are approved as self-certified you may purchase self-certification insignia.

(2) If we discover a quality control program deficiency or a vehicle violation during our initial audit, you will receive a notice of noncompliance and cannot purchase the self-certification insignia until the deficiency or violation is corrected.

(a) You can correct the deficiency or violation during the audit; or

(b) You have fourteen days after receiving the notice of noncompliance to send us a written response explaining your correction of the deficiency or violation;

(c) You are subject to a follow-up comprehensive audit, to verify correction of the deficiency or violation.

NEW SECTION

WAC 296-150R-0830 What are the self-certification fees? (1) If you are a new manufacturer applying for self-certification, you must pay the initial filing fee, the quality control manual fee, the audit fee, travel and per diem expenses.

(2) If you are a current state-plan manufacturer applying for self-certification who has approved design plans with the department, you must pay the self-certification quality control manual fee, the audit fee, travel and per diem expenses.

SELF-CERTIFICATION COMPREHENSIVE DESIGN PLAN/QUALITY CONTROL PROGRAM/ QUALITY CONTROL MANUAL

NEW SECTION

WAC 296-150R-0840 What is required for comprehensive design plan approval for self-certification? (1) If you are a *new manufacturer* applying for self-certification:

(a) You must send us two sets of comprehensive design plans (do not send originals) for approval. Design plans must be accompanied by the appropriate fees. (See WAC 296-150R-3000.)

(b) Your comprehensive design plan must indicate compliance with the appropriate ANSI standards in the following plans and drawings:

(i) Floor plans relating to fire and life safety, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances, and air conditioning systems, if applicable to the plan of each vehicle.

(ii) Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.

(iii) Electrical drawings.

Note: We will provide you with a check list with detailed requirements for each type of plan upon request.

(c) Current comprehensive design plans must be available at each manufacturing location.

(2) If you are a state-plan approved manufacturer applying for self-certification, you must have approved comprehensive design plans on file with us and at each manufacturing location.

NEW SECTION

WAC 296-150R-0850 What constitutes an acceptable quality control program/manual for self-certification? Your quality control program must implement your approved quality control manual. The quality control manual must provide instructions, procedures, and assign responsibilities to assure quality control expectations are met when vehicles are manufactured. The minimum quality control manual requirements are:

(1) An organization chart which identifies quality assurance positions and describes quality control responsibilities and accountability for the following plant personnel: General manager, plant production manager, plant foreperson, lead persons, production, quality control, sales, engineering, purchasing and receiving staff;

(2) A method to distribute all comprehensive design plans and installation instructions or other documentation that ensures all products used are installed correctly in all recreational vehicle or park trailer models produced at each manufacturing location;

PERMANENT

(3) Procedures for maintaining the quality assurance of each vehicle model;

(4) Drawings and procedures displaying manufacturing processes including a schematic plant layout;

(5) Descriptions of production stations, including surge-hold stations, on-site or off-site repair-rework locations, and off-line construction sites. Descriptions should identify by station and location the work, tests, or inspections performed and the job title of the person performing the quality control review;

(6) Inspection and equipment maintenance instructions, including jig maintenance, check-off lists, and other documentation verifying quality control performance and accountability;

(7) Coordination of staff duties ensuring smooth transition of manufacturing responsibilities during the shift change;

(8) Instructions regarding the identification, control, and handling of damaged goods or materials that do not comply with existing rules and ANSI;

(9) Information about recreational vehicle and park trailer material storage and environmental control including protection from the weather and the elimination of scrap and age-dated materials which have exceeded their life;

(10) Verification that testing equipment is properly calibrated and that your gauges are accurate;

(11) Information about production line testing which includes descriptions of procedures, test equipment, and the location of each test. The information should demonstrate accountability for test completion, for rework and repair, and for retesting;

(12) Instructions, procedures, descriptions, and responsibilities for insignia storage, security, application, and inventory;

(13) Procedures for mixed production lines, for variable production rates, for new or substitute personnel, and for new or changed inspections and tests;

(14) Instructions, procedures, and responsibilities for keeping vehicle records which include the unit serial number, model, plan approval number (if applicable), dealer location or destination, insignia number, inspection, and test results;

(15) Information about your quality control training program;

(16) Procedures for introducing new designs, models, materials and equipment to staff that ensures products are built according to the standards and the manufacturer's instructions; and

(17) Written authorization as required in WAC 296-150R-0800(5).

NEW SECTION

WAC 296-150R-0860 After becoming self-certified, do I need approval to change my comprehensive design plan? (1) Once you are self-certified, you are not required to send us your comprehensive design plans nor are we required to approve your comprehensive design plan changes.

(2) You are required to maintain your comprehensive design plans for each model at each manufacturing location where the models are produced.

NEW SECTION

WAC 296-150R-0870 After becoming self-certified, do I need approval to change my quality control manual? Once you are self-certified, you are required to have any changes to your quality control manual approved by us.

AUDIT AFTER SELF-CERTIFICATION

NEW SECTION

WAC 296-150R-0900 When do you audit self-certified manufacturers? (1) We audit self-certified manufacturers, if we have reason to believe, you are not complying with this chapter and ANSI.

(2) Reasons to believe that you may not be complying with this chapter and ANSI may include, but are not limited to:

(a) Consolidation of manufacturing locations or relocation of your manufacturing plant;

(b) Complaints from dealers, consumers, or other interested parties that you are not complying with this chapter and ANSI;

(c) Change of business ownership; or

(d) Noncompliance with the requirements of this chapter.

(3) A comprehensive or performance audit based on WAC 296-150R-0800 (5)(c).

NEW SECTION

WAC 296-150R-0910 After I am self-certified, what does an audit include? A performance audit after you are self-certified includes:

(1) A review of your quality control program;

(2) Verification that you are manufacturing vehicles according to this chapter and ANSI; and

(3) Verification that your comprehensive design plans are available at all locations where the vehicles are manufactured.

Note: Our audit may include a review of the comprehensive design plans at your manufacturing location.

LOSS OF SELF-CERTIFICATION

NEW SECTION

WAC 296-150R-0920 Can you withdraw my self-certification? Should you fail to meet the requirements of this chapter and ANSI after you have been approved for self-certification, your self-certification can be withdrawn.

NEW SECTION

WAC 296-150R-0930 What happens if my self-certification is withdrawn? If your self-certification is withdrawn because you have failed to comply with this chapter and ANSI:

(1) You must return any issued but unused insignia to us; and

(2) You cannot sell or lease vehicles in Washington.

VEHICLE ALTERATIONS

NEW SECTION

WAC 296-150R-1000 Who needs approval to alter a recreational vehicle or park trailer? (1) Any alteration by a manufacturer, dealer, or individual to a vehicle with state-certified insignia must be approved by us before the alteration is made. "Alteration" is defined in WAC 296-150R-0020.

(2) Any alteration by a manufacturer, dealer, or individual to a vehicle with self-certified insignia after it leaves the manufacturer's location must be approved by us before the alteration is made.

Note: We may remove your insignia if you alter or have someone alter a vehicle without our approval.

NEW SECTION

WAC 296-150R-1010 Must I purchase a separate insignia for an alteration? You are required to purchase an alteration insignia from us.

NEW SECTION

WAC 296-150R-1020 How do I apply for alteration approval and obtain the alteration insignia? (1) To apply for alteration approval and the alteration insignia, you must:

(a) Complete an alteration permit form and an application for alteration insignia. We will provide the forms.

(b) Submit the completed forms, with the inspection fee and altered vehicle insignia fee, to us. (See WAC 296-150R-3000.)

(2) Our vehicle inspection of the alteration will be in two phases. The "cover" inspection during the alteration of the unit before the electrical, plumbing, mechanical, heating, or other systems are covered. The final inspection takes place after the vehicle is complete.

(3) Once we approve your alteration, we will attach the alteration insignia.

MANUFACTURER'S NOTICE TO THE DEPARTMENT

NEW SECTION

WAC 296-150R-2000 Must state-plan and self-certified manufacturers notify you if they manufacture at more than one location? (1) We must approve each recreational vehicle and park trailer manufacturing location producing units for sale or lease in Washington state.

(2) You must send us the following information for each manufacturing location when you are certified:

(a) Company name;
(b) Mailing and physical address;
(c) Phone and FAX number if available;
(d) Type of recreational vehicle(s) manufactured;
(e) Contact person for plan review; and
(f) Contact person for plant audit.

(3) You must update the information as it changes.

NEW SECTION

WAC 296-150R-2010 Must state-plan and self-certified manufacturers notify you if they change a business name or address? (1) If you are moving your business from an approved manufacturing location, the new location must be approved before shipping units from that location for sale or lease in Washington state.

(2) You must notify us in writing prior to a change of business name or address.

NEW SECTION

WAC 296-150R-2020 Must state-plan and self-certified manufacturers notify you of a change in business ownership? (1) When a recreational vehicle or park trailer manufacturing business changes ownership, the new owner must notify us in writing immediately.

(2) A new owner may continue to manufacture vehicles using approved design plans or comprehensive design plans according to this chapter.

(3) The department will perform a comprehensive audit of the manufacturer after the ownership change to ensure you are meeting the requirements of this chapter and ANSI.

NEW SECTION

WAC 296-150R-2030 Must state-plan and self-certified manufacturers notify you of their Washington dealers? (1) You must send us the following information about yourself and each of your Washington dealers when you are certified:

(a) Dealership name;
(b) Mailing and physical address;
(c) Phone and FAX number if available;
(d) Type of recreational vehicle(s); and
(e) Contact person.

(2) You must update this information as it changes.

PERMANENT

RECREATIONAL VEHICLE AND PARK TRAILER FEES

NEW SECTION

WAC 296-150R-3000 Table of recreational vehicle and park trailer fees for insignia approval.

STATE PLAN		SELF CERTIFICATION	
INITIAL FILING FEE	$25.00	INITIAL FILING FEE	$25.00

DESIGN PLAN		DESIGN PLAN	
NEW PLAN REVIEW FEE	$70.00	NEW PLAN REVIEW FEE (ONE TIME FEE)	$70.00
RESUBMIT FEE	50.00	RESUBMIT FEE	50.00
ADDENDUM	50.00	ADDENDUM	50.00

STATE PLAN/MANUAL FEES		SELF CERTIFICATION/MANUAL FEES	
INITIAL APPROVAL	$10.00	INITIAL APPROVAL	$10.00
RESUBMITTAL	50.00	RESUBMITTAL	50.00
ADDENDUM	50.00	ADDENDUM	50.00

DEPARTMENT AUDIT FEES		DEPARTMENT AUDIT FEES	
AUDIT (PER HOUR)*	$50.00	AUDIT (PER HOUR)*	$50.00
TRAVEL (PER HOUR)*	50.00	TRAVEL (PER HOUR)*	50.00
PER DIEM**		PER DIEM**	
HOTEL***		HOTEL***	
MILEAGE**		MILEAGE**	
RENTAL CAR***		RENTAL CAR***	
PARKING***		PARKING***	
AIRFARE***		AIRFARE***	

DEPARTMENT INSPECTION FEES		DEPARTMENT INSPECTION FEES	
INSPECTION (PER HOUR)*	$50.00	INSPECTION (PER HOUR)*	$50.00
TRAVEL (PER HOUR)*	50.00	TRAVEL (PER HOUR)*	50.00
PER DIEM**		PER DIEM**	
HOTEL***		HOTEL***	
MILEAGE**		MILEAGE**	
RENTAL CAR***		RENTAL CAR***	
PARKING***		PARKING***	
AIRFARE***		AIRFARE***	

INSIGNIA FEES		INSIGNIA FEES	
STATE CERTIFIED	$10.00	SELF CERTIFIED	$10.00
ALTERATION	25.00	ALTERATION	25.00
REISSUED-LOST/DAMAGED	10.00	REISSUED-LOST/DAMAGED	10.00

FIELD TECHNICAL SERVICE FEE (PER HR.)	$50.00

* Minimum charge of 1 hour for inspection; time spent greater than 1 hour is charged in 1/2 hour increments
** Per state guidelines.
***Actual charges incurred.

WSR 96-22-001
PERMANENT RULES
OLYMPIC AIR POLLUTION CONTROL AUTHORITY
[Filed October 24, 1996, 10:12 a.m., effective October 24, 1996]

Date of Adoption: October 9, 1996.

Purpose: To amend OAPCA Regulation 1 to reflect changes to chapter 70.94 RCW imposed by SHB 2376 as passed by the 54th legislature in 1996.

Citation of Existing Rules Affected by this Order: Amending OAPCA Regulation 1, Sections 15.09 and 15.11.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 96-17-083 on August 21, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: SHB 2376, section 2, declares adoption as necessary and shall take effect immediately.

Effective Date of Rule: October 24, 1996.

October 24, 1996
Robert Moody
Air Quality Specialist

SECTION 15.09 VAPOR RECOVERY STAGE II

For purposes of attainment or maintenance of the National Ambient Air Quality Standard for ozone s((~~S~~))tage II vapor recovery ((~~is required at all gasoline dispensing facilities as follows:~~)) may only be required at a service station, or any other gasoline dispensing facility supplying fuel to the general public, in any of the following circumstances:

(a) ((~~Those facilities that have an annual throughput greater than 1,200,000 gallons of gasoline shall have Stage II vapor recovery by May 1, 1994 or at the time of upgrade, whichever is sooner.~~)) The facility sells in excess of six hundred thousand gallons (600,000) of gasoline per year and is located in a county, any part of which is designated as nonattainment for ozone under the federal clean air act, 42 USC Section 7407; or

(b) ((~~Those facilities that have an annual throughput greater than 840,000, but less than or equal to 1,200,000 gallons of gasoline shall have Stage II vapor recovery by December 31, 1998, or at the time of upgrade, whichever is sooner.~~)) The facility sells in excess of six hundred thousand gallons of gasoline per year and is located in a county where a maintenance plan has been adopted by a local air pollution control authority or the department of ecology that includes gasoline vapor recovery devices as a control strategy; or

(c) ((~~All gasoline dispensing facilities located in an ozone nonattainment area with an annual gasoline throughput greater than 600,000 gallons shall have Stage II vapor recovery prior to December 31, 1998 or at the time of upgrade, whichever is sooner.~~)) From the effective date of this section until December 31, 1998, in any facility that sells in excess of one million two hundred thousand gallons (1,200,000) of gasoline per year and is located in an ozone-contributing county. For purposes of this section, an ozone-contributing county means a county in which the emissions have contributed to the formation of ozone in any county where violations of federal ozone standards have been measured, and includes Thurston County; or

(d) After December 31, 1998, in any facility that sells in excess of eight hundred forty thousand (840,000) gallons of gasoline per year and is located in any county, no part of which is designated as nonattainment for ozone under the federal clean air act, 42 USC Section 7407, provided that the department of ecology determines by December 31, 1997, that the use of gasoline vapor control devices in the county is important to achieving or maintaining attainment status in any other county.

SECTION 15.11 NEW GASOLINE DISPENSING FACILITIES

((~~Those facilities that have more than 10,000 gallons total gasoline storage must install Stage I and Stage II vapor recovery at the time of construction.~~)) Nothing in section 15.09 shall preclude the Agency from requiring Stage II vapor recovery if it is determined to be BACT for control of air toxics or for the protection of human health and safety.

WSR 96-22-002
PERMANENT RULES
PIERCE COLLEGE
[Filed October 24, 1996, 12:55 p.m.]

Date of Adoption: October 9, 1996.

Purpose: To repeal chapter 132K-20 WAC, Tenure policy. Issues addressed in chapter 132K-20 WAC have been negotiated with faculty labor representative and are now included in the negotiated agreement.

Citation of Existing Rules Affected by this Order: Repealing chapter 132K-20 WAC, Tenure policy.

Statutory Authority for Adoption: RCW 28B.50.852.

Adopted under notice filed as WSR 96-16-077 on August 6, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 10, 1996
John Boesenberg
Director
Personnel Services

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 132K-20 WAC Tenure policy

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WSR 96-22-013
PERMANENT RULES
DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 28, 1996, 11:05 a.m., effective January 1, 1997]

Date of Adoption: October 28, 1996.

Purpose: Subject, logging (chapters 296-45 and 296-54 WAC).

Chapter 296-45 WAC, Safety standards for electrical workers, federal-initiated amendments, as published in Federal Register Volume 59, Number 20, dated January 31, 1994; Federal Register Volume 59, Number 196, dated October 12, 1994; and Federal Register Volume 60, Number 174, dated September 8, 1995, are made to add a new section relating to hand tool requirements. These federal-identical amendments will not establish additional compliance requirements because the requirements were previously applicable.

Chapter 296-54 WAC, Safety standards for logging, federal-initiated amendments are made as a result of Federal Register Volume 59, Number 196, dated October 12, 1994; and Federal Register Volume 60, Number 174, dated September 8, 1995.

Adopted amendments that establish additional compliance requirements are federally mandated amendments the department is required to adopt to comply with chapter 49.17 RCW, Washington Industrial Safety and Health Act (WISHA), and to meet our obligations to the Occupational Safety and Health Administration (OSHA). This state plan agreement with OSHA requires the department adopt standards identical to or at-least-as-effective-as the federal regulations.

The majority of the adopted amendments are made to replace wording in the logging standard with federal identical wording. While the department is adopting federal language, it does not change the overall requirements of the logging standard, but does adopt minimum federal specification requirements.

Many of these changes are also being adopted to meet department obligations under Washington state ESHB 1010, which addresses regulatory reform amendments as passed by the 1995 legislature. These types of changes include reducing duplicate or redundant language within the standard by consolidating information in one place, to replace existing "at-least-as-effective-as" language with federal "identical" language, and to make the standard easier to read wherever possible.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-54-45001 Pulpwood logging; and amending WAC 296-54-501 Scope and application, 296-54-505 Definitions applicable to this chapter, 296-54-511 Personal protective equipment, 296-54-513 Safety and first-aid requirements, 296-54-515 General requirements, 296-54-519 Transportation of crews by motor vehicle, 296-54-521 Transportation of crews by use of speeders and trailers, 296-54-523 Methods of crew transportation other than those specified, 296-54-529 Falling and bucking—General, 296-54-531 Falling and bucking power saws and power equipment, 296-54-535 Tree pulling, 296-54-537 Mechanized falling, 296-54-539 Climbing equipment and passline, 296-54-551 Yarding, loading, skidding and chipping machines—General requirements, 296-54-553 Yarding, loading and skidding machines—Mobile towers and boom-type yarding and loading machines, 296-54-555 Yarding—General requirements, 296-54-559 Yarding—Helicopters and helicopter cranes, 296-54-561 Log loading—General requirements, 296-54-565 Log loading—Self-loading log trucks, 296-54-567 Motor truck log transportation—General requirements, 296-54-575 Motor truck log transportation—Stakes, stake extensions and chock blocks, 296-54-593 Dry land sorting and storage, 296-54-595 Railroad operations, 296-54-597 Railroad maintenance—Loading or unloading, 296-54-601 Signals and signal systems, and 296-54-605 Radio systems used for voice communication, activation of audible signals, or equipment.

Statutory Authority for Adoption: RCW 49.17.040, [49.17].050, [49.17].060.

Adopted under notice filed as WSR 96-09-101 on April 17, 1996.

Changes Other than Editing from Proposed to Adopted Version: As a result of written and oral comments received, the following sections are being withdrawn: WAC 296-54-507 Management's responsibility and 296-54-577 Motor truck log transportation—Wrappers and binders.

As a result of written and oral comments received, the following sections are being amended:

WAC 296-54-505 Definitions applicable to this chapter.

- Deleted the definition for "health care provider."
- Deleted the OSHA definition of "landing." Retained the department's definition of "landing."
- Retained the definitions of "shore skids," "swamping," and "swifter."

WAC 296-54-511 Personal protective equipment.

- Amended the proposed head protection rule at WAC 296-54-511(4) to retain the requirement that hard hats shall be worn at any logging operation or related activity.
- Amended WAC 296-54-511(6), occupational footwear, to reference "traditional foot wear" as an example.

WAC 296-54-513 Safety and first-aid requirements.

- Retained the reference to WAC 296-24-040 through 296-24-055.

- Amended the "prior to initial assignment" rule to clarify that "prior to initial assignment" means "before working independently."
- Deleted state initiated safety and health requirements from chapter 296-24 WAC.
- Amended the content list for first-aid kits to reference the list in chapter 296-24 WAC. Amendment also includes OSHA items not specifically mentioned in chapter 296-24 WAC.
- Amended the first-aid kit section to include rules regarding blankets, stretchers and splints.
- Added a first-aid kit requirement informational reference for logging crews and emergency vehicles.
- Deleted proposed renumbering of subsection of chapter 296-24 WAC requirements.
- Deleted "health care provider" language.

WAC 296-54-515 General requirements.

- In WAC 296-54-515 (10)(b)(v) the word "noise" is corrected to "nose" referring to the nose of a chain saw bar.
- Deleted the advisory note at WAC 296-54-515(6) in chapter 296-24 WAC, Part A-4, regarding lockout/tagout.
- Amended the "fueling of vehicles" language at WAC 296-54-515(3) to include "machines" and "portable powered tools."
- Deleted the "pulpwood logging road and trail maintenance" language at WAC 296-54-515 (22) through (26).

WAC 296-54-519 Transportation of crews by motor vehicle.

- The requirement that "crew vehicle drivers must be experienced drivers" is retained in the OSHA rule requiring that "drivers have a license for the class of vehicle being driven."

WAC 296-54-529 Falling and bucking—General.

- Moved the OSHA weather assessment requirements from WAC 296-54-529(16) to WAC 296-54-529(1) to better reflect more compatible location with existing state standards.
- Amended the OSHA rule regarding retreat path requirements to include the department's swamping-out requirements.
- Deleted the OSHA environmental evaluation requirements.
- The proposed falling requirements, which prohibit the operation of yarding machines within two tree lengths of manual falling operations, is amended to include at WAC 296-54-557(24), a reference to other hazard tree grounding provisions.
- Amended the "pulling or grounding tree" rule to include a reference associating both types of operations. The two rules will be kept separate until an advisory committee recommends how they can be joined.
- Amended the proposed WAC 296-54-529(27) wording to accommodate current (backcut) timber felling practices.

WAC 296-54-531 Falling and bucking—Power saws and power equipment.

- The reference at WAC 296-54-531(17) is corrected to read WAC 296-54-515(11).

WAC 296-54-551 Yarding, loading and skidding machines—General requirements.

- Adopted sunroof exemption for tower yarders.
- Deleted the OSHA ROPS requirements for machines placed into initial service after February 9, 1995. The advisory committee will review for possible future amendment. The state will rely on existing state and national standards relating to ROPS.

WAC 296-54-555 Yarding—General requirements.

An exception clause is added. The use of the OSHA term "tree" in relation to placement of a choker near the end of a log/tree necessitates adoption of a long-butt exception when trees being yarded are too long to be safely landed on the available landing space.

WAC 296-54-557 Yarding—Tractors and skidders.

- Since existing seat belt standards address riders on moving equipment, the OSHA language which prohibits riding on machines without proper seats/belts is deleted.
- Relocated federal language requiring that pressure or energy that could activate moving parts be discharged before the servicing or repairing of a machine.
- Deleted tie-down rules because they are addressed through other state standards.
- The existing seat belt rule provides protections equal to the OSHA rule, therefore, the proposed amendment is being deleted.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 13, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 22, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 31, repealed 0.

Effective Date of Rule: January 1, 1997.

October 28, 1996
Mark O. Brown
Director

NEW SECTION

WAC 296-45-60013 Hand and portable powered tools. (1) General requirements.

(a) The employer shall assure that each hand and portable powered tool, including any tool provided by an employee, is maintained in serviceable condition.

(b) The employer shall assure that each tool, including any tool provided by an employee, is inspected before initial

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use during each workshift. At a minimum, the inspection shall include the following:

(i) Handles and guards, to assure that they are sound; tight-fitting, properly shaped, free of splinters and sharp edges, and in place;

(ii) Controls, to assure proper function;

(iii) Chain-saw chains, to assure proper adjustment;

(iv) Chain-saw mufflers, to assure that they are operational and in place;

(v) Chain brakes and nose shielding devices, to assure that they are in place and function properly;

(vi) Heads of shock, impact-driven and driving tools, to assure that there is no mushrooming;

(vii) Cutting edges, to assure that they are sharp and properly shaped; and

(viii) All other safety devices, to assure that they are in place and function properly.

(c) The employer shall assure that each tool is used only for purposes for which it has been designed.

(d) When the head of any shock, impact-driven or driving tool begins to chip, it shall be repaired or removed from service.

(e) The cutting edge of each tool shall be sharpened in accordance with manufacturer's specifications whenever it becomes dull during the workshift.

(f) Each tool shall be stored in the provided location when not being used at a work site.

(g) Racks, boxes, holsters or other means shall be provided, arranged and used for the transportation of tools so that a hazard is not created for any vehicle operator or passenger.

(2) Gasoline engine power chain saws.

(a) Each chain saw placed into initial service after February 9, 1995, shall be equipped with a chain brake and shall otherwise meet the requirements of the ANSI B175.1-1991 "Safety Requirements for Gasoline-Powered Chain Saws." Each chain saw placed into service before February 9, 1995, shall be equipped with a protective device that minimizes chain saw kickback i.e., reduced kickback bar, chains, bar tip guard or chain brake. No chain saw kickback device shall be removed or otherwise disabled.

(b) The chain saw shall be operated and adjusted in accordance with the manufacturer's instructions.

(c) The chain saw shall be fueled at least 10 feet (3 m) from any open flame or other source of ignition.

(d) The chain saw shall be started at least 10 feet (3 m) from the fueling area.

(e) The chain saw shall be started on the ground or where otherwise firmly supported. Drop-starting a chain saw is prohibited.

(f) The chain saw shall be started with the chain brake engaged.

(g) The chain saw shall be held with the thumbs and fingers of both hands encircling the handles during operation unless the employer demonstrates that a greater hazard is posed by keeping both hands on the chain saw in that particular situation.

(h) The chain saw operator shall be certain of footing before starting to cut. The chain saw shall not be used in a position or at a distance that could cause the operator to become off-balance, to have insecure footing, or to relinquish a firm grip on the saw.

(i) Prior to felling any tree, the chain saw operator shall clear away brush or other potential obstacles which might interfere with cutting the tree or using the retreat path.

(j) The chain saw shall not be used to cut directly overhead.

(k) The chain saw shall be carried in a manner that will prevent operator contact with the cutting chain and muffler.

(l) The chain saw shall be shut off or the throttle released before the feller starts their retreat.

(m) The chain saw shall be shut down or the chain brake shall be engaged whenever a saw is carried further than 50 feet (15.2 m). The chain saw shall be shut down or the chain brake shall be engaged when a saw is carried less than 50 feet if conditions such as, but not limited to, the terrain, underbrush and slippery surfaces, may create a hazard for an employee.

(n) Each power saw weighing more than 15 pounds (6.8 kilograms, service weight) that is used in trees shall be supported by a separate line, except when work is performed from an aerial lift and except during topping or removing operations where no supporting limb will be available, and the following:

(i) Each power saw shall be equipped with a control that will return the saw to idling speed when released;

(ii) Each power saw shall be equipped with a clutch and shall be so adjusted that the clutch will not engage the chain drive at idling speed;

(iii) A power saw shall be started on the ground or where it is otherwise firmly supported. Drop starting of saws over 15 pounds (6.8 kg) is permitted outside of the bucket of an aerial lift only if the area below the lift is clear of personnel;

(iv) A power saw engine may be started and operated only when all employees other than the operator are clear of the saw;

(v) A power saw may not be running when the saw is being carried up into a tree by an employee; and

(vi) Power saw engines shall be stopped for all cleaning, refueling, adjustments, and repairs to the saw or motor, except as the manufacturer's servicing procedures require otherwise.

AMENDATORY SECTION (Amending Order 88-25, filed 11/14/88)

WAC 296-54-501 Scope and application. ((~~The requirements of this chapter augment those requirements of the general safety standards promulgated by the department of labor and industries, division of industrial safety and health, applicable to this industry, and apply to all persons, firms, corporations or others engaged in logging operations that come within the jurisdiction of the department of labor and industries.~~)) This standard establishes safety practices, means, methods and operations for all types of logging, regardless of the end use of the wood. These types of activities include, but are not limited to, pulpwood and timber harvesting and the logging of sawlogs, veneer bolts, poles, pilings and other forest products. The requirements herein contained do not apply to log handling at sawmills, plywood mills, pulp mills or other manufacturing operations governed by their own specific safety standards.

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((~~The safety requirements herein contained are not to be construed to imply that other safe work practices, procedures or methods should not be employed where such methods, means or practices may be required to prevent accidents. Both employers and employees have a duty to do whatever is reasonable and practical to avoid causing accidents.~~)) These requirements are minimum safety requirements and shall augment other safety standards developed by the department which are of a general nature and apply to all industrial operations such as those contained in the general safety standards, chapter 296-24 WAC; occupational health standards, chapter 296-62 WAC; ((~~and precautionary labeling of containers of hazardous materials, chapter 296-64 WAC,~~)) or others which may be applicable. Regulations adopted by the department concerning certain types of equipment or conditions, such as metal and nonmetallic mines, quarries, pits and crushing operations, chapter 296-61 WAC, and possession, handling and use of explosives, chapter 296-52 WAC shall be complied with when applicable.

((~~Some of the factors involving safe practices are use of good judgment, and the avoidance of taking chances. Accidents can be avoided in many instances by everyone conscientiously applying their knowledge of safety.~~))

Copies of all society of automotive engineers reports (SAE) referred to in these standards are on file in all ((~~district~~)) regional offices of the ((~~division of industrial safety and health of the~~)) department of labor and industries, and may be reviewed by any interested person. Individuals desiring to obtain copies of such material shall arrange to do so directly from the publishers or from other sources. The ((~~division of industrial safety and health~~)) department of labor and industries will not assume the responsibility of acquiring such material for uses other than its own needs.

((~~Note: Safety standards for pulpwood logging are contained in a separate edition titled "Safety standards for pulpwood logging," WAC 296-54-45001.~~))

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-54-505 Definitions applicable to this chapter. (((~~1~~))) A-frame - a structure made of two independent columns fastened together at the top and separated by a reasonable width at the bottom to stabilize the unit from tipping sideways.

((~~(2) Alternate communication system - a system approved by the department of labor and industries, which by voice or other media than horn or whistle, provides a safe and reliable method of communication between crew members.~~

~~(3) A side - any place of activity involving a group in the yarding and loading of logs.~~

~~(4)~~))) An operation - any place where logging or log related activities are taking place.

(((~~5~~))) Approved - approved by the department of labor and industries((~~, division of industrial safety and health~~)).

(((~~6~~))) Arch - any device attached to the back of a vehicle and used for raising one end of logs to facilitate movement.

(((~~7~~))) Authorized person - a person approved or assigned by the employer to perform a specific type of duty(s) or to be at a specific location at a certain time(s).

((~~(8) Back line - that section of the haulback that runs between the spar tree and the corner block.~~

~~(9)~~))) Backcut (felling cut) - the cut in a felling operation made on the opposite side from the undercut.

Ballistic nylon - a nylon fabric of high tensile properties designed to provide protection from lacerations.

(((~~10~~))) Barrier - a fence, wall or railing to prevent passage or approach.

(((~~11~~))) Base of tree - that portion of a natural tree not more than three feet above ground level.

(((~~12~~))) Bight of the line - any area where a person is exposed to a controlled or uncontrolled moving line.

(((~~13~~))) Binder - a hinged lever assembly for connecting the ends of a wrapper to tighten the wrapper around the load of logs or materials.

(((~~14~~))) Boomboat - any boat used to push or pull logs, booms, bundles, or bags, in booming ground operations.

(((~~15~~))) Boomscooter - a small boat, usually less than fourteen feet in length, equipped with an outboard motor, having directional pushing capabilities of 360 degrees.

(((~~16~~))) Brailing - when tiers of logs, poles, or piles are fastened together with a type of dogline and the ends of the side members are then fastened together for towing.

(((~~17~~))) Brow log - a log or a suitable substitute placed parallel to any roadway at a landing or dump to protect the carrier and facilitate the safe loading or unloading of logs, timber products, or materials.

((~~(18) Bullbuck - the supervisor of the cutting crew.~~

~~(19)~~))) Buck - means the process of severing a tree into sections (logs or bolts).

Butt - the bottom of the felled part of a tree.

Butt welding - the practice of welding something end to end.

((~~(20) Cable tree thinning - the selective thinning of a timber stand utilizing mobile yarding equipment specifically designed or adapted for the purpose. Such systems may be of the skyline, slackline, or modified slackline, overhead cable system.~~

~~(21)~~))) Cable yarding - the movement of felled trees or logs from the area where they are felled to the landing on a system composed of a cable suspended from spars and/or towers. The trees or logs may be either dragged across the ground on the cable or carried while suspended from the cable.

Chock - a block, often wedge shaped, which is used to prevent movement; e.g., a log from rolling, a wheel from turning.

Choker - a length of wire rope with attachments for encircling the end of a log to be yarded.

((~~(22) Chunking - the clearing of nonusable material from a specified area.~~

~~(23) Cold deck - any pile of logs which is yarded and left for future removal.~~

~~(24)~~))) Competent person - one who is capable of identifying hazards in the surrounding or working conditions which are unsanitary, hazardous or dangerous.

(((~~25~~))) Corner block - the first block the haulback passes through on its way to the tail block.

((~~(26) Crew bus or vehicle - any vehicle furnished by or for the employer that will transport five or more persons.~~

~~(27)~~))) Crotch line - two short lines attached to the same ring or shackle, used for loading or unloading.

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((~~(28)~~)) Danger trees - any tree of any height, dead or alive, that presents a hazard to workers because of rot, root, stem or limb damage, lean, or any other observable condition created by natural process or man-made activity.

((~~(29) Directional falling - a mechanical means to control the direction of falling timber.~~

~~(30)~~)) Debark - to remove bark from trees or logs. Debark generally denotes mechanical means as opposed to manual peeling.

Deck - a stack of trees or logs.

Designated person - an employee who has the requisite knowledge, training, and experience to perform specific duties.

Dog line - type of line used to fasten logs or timber products together by the use of dogs.

((~~(31) Donkey - any machine with a series of drums used to yard logs.~~

~~(32)~~)) Domino felling - the partial cutting of multiple trees which are left standing and then pushed over with a pusher tree.

Double ended logs - two logs end to end on the same lay.

((~~(33)~~)) Droplines - a short line attached to the carriage or carriage block which is used as an extension to the main line.

((~~(34)~~)) Drum - a mechanical device on which line is spooled or unspooled.

((~~(35)~~)) Dry land storage - decks of logs stored for future removal or use.

((~~(36)~~)) Dutchman -

((~~(a)~~)) A block used to change direction of line lead.

((~~(b)~~)) A method of falling timber consisting of inserting a piece of material into one side of the undercut to assist in pulling a tree against the lean or a section of the undercut can be left in a corner to accomplish the same purpose.

((~~(37)~~)) Experienced person - a person who has been trained and has participated in the subject process for a period of time long enough to thoroughly acquaint the person with all facets of the process.

((~~(38)~~)) F.O.P.S. - falling object protective structure.

((~~(39)~~)) Fair lead - sheaves, rolls, or a combination thereof arranged to receive a line coming from any direction for proper line spooling on to a drum.

((~~(40)~~)) Fell (fall) - to cut down trees.

Feller (faller) - an employee who fells trees.

Front end loader - a mobile machine mounted on a wheeled or tracked chassis, equipped with a grapple, tusk, bucket, or fork-lift device, and employed in the loading, unloading, stacking, or sorting of logs or materials.

((~~(41)~~)) Grounded - the placement of a component of a machine on the ground or on a device where it is firmly supported. Grounded may also relate to the placement of a tree on the ground or a method to dissipate static or electrical charges.

Guarded - covered, shielded, fenced, enclosed, or otherwise protected by means of suitable enclosures, covers, casings, shields, troughs, railings, screens, mats, or platforms, or by location, to prevent injury.

Guard rail - a railing to restrain a person.

((~~(42)~~)) Guyline - a line used to support or stabilize a spar.

((~~(43)~~)) Gypsy drum - a mechanical device wherein the line is not attached to the drum and is manually spooled to control the line movement on and off the drum.

((~~(44)~~)) Haulback - a line used to pull the buttrigging and mainline to the logs to be yarded.

((~~(45)~~)) Haulback block - any block the haulback line passes through including the corner block and tailblock.

((~~(46)~~)) Hay rack -

((~~(a)~~)) A type of loading boom where two tongs are used and logs are suspended.

((~~(b)~~)) A transporting vehicle with multiple sets of bunks attached to a rigid frame usually used for hauling logs.

((~~(47)~~)) Hazardous falling area - the area within a circle centered on the tree being felled and having a radius not less than twice the height of that tree.

((~~(48)~~)) Head tree - the tree where yarding and/or loading takes place. (See spar ((~~tree~~)))

((~~(49)~~)) Heel boom - a type of loading boom where one tong is used and one end of the log is pulled up against the boom.

((~~(50)~~)) High lead - a system of logging wherein the main line is threaded through the main line block, which is attached near the top of the spar, to obtain a lift of the logs being yarded.

((~~(51)~~)) Hobo log and/or hitchhiker - a free or unattached log that is picked up by a turn and is transported with the turn.

((~~(52)~~)) Hooktender - the worker that supervises the method of moving the logs from the woods to the landing.

((~~(53) Hot deck - a landing where logs are being moved.~~

~~(54)~~)) Hydraulic jack - a mechanical device, powered by internal pressure, used to control the direction in which a tree is to be felled.

((~~(55)~~)) In the clear - being in a position where the possibility of harmful physical contact is minimized.

((~~(56)~~)) Jackstrawed - trees or logs piled in an unorderly manner.

((~~(57)~~)) Jaggers - any projecting broken wire in a strand of cable.

((~~(58) Kerf - that portion of timber products taken out by the saw teeth.~~

~~(59)~~)) Knob - a metal ferrule attached to the end of a line.

((~~(60)~~)) Landing - any place where logs are laid after being yarded, awaiting subsequent handling, loading, and hauling.

((~~(61)~~)) Lift tree - an intermediate support for skylines.

((~~(62)~~)) Limbing - to cut branches off felled or standing trees.

Loading boom - any structure projecting from a pivot point to guide a log when lifted.

((~~(63)~~)) Lodged tree (hung tree) - a tree leaning against another tree or object which prevents it from falling to the ground.

((~~(64) Log bronco - a sturdily built boat usually from twelve to twenty feet in length, used to push logs or bundles of logs in a generally forward direction in booming and rafting operations.~~

~~(65)~~)) Logging operations - operations associated with felling and moving trees and logs from the stump to the point of delivery, such as, but not limited to, marking,

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felling, bucking, limbing, debarking, chipping, yarding, loading, unloading, storing, and transporting machines, equipment and personnel from one site to another.

Log dump - a place where logs are removed from transporting equipment. It may be either dry land or water, parbuckled over a brow log or removed by machine.

((~~(66)~~)) Logging machine - a machine used or intended for use to yard, move, or handle logs, trees, chunks, trailers, and related materials or equipment. This shall include self-loading log trucks only during the loading and unloading process.

((~~(67)~~)) Log((~~s~~)) - a tree segment((~~s~~)) suitable for subsequent processing into lumber, pulpwood, or other wood products, including but not limited to poles, piling, peeler blocks, sections and/or bolts.

((~~(68)~~)) Log stacker - a mobile machine mounted on a wheeled or tracked chassis, equipped with a frontally mounted grapple, tusk, or forklift device, and employed in the loading, unloading, stacking, or sorting of logs.

((~~(69)~~)) Long sticks - an overlength log that creates a hazard by exceeding the safe perimeters of the landing.

((~~(70)~~)) Machine - a piece of stationary or mobile equipment having a self-contained power plant, that is operated off-road and used for the movement of material. Machines include but are not limited to tractors, skidders, front-end loaders, scrapers, graders, bulldozers, swing yarders (rough terrain logging shovels), log stackers and mechanical felling devices, such as tree shears and feller-bunchers.

Mainline - the line attached to the buttrigging used to pull logs to the landing.

~~((71) Mainline block - the block hung in the spar through which the mainline passes.~~

~~(72) Mainline train - any train that is made up for travel between the woods and log dump.~~

~~(73)~~)) Matchcutting - the felling of trees without using an undercut.

((~~(74)~~)) Mechanized falling - falling of standing timber by a self-propelled mobile wheeled or tracked machine equipped with a shear or other powered cutting device.

((~~(75)~~)) Mechanized feller - any such machine as described in WAC 296-54-535 and 296-54-537, and includes feller/bunchers and similar machines performing multiple functions.

((~~(76)~~)) Mobile log loader - a self-propelled log loading machine mounted on wheels or tracks((~~, incorporating a grapple-rigged Bohemian, goose neck, or straight boom fabricated structure, employed in the loading or unloading of logs by means of grapples or tongs~~)).

((~~(77)~~)) Mobile yarder - a logging machine mounted on wheels, tracks, or skids, incorporating a vertical or inclined spar, tower, or boom((~~, employed in skyline, slackline, high lead, or grapple overhead cable yarding systems~~)).

((~~(78)~~)) Must - the same as "shall" and is mandatory.

((~~(79)~~)) New area or setting - a location of operations when both the loading station and the yarder are moved.

((~~(80)~~)) Pass line - a small line threaded through a block at the top of the spar to assist the high climber.

((~~(81)~~)) Permissible (as applied to any device, equipment or appliance) - such device, equipment, or appliance has the formal approval of the United States Bureau of Mines, American Standards Association, or National Board of Fire Underwriters.

((~~(82)~~)) Portable spar or tower - a movable engineered structure designed to be used in a manner similar to which a wood spar tree would be used.

((~~(83)~~)) Qualified person - a person, who by possession of a recognized degree, certificate, professional standing, or by extensive knowledge, training, and experience, has successfully demonstrated ability to solve or resolve problems relating to the subject matter, the work, or the project.

((~~(84)~~)) Rated capacity - the maximum load a system, vehicle, machine or piece of equipment was designed by the manufacturer to handle.

Reach - a steel tube or wood timber or pole connected to the truck and inserted through a tunnel on the trailer. It steers the trailer when loaded and pulls the trailer when empty.

((~~(85)~~)) Receding line - the line on a skidder or slackline comparable to the haulback line on a yarder.

((~~(86)~~)) Reload - an area where logs are dumped and reloaded or transferred as a unit to another mode of transportation.

((~~(87)~~)) Rollway - any place where logs are dumped and they roll or slide to their resting place.

((~~(88)~~)) Root wad - the ball of a tree root and dirt that is pulled from the ground when a tree is uprooted.

R.O.P.S. - roll over protection structure.

~~((89) Rub tree - a tree used to guide a turn around a certain area.~~

~~(90)~~)) Running line - any line which moves.

~~((91) SAE - society of automotive engineers.~~

~~(92)~~)) Safety factor - the ratio of breaking strength to a safe working strength or loading.

((~~(93)~~)) Safety glass - a type of glass that will not shatter when broken.

((~~(94)~~)) Sail block - a block hung inverted on the sail guy to hold the tong block in proper position.

((~~(95)~~)) Scaler - the person who measures the diameter and length of the logs, determines specie and grade, and makes deductions for footage calculations.

((~~(96)~~)) Serviceable condition - a state or ability of a tool, machine, vehicle or other device to operate as it was intended by the manufacturer to operate.

Shall - a requirement that is mandatory.

((~~(97)~~)) Shear log - a log placed in a strategic location to divert passage of objects.

((~~(98)~~)) Shore skids - any group of timbers spaced a short distance apart on which logs are rolled.

((~~(99)~~)) Signal person - the person designated to give signals to the machine operator.

((~~(100)~~)) Siwash - to change the lead of a line with a physical object such as a stump or tree instead of a block.

((~~(101)~~)) Skidder - a machine or animal used to move logs or trees to a landing.

((~~(102)~~)) Skidding - movement of logs or trees on the surface of the ground to the place where they are to be loaded.

((~~(103)~~)) Skyline - the line suspended between two points on which a block or carriage travels.

((~~(104)~~)) Slackline - a form of skyline where the skyline cable is spooled on a donkey drum and can be raised or lowered.

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((~~(105)~~)) Slack puller - any weight or mechanical device used to increase the movement of a line when its own weight is inadequate.

((~~(106)~~)) Slope (grade) - the increase or decrease in altitude over a horizontal distance expressed as a percentage. For example, change of altitude of 20 feet (6 m) over a horizontal distance of 100 feet (30 m) is expressed as a 20 percent slope.

Snag - a dead standing tree or a portion thereof. (See Danger tree)

((~~(107) Snorkel - a loading boom modified to extend its limitations for the purpose of yarding.~~

~~(108)~~)) Spar/spar tree - a device rigged for highlead, skyline or slackline yarding.

((~~(109) Spar tree - (see spar).~~

~~(110)~~)) Speeder - a small self-powered vehicle that runs on a railroad track.

((~~(111) Spike - a long heavy nail similar to a railroad spike.~~

~~(112)~~)) Springboard - a board with an iron tip used by fallers to stand on while working above ground level.

((~~(113)~~)) Spring pole - a tree, segment of a tree, limb, or sapling which is under stress or tension due to the pressure or weight of another object.

Square lead - the angle of 90 degrees.

((~~(114)~~)) Squirrel - a weight used to swing a boom when the power unit does not have enough drums to do it mechanically.

((~~(115)~~)) Squirrel tree - a topped tree, guyed if necessary, near the spar tree in which the counter balance (squirrel) of a tree rigged boom is hung.

((~~(116)~~)) Stiff boom - two or more boom sticks wrapped together on which boom persons walk or work.

((~~(117)~~)) Strap - any short piece of line with an eye or "D" in each end.

((~~(118)~~)) Strawline - a small line used for miscellaneous purposes.

((~~(119) Strap socket or D - a socket with a closed loop and arranged to be attached to the end of a line by the molten zinc, or an equivalent method. It is used in place of a spliced eye.~~

~~(120)~~)) Strip - a definite location of timber on which one or more cutting crews work.

((~~(121)~~)) Swamping - the falling or cutting of brush around or along a specified place.

((~~(122)~~)) Swifter - a piece of equipment used to tie the side sticks of a log raft together to keep the raft from spreading.

((~~(123)~~)) Swing cut - a back cut in which the holding wood on one side is cut through.

((~~(124)~~)) Tail block - the haulback block at the back end of the show.

((~~(125)~~)) Tail hold - an anchor used for making fast any line or block.

((~~(126)~~)) Tail tree - the tree at the opposite end from the head tree on which the skyline or other type rigging is hung.

((~~(127)~~)) Tie down - a chain, cable, steel strips or fiber webbing and binders attached to a truck, trailer or other conveyance as a means to secure loads and to prevent them from shifting or moving when they are being transported.

Tight line - when either the mainline or haulback are held and power is exerted on the other or when power is exerted on both at the same time.

((~~(128)~~)) Tong line block - the block hung in a boom through which the tong line operates.

((~~(129)~~)) Tongue - a device used to pull and/or steer a trailer.

((~~(130)~~)) Topping - cutting off the top section of a standing tree ((~~prior to rigging the tree for a spar or tail tree~~)).

((~~(131)~~)) Tower - (see portable spar or tower).

((~~(132)~~)) Tractor - a machine of wheel or track design used in logging.

((~~(133)~~)) Tractor logging - the use of any wheeled or tracked vehicle in the skidding or yarding of logs.

((~~(134)~~)) Transfer (as used in loading) - changing of logs in a unit from one mode of transportation to another.

((~~(135)~~)) Tree jack - a grooved saddle of wood or metal rollers contained within two steel plates, attached to a tree with a strap, used as a guide for skyline, sail guy, or similar static line. It is also formed to prevent a sharp bend in the line.

((~~(136)~~)) Tree plates - steel bars sometimes shaped as elongated J's, which are fastened near the top of a tree to hold guylines and prevent them from cutting into the tree when tightened. The hooks of the J are also used to prevent the mainline block strap from sliding down the tree.

((~~(137)~~)) Tree pulling - a method of falling trees in which the tree is pulled down with a line.

((~~(138) Tug - a boat, usually over twenty feet in length, used primarily to pull barges, booms of logs, bags of debris, or log rafts.~~

~~(139)~~)) Turn - any log or group of logs attached by some means to power and moved from a point of rest to a landing.

((~~(140) "V" lead - a horizontal angle of less than 90 degrees formed by the projected lines of the mainline from the drum of the logging machine through the block or fairlead and the yarding load or turn.~~

~~(141)~~)) Undercut - a notch cut in a tree to guide the direction of the tree fall and to prevent splitting or kickback.

Vehicle/crew bus - a car, bus, truck, trailer or semi-trailer owned, leased, or rented by the employer that is used for transportation of employees or movement of material.

WAC - Washington Administrative Code.

((~~(142)~~)) Waistline - that portion of the haulback running between the corner block and the tail block.

Winching - the winding of cable or rope onto a spool or drum.

((~~(143)~~)) Wrapper - a cable assembly or chain used to contain a load of logs.

((~~(144)~~)) Wrapper rack - barrier used to protect a person while removing binders and wrappers from a loaded logging truck.

((~~(145)~~)) Yarder (donkey) - a machine with a series of drums used to yard logs. ((~~(See donkey)~~))

((~~(146)~~)) Yarding - the movement of logs from the place they are felled to a landing.

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AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-54-511 Personal protective equipment. (1) General requirements.

(a) Protective equipment, including personal protective equipment for eyes, face, head, hearing and extremities, protective clothing, respiratory devices and protective shields and barriers, shall be ((~~provided,~~)) used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

(b) ((~~Employee owned equipment. Where employees are required to provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance and sanitation of such equipment.~~)) The employer shall assure that personal protective equipment, including any personal protective equipment provided by an employee, is maintained in a serviceable condition.

(c) Design. All personal protective equipment shall be of safe design and construction for the work to be performed. All safety belts and attachments shall meet the requirements of section 3 of ANSI A10.14-1975.

(d) The employer shall assure that personal protective equipment, including any personal protective equipment provided by an employee, is inspected before initial use during each workshift. Defects or damage shall be repaired or the unserviceable personal protective equipment shall be replaced before work is commenced.

(2) Eye and face protection. ((~~Protective eye and/or face equipment shall be required and worn where there is a probability of injury that can be prevented by such equipment. In such cases, employers shall make conveniently available a type of protector suitable for the work to be performed, and employees shall use such protectors. Suitable eye protectors shall be provided and worn where machines or operations present the hazard of flying objects, glare, liquids, injurious radiation, or a combination of these hazards.~~)) The employer shall provide, at no cost to the employee, and assure that each employee wears the following:

(a) Eye protection meeting the requirements of chapter 296-24 WAC, Part A-2 where there is potential for eye injury due to falling or flying objects; and

(b) Face protection meeting the requirements of chapter 296-24 WAC, Part A-2 where there is potential for facial injury such as, but not limited to, operating a chipper. Logger-type mesh screens may be worn by employees performing chain-saw operations and yarding. Note to subsection (2): The employee does not have to wear a separate eye protection device where face protection covering both the eyes and face is worn.

(3) Respiratory protection. The respiratory protection requirements of the general occupational health standards, chapter 296-62 WAC, shall apply.

(4) Occupational head protection. ((~~Protective helmets meeting the specifications contained in American National Standards Institute (ANSI), shall be worn by all employees involved in the logging operation or any of its related activities unless such employees are protected by F.O.P.S., cabs or canopies.~~)) The employer shall provide, at no cost to the employee, and assure that all employees involved in the logging operation or any of its related activities wears head protection, unless such employees are protected by F.O.P.S., cabs or canopies, meeting the requirements of this chapter. Protective helmets shall be maintained in serviceable condition.

(a) Protective helmets purchased after February 20, 1995, shall comply with ANSI Z89.1-1986, "American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements," which is incorporated by reference, or shall be demonstrated to be equally effective.

(b) Protective helmets purchased before February 20, 1995, shall comply with the ANSI standard "American National Standard Safety Requirements for Industrial Head Protection," ANSI Z89.1-1969, or shall be demonstrated by the employer to be equally effective.

(5) Personal flotation devices. Employees working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal flotation devices in accordance with General safety and health standards, WAC 296-24-086.

(6) Occupational footwear. The employer shall assure that each employee wears foot protection, such as heavy-duty logging boots that are waterproof or water repellent, cover and provide support to the ankle. The employer shall assure that each employee who operates a chain saw wears foot protection that is constructed with cut-resistant material which will protect the employee against contact with a running chain saw. Example: The traditional heavy-duty logging boot will meet the cut-resistant requirements of this subsection.

(a) All employees whose duties require them to walk on logs or boomsticks, shall wear sharp-calked (boots) shoes, or the equivalent, except when conditions such as ice, snow, etc., render calks ineffective. When calks are ineffective and other footwear does not afford suitable protection, workers shall not be required to work on logs or boomsticks.

(b) When nonslip type shoes or boots afford a greater degree of employee protection than calk (boots) shoes, such as at scaling stations, log sorting yards, etc., then this type footwear may be worn in lieu of calk shoes providing firm ankle support and secure footing are maintained.

(7) Leg protection. ((~~Employees whose normal duties require them to operate a power saw shall wear a flexible ballistic nylon pad or pads, sewn or otherwise fastened into the trousers, or other equivalent protection, that will protect the vulnerable area of the legs.~~)) The employer shall provide, at no cost to the employee, and assure that each employee who operates a chain saw wears leg protection constructed with cut-resistant material, such as ballistic nylon. The leg protection shall cover the full length of the thigh to the top of the boot on each leg to protect against contact with a moving, chain saw.

Exception: This requirement does not apply when an employee is working as a climber if the employer demonstrates that a greater hazard is posed by wearing leg protection in the particular situation, or when an employee is working from a vehicular mounted elevating and rotating

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work platform meeting the requirements of chapter 296-24 WAC, Part J-2, Vehicle-mounted elevating and rotating work platforms.

(8) Hand protection. ((~~All employees handling lines~~)) The employer shall provide, at no cost to the employee, and assure that each employee handling wire rope or other rough materials ((~~where there is a reasonable possibility of hand injury, shall wear suitable gloves or other hand protection to prevent injury~~)) wears hand protection which provides adequate protection from puncture wounds, cuts and lacerations.

(9) Hearing protection. The hearing protection requirements of the general occupational health standards, chapter 296-62 WAC, shall apply.

(10) Protective clothing. Employees working on landings or in log sorting yards, when working on or from the ground, shall wear highly visible hard hats and/or yellow or orange vests, or similarly colored garments, to enable equipment operators to readily see them. It is recommended that such hard hats and vests or outer garments be of a luminous or reflectorized material. Employees performing duties of a flagperson shall wear a hard hat and vest or garment of contrasting colors. Warning vests and hard hats worn at night shall be of a reflectorized material.

Note: See chapter 296-24 WAC, Part A-2, for additional personal protective equipment requirements.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-513 Safety ((~~educational~~)) education, training and first-aid requirements. ((~~See the general safety and health standards, WAC 296-24-040 through 296-24-065.~~)) The general safety and health standards, WAC 296-24-040 through 296-24-055 accident prevention program requirements are applicable to this chapter.

(1) Training. The employer shall provide training for each employee, including supervisors, at no cost to the employee.

(2) Frequency. Training shall be provided as follows:

(a) Before an employee is assigned to work independently on new tasks, tools, equipment, machines or vehicles; and

(b) Whenever an employee demonstrates unsafe job performance.

(3) Content. At a minimum, training shall consist of the following elements:

(a) Safe performance of assigned work tasks;

(b) Safe use, operation and maintenance of tools, machines and vehicles the employee uses or operates, including emphasis on understanding and following the manufacturer's operating and maintenance instructions, warnings and precautions;

(c) Recognition of safety and health hazards associated with the employee's specific work tasks, including the use of measures and work practices to prevent or control those hazards;

(d) Recognition, prevention and control of other safety and health hazards in the logging industry;

(e) Procedures, practices and requirements of the employer's work site; and

(f) The requirements of this chapter.

(4) Training of an employee due to unsafe job performance, or assignment of new work tasks, tools, equipment, machines, or vehicles; may be limited to those elements in subsection (3) of this section which are relevant to the circumstances giving rise to the need for training.

(5) Portability of training.

(a) Each current employee who has received training in the particular elements specified in subsection (3) of this section shall not be required to be retrained in those elements.

(b) Each new employee who has received training in the particular elements specified in subsection (3) of this section shall not be required to be retrained in those elements prior to initial assignment.

(c) The employer shall train each current and new employee in those elements for which the employee has not received training.

(d) The employer is responsible for ensuring that each current and new employee can properly and safely perform the work tasks and operate the tools, equipment, machines, and vehicles used in their job.

(6) Each new employee and each employee who is required to be trained as specified in subsection (2) of this section, shall work under the close supervision of a designated person until the employee demonstrates to the employer the ability to safely perform their new duties independently.

(7) First-aid training.

(a) The employer shall assure that each employee, including supervisors, receives or has received first-aid and CPR training.

(b) First-aid and CPR training shall comply with the requirements of this section and WAC 296-24-060 (3)(e), Part A-1.

(c) The employer shall assure that each employee's first-aid and CPR training and/or certificate of training remain current.

Note: First-aid trained personnel at sorting yards may be provided as prescribed in WAC 296-24-060 "First-aid training and certification."

(8) All training shall be conducted by a designated person.

(9) The employer shall assure that all training required by this standard is presented in a manner that the employee is able to understand. The employer shall assure that all training materials used are appropriate in content and vocabulary to the educational level, literacy, and language skills of the employees being trained.

(10) Certification of training.

(a) The employer shall verify compliance with subsection (1) of this section by preparing a written certification record. The written certification record shall contain the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer.

(b) The most recent training certification shall be maintained.

(11) Safety and health meetings.

The employer shall hold safety and health meetings as necessary and at least each month for each employee. Safety and health meetings may be conducted individually,

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in crew meetings, in larger groups, or as part of other staff meetings.

(12) First-aid kits. The employer shall provide first-aid kits at each work site where trees are being cut (e.g., felling, bucking, limbing), at each active landing, and on each employee transport vehicle. The number of first-aid kits and the content of each kit shall reflect the degree of isolation, the number of employees, and the hazards reasonably anticipated at the work site.

(13) First-aid kits shall meet the requirements of WAC 296-24-065 of the general safety and health standard. The size and quantity of first-aid kits can be determined by the following table:

Number of employees assigned to worksite	Minimum first-aid supplies required at worksite
1-5	10 package kit*
6-15	16 package kit*
16-50	24 package kit*

*Refer to WAC 296-24-065(7) for a list of required contents.

(14) When required by the department, there shall be available within the closest practicable distance from the operations (not to exceed 1/2 mile) the following items:

1 set of arm and leg splints.

2 all wool blankets or blankets equal in strength and fire resistance (properly protected and marked).

1 stretcher. (For crew and emergency vehicles, see WAC 296-54-519(11).)

(15) The employer shall maintain the contents of each first-aid kit in a serviceable condition.

(16) First-aid kits shall also be equipped with the following items:

(a) Latex gloves (1 pr.).

(b) Resuscitation equipment such as resuscitation bag, airway, or pocket mask.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-515 General requirements. (1) Emergency stops. Speed limiting devices, safety stops or emergency shut down devices or shut off valves shall be provided, with the controls so located that in the event of an emergency, the prime mover may be shut down from a safe place.

(2) Machine operators. Machine operators shall be experienced in operating the equipment they are using, except that inexperienced persons may operate the equipment to gain experience while in training and may do so only while working under immediate supervision of an experienced authorized person.

(3) Refueling vehicles. ((~~Vehicles~~)) Each machine, vehicle, and portable powered tool shall not be fueled while the motors are running with the exception of helicopters, which is permitted under certain conditions. (See WAC 296-54-559(36).)

(4) Hydraulic lines. If failure of hydraulic lines would create a hazard to an equipment operator while at the operating station, safeguards shall be installed in such a manner as to eliminate the hazard. All hydraulic lines shall be maintained free of leaks and shall be shielded from damage wherever possible.

(5) Defective equipment.

(a) Equipment in need of repair shall be reported to management in writing as soon as possible and such equipment shall not be used until repairs are completed if there is a possible hazard to safety of the operator or other employees.

(b) The employer shall assure that each vehicle used to perform any logging operation is maintained in serviceable condition.

(c) The employer shall assure that each vehicle used to perform any logging operation is inspected before initial use during each workshift. Defects or damage shall be repaired or the unserviceable vehicle shall be replaced before work is commenced.

(6) Lock out - tag out. Procedures for lock out - tag out shall be established and implemented to prevent the accidental starting of equipment that is shut down for repairs, maintenance or adjustments.

(7) Control marking. The controls of all machines shall be marked as to their purpose in the operation of the machine.

(8) Metal objects. Metal objects driven into trees or logs shall be removed immediately after serving their intended purpose.

(9) Fire protection. ((~~An approved, fully charged and maintained, fire extinguisher shall be available at locations where machines are operating or on each vehicle.~~)) The employer shall provide and maintain portable fire extinguishers on each machine and vehicle in accordance with the requirements of chapter 296-24 WAC, Part G-3, Fire suppression equipment.

(10) Hand and portable powered tools.

(a) The employer shall assure that each hand and portable powered tool, including any tool provided by an employee, is maintained in serviceable condition.

(b) The employer shall assure that each tool, including any tool provided by an employee, is inspected before initial use during each workshift. At a minimum, the inspection shall include the following:

(i) Handles and guards, to assure that they are sound, tight-fitting, (properly shaped, free of splinters and sharp edges, and in place);

(ii) Controls, to assure proper function;

(iii) Chain saw chains, to assure proper adjustment;

(iv) Chain saw mufflers, to assure that they are operational and in place;

(v) Chain brakes and/or nose shielding devices, to assure that they are in place and function properly;

(vi) Heads of shock, impact-driven and driving tools, to assure that there is no mushrooming.

(c) The employer shall assure that each tool is used only for purposes for which it has been designed.

(d) When the head of any shock, impact-driven or driving tool begins to chip, it shall be repaired or removed from service.

(e) The cutting edge of each tool shall be sharpened in accordance with manufacturer's specifications whenever it becomes dull during the workshift.

(f) Each tool shall be stored in the provided location when not being used at a work site.

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(g) Hand and portable powered tools and other hand-held equipment not addressed by this chapter shall be maintained and used in accordance with the general safety and health standards, WAC 296-24-650.

(11) ((~~Storage, handling and marking of fuel. Fuel~~)) Flammable and combustible liquids shall be stored, handled ((~~and marked~~)), transported and used in accordance with ((~~WAC 296-24-330~~)) the requirements of chapter 296-24 WAC, Part E, and the following:

(a) Flammable and combustible liquids shall not be transported in the driver compartment or in any passenger-occupied area of a machine or vehicle.

(b) Flammable or combustible liquids, including chain-saw and diesel fuel, may be used to start a fire, provided the employer assures that in the particular situation its use does not create a hazard for an employee.

(12) Smoking prohibited. Smoking shall be prohibited in battery charging areas and within fifty feet of all refueling operations. Precautions shall be taken to prevent open flames, sparks or electric arcs in battery charging or refueling areas.

(13) Charging batteries. When charging batteries, the vent caps shall be kept in place to avoid electrolyte spray. Care shall be taken to ensure caps are functioning. The battery (or compartment) cover(s) shall be open to dissipate heat.

(14) Uncovered batteries. Tools and other metallic objects shall be kept away from the tops of uncovered batteries.

(15) Work areas.

(a) Employees shall be spaced and the duties of each employee shall be organized so the actions of one employee will not create a hazard for any other employee.

(b) Work areas shall be assigned so that trees cannot fall into an adjacent occupied work area. The distance between adjacent occupied work areas shall be at least two tree lengths of the trees being felled. The distance between adjacent occupied work areas shall reflect the degree of slope, the density of the growth, the height of the trees, the soil structure and other hazards reasonably anticipated at that work site. A distance of greater than two tree lengths shall be maintained between adjacent occupied work areas on any slope where rolling or sliding of trees or logs is reasonably foreseeable.

(16) Signaling and signal equipment. Engine noise, such as from a chain saw, is not an acceptable means of signaling. Signaling and signal equipment shall comply with the requirements of this chapter.

(17) Overhead electric lines.

(a) Logging operations near overhead electric lines shall be done in accordance with the requirements of WAC 296-54-557(25).

(b) Special precautions shall be taken to prevent trees from falling into power lines. The employer shall notify the power company immediately if a felled tree makes contact with any power line. If it appears that a tree will hit a power line, the power company shall be notified before it is attempted to fall the tree. If an unsuspected tree does contact a power line, each employee shall remain clear of the area until the power company advises that there are no electrical hazards.

(18) Explosives and blasting agents. Explosives and blasting agents shall be stored, handled, transported, and used in accordance with the requirements of chapter 296-52 WAC, Possession and handling of explosives.

(19) Seat belts. For each vehicle or machine (equipped with ROPS/FOPS or overhead guards), including any vehicle or machine provided by an employee, the employer shall assure:

(a) That a seat belt is provided for each vehicle or machine operator;

(b) That each employee uses the available seat belt while the vehicle or machine is being operated;

(c) That each employee securely and tightly fastens the seat belt to restrain the employee within the vehicle or machine cab;

(d) That each machine seat belt meets the requirements of the Society of Automotive Engineers Standard SAE J386, June 1985, "Operator Restraint Systems for Off-Road Work Machines." Prior to February 9, 1995, seat belts and assemblies shall be designed, constructed and maintained to conform to the requirements specified in the society of automotive engineers technical report J386 or J333a. Seat belts need not be provided for equipment which is designed for stand-up operations;

(e) That seat belts are not removed from any vehicle or machine. The employer shall replace each seat belt which has been removed from any vehicle or machine that was equipped with seat belts at the time of manufacture; and

(f) That each seat belt is maintained in a serviceable condition.

(20) The rated capacity of any vehicle transporting a machine shall not be exceeded.

(21) Machines shall be loaded, secured and unloaded in a manner so that it will not create a hazard for any employee.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-519 ((~~Transportation of crews by~~)) Motor vehicles. (1) Seats. ((~~Anchored seats shall be provided for each person when riding in any vehicle.~~)) The seats of each vehicle shall be securely fastened.

(2) Seat belts. The driver of a crew vehicle shall be provided with and shall wear a seat belt ((~~at all times the crew vehicle is in motion~~)) according to the provisions of WAC 296-54-515(19).

(3) Barricade. After May 1, 1980, a substantial barricade shall be provided behind the driver of a crew bus or vehicle that will transport nine or more passengers. The barricade shall extend from the floor to at least a level even with the top of the driver's head.

(4) Safe entrance and exits. Adequate provisions shall be made for safe entrance and exits. Mounting steps and handholds shall be provided for each vehicle wherever it is necessary to prevent an employee from being injured when entering or leaving the vehicle.

(5) Enclosed racks. When equipment or tools are carried inside the vehicle, ((~~they shall be stored in enclosed racks or boxes, which shall be properly secured to the vehicle~~)) racks, boxes, holsters or other means shall be provided, arranged and used for the transportation of tools so

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that a hazard is not created for any vehicle operator or passenger.

(6) Vehicle to be stopped. Persons shall not enter or exit from any vehicle until the vehicle is completely stopped.

(7) Keep within vehicle. Persons shall keep all parts of the body within the vehicle.

(8) Stoves prohibited. Provisions shall be made for heat and light in the passenger portion of the vehicle. Use of stoves in vehicles is prohibited.

(9) Emergency exit. On vehicles designed to transport nine or more passengers, an emergency exit not less than six and one-half square feet in area, with the smaller dimension being not less than 18 inches, shall be placed at the back of the vehicle or near the back on the side opposite the regular entrance. The route to and egress from the exit must be unobstructed at all times.

(10) Fire extinguisher. When no fuel is transported in the crew vehicle, a minimum rated 5/BC dry chemical fire extinguisher shall be kept in the passenger compartment. When fuel is transported on the crew vehicle in accordance with subsection (14) of this section, a minimum rated 10/BC dry chemical fire extinguisher shall be kept in the passenger compartment. The extinguishing agent shall be nontoxic and preferably a noncorrosive type.

(11) Crew and emergency vehicles. Vehicles designed to transport five or more passengers shall be equipped with stretchers, two blankets, and first-aid kits. If used as a means of transporting injured persons, it shall be designed to enable persons to pass a loaded stretcher into the vehicle. Provisions shall be made for proper securing of the stretcher.

(12) Exhaust systems. Exhaust systems shall be designed and maintained to eliminate the exposure of passengers to toxic agents.

(13) ((~~Limitation of transportation of explosives. Explosives shall not be carried on any vehicle while the vehicle is being used to transport workers other than the driver and two persons.~~)) The employer shall assure that operating and maintenance instructions are available in each vehicle. Each vehicle operator and maintenance employee shall comply with the operating and maintenance instructions.

(14) Limitation of transportation of fuels. Fuels shall be transported or stored only in approved safety containers. Enclosed areas where fuels are carried or stored shall be vented in such a manner that a hazardous concentration of fumes cannot accumulate. All containers or drums shall be properly secured to the vehicle while being transported. Commercially built vehicles of the pick-up or flatbed type with a seating capacity of not to exceed six persons may be used to carry fuels in or on the bed of such vehicles, providing such fuels are not carried in the crew compartment. Van-type vehicles may be used to carry fuels only when a vapor-proof bulkhead is installed between the passenger compartment and storage compartment. Not more than forty-two gallons of gasoline may be carried or stored in the compartment and each container shall have a capacity not exceeding seven gallons.

(15) Motor vehicle laws. Motor vehicles used as crew vehicles regularly for the transportation of workers shall be covered against the weather and equipped and operated in conformity with applicable state of Washington motor vehicle laws.

(16) Operator's license. ((~~All operators of crew vehicles shall be experienced drivers and shall possess a current valid drivers license.~~)) The employer shall assure that all operators of crew vehicles are experienced drivers and have a valid operator's license for the class of vehicle being operated.

(17) Daily vehicle check. Operators of crew vehicles shall check brakes and lights daily and shall keep windshields and mirrors clean.

(18) Good repair. Crew vehicles shall be maintained in good repair and safe condition.

(19) Dump trucks. Dump trucks shall only be used in an emergency to transport workers and shall be equipped with adequate safety chains or locking devices which will eliminate the possibility of the body of the truck being raised while employees are riding in the truck. Emergency shall mean any unforeseen circumstances which calls for immediate action when danger to life or danger from fire exists.

(20) Means of signaling. An effective means of signaling shall be provided for communication between the driver and the passengers being transported when they are in separate compartments.

(21) Load limit. The passenger load limit of a crew vehicle shall not exceed the seating capacity of the vehicle.

(22) Vehicle check. Crew vehicles shall be thoroughly inspected by a mechanic for defects which could create a hazardous condition for operation. Such inspections shall be carried out at least every month. Defects known to the operator shall be reported in writing to the mechanic or person in charge. If defects are found, they shall be corrected before the vehicle is used for the transportation of crews.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-521 Transportation of crews by use of speeders and trailers. (1) Braking systems. All speeders shall be equipped with two separate and independently operated braking systems either of which shall be of sufficient capacity to lock all wheels when speeder is fully loaded.

(2) Sanding methods. All speeders used for transporting crews shall be equipped with methods for sanding tracks, operative for both directions of travel.

(3) Lights, windshield wipers. Electric lights of sufficient candle power and range so that vehicle can be stopped within the range of the beam, and which will shine in the direction of travel, shall be provided on all speeders. Adequate tail lights shall be installed and maintained in good order. Automatic windshield wipers of sufficient capacity to maintain clear visibility shall be installed on all speeders.

(4) Trailers. When trailers are coupled behind speeders, they shall be equipped with two separate and independent braking systems, either shall be of sufficient capacity to lock all wheels when the trailer is fully loaded. One of these shall be power operated and shall be controlled from the speeder; the other manually operated from the trailer. One ((~~man~~)) person shall be designated to operate this brake in case of emergency.

(5) Trailer coupling. All trailers shall be coupled to speeders with metal couplings and safety chains or straps of sufficient strength to withstand the impact caused by a broken coupling.

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(6) Trailer not to coast. No trailer shall coast or be used as a crew car without being attached to a speeder.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-523 Methods of crew transportation other than those specified. Special approval. Persons or firms desiring to transport crews by methods other than those specified in these rules shall so inform the ((~~division of industrial safety and health,~~)) department of labor and industries, so that an evaluation of that method may be made. Should the proposed method be found to afford a measure of safety acceptable to the ((~~division of industrial safety and health,~~)) department of labor and industries, a written order stating that finding shall be issued to the person or firm concerned by the ((~~division of industrial safety and health~~)) department of labor and industries and the proposed method may be utilized.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-529 Falling and bucking—General. (1) Before starting to fall or buck any tree or snag, ((~~the cutter shall survey the area for possible hazards and proceed according to safe practices~~)) conditions such as, but not limited to, snow and ice accumulation, the wind, the lean of tree, dead limbs, and the location of other trees, shall be evaluated by the feller and precautions taken so a hazard is not created for an employee. Accumulations of snow and ice that may create a hazard for an employee shall be removed before felling is commenced in the area or the area shall be avoided. Snags which are unsafe to cut shall be blown down with explosives or felled by other safe methods.

(2) ((~~Workers~~)) No employee shall ((~~not~~)) approach a ((~~faller within reach of the~~)) feller closer than two tree lengths of trees being felled ((~~unless a signal has been given and~~)) until the feller has acknowledged ((~~by the faller that it is safe to approach~~)) that it is safe to do so, unless the employer demonstrates that a team of employees is necessary to manually fell a particular tree.

(3) Before falling or bucking any tree((~~, sufficient work area shall be swamped and an adequate escape path shall be made. An escape path shall be used as soon as the tree or snag is committed to fall, roll or slide~~)):

(a) A sufficient work area shall be swamped;

(b) The feller shall plan and clear a retreat path; and

(i) The retreat path shall extend diagonally away from the expected felling line unless the employer demonstrates that such a retreat path poses a greater hazard than an alternate retreat path; and

(ii) An escape path shall be used as soon as the tree or snag is committed to fall, roll, or slide.

(4) Warning to be given. Fallers shall give timely and adequate warning prior to falling each tree; such warning shall be given with the saw motor at idle or shut off. Persons in the area shall give response to the faller and shall also notify ((~~him~~)) faller(s) when they are in the clear.

(5) A competent person, properly experienced in this type of work, shall be placed in charge of falling and bucking operations. Inexperienced workers shall not be allowed to fall timber or buck logs unless working under the direct supervision of an experienced worker.

(6) ((~~Snags that have loose bark in the area of the proposed cut shall have the bark removed before being felled.~~)) Each danger tree shall be carefully checked for signs of loose bark, broken branches and limbs or other damage before they are felled or removed. Accessible loose bark and other damage that may create a hazard for an employee shall be removed or held in place before felling or removing the tree. When a ((~~snag~~)) danger tree has elevated loose bark which cannot be removed, the buddy system shall be used to watch for and give warning of falling bark or other hazards.

(7) Tools of fallers and buckers, such as axes, sledges, wedges, saws, spring boards, etc., must be maintained in safe condition. Case hardened or battered sledges and wedges shall not be used. ((~~All tools shall be used for their intended purposes.~~))

(8) Trees shall not be felled if the falling tree can endanger any worker or strike any line or any unit in the operation.

(9) When practical, strips shall be laid out so cutters face out into opening when starting strip, and all trees shall be felled into the open whenever conditions permit.

(10) Trade leaners. Cutters shall not fall into another strip; leaners on the line shall be traded.

(11) When there is danger from kickback of a sapling, the same must be either undercut or felled.

(12) Cutters shall place an adequate undercut and leave sufficient holding wood to insure the tree will fall in the intended direction. When required, mechanical means shall be used to accomplish this objective.

(13) Cutters shall be careful their chopping range is unobstructed.

(14) Cutters shall confer with their supervisor regarding a safe manner of performing the work and in unusually hazardous situations shall not proceed with the work until their method has been approved by their supervisor.

(15) The person in charge of cutting crews shall regularly inspect the work of the cutting crews and shall be responsible for seeing the work is performed in a proper and safe manner.

(16) ((~~Common sense and good judgment must of necessity govern the safety of cutters as affected by weather conditions. At no time shall they work if wind is strong enough to prevent the falling of trees in the desired direction or when vision is impaired by dense fog or darkness.~~)) Domino felling of trees, including danger trees, is prohibited. The definition of domino felling does not include the felling of a single danger tree by felling another single tree into it.

(17) Cutters shall be assigned to work in locations where they are in contact with others or their welfare shall be checked on as provided for by WAC 296-54-507(((~~2~~))) (3).

(18) Persons in charge of cutting crews shall account for all persons in their crews being on hand when work ceases as provided for by WAC 296-54-507(((~~3~~))) (4).

(19) All fallers and buckers shall have a current first-aid card.

(20) All fallers and buckers shall carry or have with them in near proximity at all times, an axe, a minimum of

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two wedges, a whistle and a first-aid kit. The whistle shall be carried on their person.

(21) ((~~Special precautions shall be taken to prevent trees from falling into power lines. If it appears that a tree will hit a power line, the power company shall be notified before it is attempted to fall the tree. If an unsuspected tree does contact a power line, the power company shall be notified immediately and all persons shall remain clear of the area until the power company personnel advise that conditions have been made safe to resume operations.~~)) While manual felling is in progress, no yarding machine shall be operated within two tree lengths of trees being manually felled. Exception: This provision does not apply to yarding machines performing tree pulling operations or grounding of hazard trees according to WAC 296-54-557(24).

(22) Wedges shall be of soft metal, hardwood or plastic.

(23) Wedges shall be driven with a hammer or other suitable tool. Double-bitted axes or pulaskies shall not be used for this purpose.

(24) While wedging, fallers shall watch for falling limbs or other material that might be jarred loose. Cutting of holding wood in lieu of using wedges is prohibited.

(25) Undercuts are required except in matchcutting, and shall be large enough to safely guide trees and eliminate the possibility of splitting. Trees with no perceptible lean having undercuts to a depth of one-fourth of the diameter of the tree with a face opening equal to one-fifth of the diameter of the tree, will be assumed to be within reasonable compliance with this rule. Swing cuts are prohibited except by an experienced person.

(26) Undercuts shall be completely removed except when a dutchman is required on either side of the cut.

(27) ((~~Backcuts shall be as level as possible and shall be approximately two inches higher than the undercut, except in tree pulling.~~)) Backcuts.

(a) All backcuts shall be as level as possible and shall leave sufficient hinge wood to hold the tree to the stump until the tree is committed to the path of fall in the intended direction.

(i) The backcut alignment on larger trees shall be approximately two inches above the undercut hinge point to provide a platform to help prevent kickback when the holding wood breaks off.

(ii) On moderate or smaller size trees the backcut alignment shall be above the undercut but can be less than two inches.

(b) In tree-pulling operations the backcut may be at or below the undercut hinge point.

(c) A backcut shall be made in each tree being felled.

(28) Trees with face cuts or backcuts shall not be left standing. When a tree is not completely felled, the faller shall clearly mark the tree, shall discontinue work in the hazardous area and notify ((~~his~~)) the immediate supervisor. The supervisor shall be responsible for notifying all workers who might be endangered and shall take appropriate measures to ensure that the tree is safely felled before other work is undertaken in the hazardous area.

(29) To avoid use of wedges, which might dislodge loose bark or other material, snags shall be felled in the direction of lean unless other means (mechanical or dynamite) are used.

(30) Lodged trees shall be clearly marked and identified by a predetermined method and all persons in the area shall be instructed not to pass or work within two tree lengths of such trees except to ground them.

(31) Work areas shall be assigned so that a tree cannot fall into an adjacent occupied work area. The distance between work areas shall be at least twice the height of the trees being felled. A greater distance may be required on downhill slopes depending on the degree of the slope and on the type of trees and other considerations.

(32) Where felled trees are likely to roll and endanger workers, cutting shall proceed from the bottom toward the top of the slope, and performed uphill from previously felled timber.

(33) Cutters shall not be placed on a hillside immediately below each other or below other operations where there is probable danger.

(34) Fallers shall be informed of the movement and location of buckers or other cutters placed, passing or approaching the vicinity of trees being felled.

(35) A flagperson(s) shall be assigned on roads where hazardous conditions are created from falling trees. Where there is no through traffic, such as on a dead end road, warning signs or barricades shall be used.

(36) No tree or danger tree shall be felled by one cutter where and when the assistance of a fellow cutter is necessary to minimize the dangers or hazards involved.

(37) Cutters shall be in the clear as the tree falls.

(38) Undercuts and backcuts shall be made at a height above the highest ground level to enable the cutter to safely begin the cut, control the tree, and have freedom of movement for a quick escape to be in the clear from a falling tree.

(39) When falling, a positive means, method or procedure that will prevent accidental cutting of necessary holding wood shall be established and followed. Particular care shall be taken to hold enough wood to guide the tree or snag and prevent it prematurely slipping or twisting from the stump.

(40) The undercut shall not be made while buckers or other workers are in an area into which the tree could fall.

(41) Matchcutting should not be permitted and shall be prohibited for trees larger than six inches in diameter breast high.

(42) The tree (and root wad if applicable) shall be carefully examined to determine which way the logs (and root wad) will roll, drop, or swing when the cut is completed. No worker shall be allowed in this danger zone during cutting.

(43) Logs shall be completely bucked through whenever possible. If it becomes hazardous to complete a cut, then the log shall be marked and identified by a predetermined method. Rigging crews shall be instructed to recognize such marks and when possible, cutters shall warn the rigging crew of locations where such unfinished cuts remain.

(44) Cutters shall give timely warning to all persons within range of any log which may have a tendency to roll after being cut off.

(45) Propping of logs or trees as a means to protect workers downslope from the logs or trees, shall be prohibited.

(46) Logs shall not be jackstrawed when being bucked in piles or decks at a landing.

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(47) The chain saw shall not be used to cut directly over head.

(48) The chain saw operator shall be certain of footing before starting to cut. The chain saw shall not be used in a position or at a distance that could cause the operator to become off-balance, to have insecure footing, or to relinquish a firm grip on the saw.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-531 ((~~Falling and bucking—~~))Power saws and power equipment. (1) Operators shall inspect chain saws daily to ensure that handles and guards are in place, and controls and other moving parts are functional.

(a) Each chain saw placed into initial service after February 9, 1995, shall be equipped with a chain brake and, shall otherwise meet the requirements of the ANSI B175.1-1991 "Safety Requirements for Gasoline-Powered Chain Saws" and the requirements of this chapter; and

(b) Each chain saw placed into service before February 9, 1995, shall be equipped with a protective device that minimizes chain saw kickback i.e., reduced kick back bar, chains, bar tip guard or chain brake; and

(c) No chain saw kick back device shall be removed or otherwise disabled.

(2) Fuel outdoors. The chain saw shall be fueled outdoors at least fifty feet (15.2 meters) from persons smoking or from other potential sources of ignition.

(3) Chain saws shall not be operated unless equipped with a muffler.

(4) ((~~Idler end of power chain saw blade on all two-man machines shall be adequately guarded.~~)) Chain saws shall be operated and adjusted in accordance with the manufacturer's instructions and the requirements of this chapter.

(5) Combustion-engine type power saws shall be equipped with a positive means of stopping the engine.

(6) Electric power saws shall be equipped with an automatic (deadman type) control switch. Saws with faulty switches shall not be used.

(7) Unless the carburetor is being adjusted, the saw shall be shut off before any adjustments or repairs are made to the saw, chain or bar.

(8) Combustion-engine type power saws shall be equipped with a clutch.

(9) The chain saw clutch shall be properly adjusted to prevent the chain from moving when the engine is at idle speed.

(10) Power chain saws with faulty clutches shall not be used.

(11) The bar shall be handled only when the power chain saw motor is shut off.

(12) Power chain saws shall have the drive end of the bar guarded.

(13) Combustion-engine driven power saws shall be equipped with an automatic throttle control (deadman type), which will return the engine to idle speed upon release of the throttle (idle speed is when the engine is running and the chain does not rotate on the bar).

(14) When falling of tree is completed, the power saw motor shall be at idle or shutoff. ((~~Where terrain or brush creates a hazardous condition, the power saw motor shall be shutoff while the operator is traveling to the next cut.~~)) The power saw motor shall also be shutoff while fueling.

(15) Saw pinching and subsequent chain saw kickback shall be prevented by using wedges, levers, guidelines, and saw placement, or by undercutting.

(16) ((~~Cutters shall not use the chain saw to cut directly overhead or at a distance that would require the operator to relinquish a safe grip on the saw.~~)) The chain saw shall be started at least 10 feet (3 m) from the fueling area.

(17) Reserve fuel shall be handled and stored in accordance with WAC ((~~296-24-37009~~)) 296-54-515(11).

(18) Hand-held files shall be equipped with a handle.

(19) Only experienced cutters shall buck windfalls.

(20) The chain saw shall be started on the ground or where otherwise firmly supported. Drop starting a chain saw is prohibited.

(21) Chain saws equipped with chain brakes shall be started with the chain brake engaged.

(22) The chain saw shall be held with the thumbs and fingers of both hands encircling the handles during operation unless the employer demonstrates that a greater hazard is posed by keeping both hands on the chain saw in that particular situation.

(23) The chain saw shall be carried in a manner that will prevent operator contact with the cutting chain and muffler.

(24) The chain saw shall be shut off or at idle before the feller starts to retreat.

(25) The chain saw shall be shut down or the chain brake shall be engaged whenever a saw is carried further than 50 feet (15.2 m). The chain saw shall be shut down or the chain brake shall be engaged when a saw is carried less than 50 feet if conditions such as, but not limited to, the terrain, underbrush and slippery surfaces, may create a hazard for an employee.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-535 Tree pulling. (1) The cutter shall be responsible for determining if a tree can be safely pulled. If, for any reason, the cutter believes the tree pulling cannot be completed safely, the tree shall be conventionally felled.

(2) When using radio positive radio communications shall be maintained at all times between the tree pulling machine and cutter when tree pulling. An audible signal shall be blown when the initial pull is made on the tree and the line is tightened. Hand signals, in lieu of radio communications and an audible signal, may be used only if the cutter is clearly visible to the tree puller operator.

(3) A choker, ((~~choker~~)) with bell, or a line and sleeve shackle shall be used as the means of attachment around the tree when tree pulling. The bight on the line shall be only that necessary to hold the choker or line around the tree.

(4) The tree pulling machine shall be equipped with a torque converter, fluid coupler, or an equivalent device to insure a steady even pull on the line attached around the tree.

(5) The tree pulling line shall have as straight and direct path from the machine to the tree as possible. Physical obstructions which prevent a steady even pull on the tree pulling line shall be removed or the line shall be rerouted.

(6) Siwashing, in lieu of a block, in order to change tree pulling lead, is prohibited.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-537 Mechanized falling. (1) When using selfpropelled mobile falling devices, a watchman and/or warning signs shall be posted at appropriate locations indicating that devices of this type are being used to fall trees.

(2) Self-propelled mobile falling equipment used for falling trees shall be designed in a manner or shall have auxiliary equipment installed which will cause the tree to fall in the intended direction.

(3) Mechanized falling shall be conducted in such a manner as not to endanger persons or equipment.

(4) Where a mechanized feller incorporates a cab structure having a single entrance door, it shall be equipped with an alternate means of escape from the cab should the door be blocked in the event of vehicle rollover or fire. Cab doors shall be fitted with latches operable from both sides of the door.

(5) No employee shall approach a mechanical felling operation closer than two tree lengths of the trees being felled until the machine operator has acknowledged that it is safe to do so.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-539 Climbing equipment and passline. (1) Standard climbing equipment shall be furnished by the employer; however, this shall not be construed to mean that the climber may not use ((~~his own~~)) personal equipment, provided it meets the following standards and is permitted by the employer. The climbing ropes shall be of steelcore type. The climber may fasten ((~~his~~)) climbing rope by passing it through "D" rings fastened to the belt and around his body before tying it to itself. When topping standing trees, it is recommended that a steel chain of 3/16-inch or larger, with appropriate fittings attached, shall be used in addition to the climbing rope. All climbing equipment shall be maintained in good condition. An extra set of climbing equipment shall be kept at the climbing operation and another person with climbing experience shall be present.

(2) A person shall ride only the passline to thread lines, oil blocks or to inspect rigging.

(3) No one shall work directly under a tree except when directed by the climber. Warning shall be given prior to intentionally dropping any objects or when objects are accidentally dropped.

(4) Running lines shall not be moved while the climber is working in the tree, except such "pulls" as ((~~he~~)) climber directs and are necessary for ((~~his~~)) the work.

(5) One experienced person shall be dispatched to transmit the climber's signals to the machine operator and shall not otherwise be occupied during the time the climber is in the tree, nor shall the machine operator be otherwise occupied while the climber is using the passline. The designated ((~~signalman~~)) signal person shall position ((~~himself~~)) themselves clear of hazards from falling, flying or thrown objects.

(6) Long or short splices and knots in passline are not permitted. Chains used in passlines shall be in good condition and shall not contain cold shuts or wire strands.

(7) The climber shall be an experienced logger with proper knowledge of logging methods and the safety of rigging spar and tail trees.

(8) Trees shall not be topped during windy weather.

(9) At no time shall topping, rigging-up, or stripping work be done when visibility is impaired.

(10) When the friction lever and passline drum is on the opposite side of the machine from the operator, an experienced person shall operate the friction lever while the engineer operates the throttle. While being used, the passline drum shall be properly attended by another person to guide the passline onto the passline drum with a tool suitable for the purpose.

(11) The use of a gypsy drum for handling persons in the tree is prohibited.

(12) Danger trees leaning towards and within reach of landings, roads, rigging or work areas shall either be felled before the regular operations begin or work shall be arranged so that workers will not be exposed to hazards involved.

(13) Noisy equipment such as power saws, tractors and shovels shall not be operated around the area where a climber is working when such noise will interfere with the climber's signals.

(14) Climbing and passline equipment shall not be used for other purposes.

(15) Defective climbing equipment shall be immediately removed from service.

(16) The climber shall be equipped with a climbing equipment assembly having a breaking strength of not less than five thousand four hundred pounds.
The equipment shall include:

(a) A safety belt with double "D" rings;

(b) Steel spurs long and sharp enough to hold in any tree in which they are used; and

(c) A climbing rope made of wire-core hemp, wire or chain construction.

(17) When the climber is using a chain saw in the tree, the climbing rope shall be made of material that cannot be severed by the saw.

(18) Lineman hooks shall not be used as spurs.

(19) When power saws are used in topping or limbing standing trees, the weight of the saw shall not exceed thirty pounds.

(20) Tools used by the climber, except the power saw, shall be safely secured to ((~~his~~)) climbers belt when not in use.

(21) Snaps shall not be used on a climber's rope unless a secondary safety device between the belt and snap is used.

(22) A climber's rope shall encircle the tree before the climber leaves the ground except when the climber is riding the passline.

(23) While the climber is working in the tree, persons shall keep at sufficient distance from the tree to be clear of falling objects.

(24) When used, passline fair-leads shall be kept in alignment and free from fouling at all times.

(25) Spikes, used by the climber as a temporary aid in hanging rigging, shall be removed before the tree is used for logging.

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(26) Loose equipment, rigging or material shall either be removed from the tree or securely fastened.

(27) All spar trees shall be equipped with passlines that shall:

(a) Be not less than 5/16-inch and not be over 1/2-inch in diameter;

(b) Not be subjected to any sawing on other lines or rigging, and kept clear of all moving lines and rigging;

(c) Be of one continuous length and in good condition with no splices, knots, molles, or eye-to-eye splices between the ends;

(d) Be long enough to provide three wraps on the drum before the climber leaves the ground.

(28) Drums used for passlines shall have sufficient flange depth to prevent the passline from running off the drum at any time.

(29) Passline chains shall:

(a) Be not less than 5/16-inch alloy or 3/8-inch high test chain and shall not contain cold shuts or wire strands;

(b) Be attached to the end of the passline with a screw-pin shackle, a slip-pin shackle with a nut and molle, or a ring large enough to prevent going through the pass block; and

(c) Be fitted with links or rings to prevent workers from being pulled into the passline block.

(30) Pass blocks shall:

(a) Be inspected before placing in each spar and the necessary replacements or repairs made before they are hung;

(b) Have the shells bolted under the sheaves;

(c) Have the bearing pin securely locked and nuts keyed or the block be of the type which positively secures the nut and pin;

(d) Equipped with sheaves not less than six inches in diameter; and

(e) Comply with applicable portions of WAC 296-54-543(6) pertaining to blocks.

(31) When workers are required to go up vertical metal spars, passlines, chains and blocks shall be provided and used.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-551 Yarding, loading ((~~and~~)), skidding and chipping machines—General requirements. (1) ((~~Yarding, loading and skidding machines shall be operated only by experienced authorized personnel, except that inexperienced personnel may operate machines in accordance with WAC 296-54-515(2).~~)) The employer shall assure that each machine, including any machine provided by an employee, is maintained in serviceable condition and the following:

(a) The employer shall assure that each machine, including any machine provided by an employee, is inspected before initial use during each workshift. Defects or damage shall be repaired or the unserviceable machine shall be replaced before work is commenced.

(b) The employer shall assure that operating and maintenance instructions are available on the machine or in the area where the machine is being operated. Each machine operator and maintenance employee shall comply with the operating and maintenance instructions.

(c) Each machine shall be operated only from the operator's station or as otherwise recommended by the manufacturer.

(d) No employee shall ride on any load.

(2) Overhead protection and other barriers shall be installed to protect the operator from lines, limbs and other moving materials on or over all yarding, loading or skidding machines. ((~~Construction shall be so the view of the operator is not impaired. Barriers shall consist of metal screen constructed of 1/4 inch diameter woven wire material with maximum two inch openings or 3/4 inch diameter steel rod with eight inch maximum openings. Such barriers shall be installed no closer than four inches to the glass.~~)) The overhead cab covering shall be of solid material and shall extend over the entire canopy.

Exception: Tower or spar type cable yarders may be equipped with a "sunroof" viewport in the solid material cab cover to enable the operator to see the top of the spar while seated in the normal operating position. When a viewport is provided it shall be constructed to sustain the same structural loading factors as the solid material cover or the viewport shall also be covered by standard cab-opening guards.

(3) When using a yarder, loader or skidding machine, the location of the machine or position of the yarder shall be such that the operator will not be endangered by incoming logs or debris.

(4) Logging machines and their components shall be securely anchored to their bases.

(5) A safe and adequate means of access and egress to all parts of logging machinery where persons must go shall be provided and maintained in a safe and uncluttered condition. Machine access systems, meeting the specifications of the Society of Automotive Engineers, SAE J185, June 1988, "Recommended Practice for Access Systems for Off-Road Machines," shall be provided for each machine where the operator or any other employee must climb onto the machine to enter the cab or to perform maintenance. Walking and working surfaces of each machine and machine work station shall have a slip-resistant surface to assure safe footing.

(6) Any logging equipment having a single cab entrance door, shall be equipped with an alternate means of escape from the cab should the door be blocked in the event of vehicle rollover or fire. Door latches shall be operable from both sides.

(7) Logging machines shall be kept free of flammable waste materials and any materials which might contribute to slipping, tripping or falling.

(8) Logging machine engines shall be stopped during inspection or repairing, except where operation is required for adjustment.

(9) Grab rails shall be provided and maintained in good repair on all walkways of stationary units elevated more than four feet. ((~~Walkway surfaces on such units shall be of the slip-proof type.~~))

(10) Standard safeguards shall be provided at every place on a machine where persons may be exposed to contact with revolving parts or pinchpoints during normal operations.

(11) To protect workers from exposure to the hazardous pinchpoint area between the rotating superstructure and the nonrotating undercarriage of any logging machine, signs shall be conspicuously posted on all sides of that type machine warning workers: "DANGER - STAY CLEAR." This requirement shall not apply when:

(a) The distance from the highest point of the undercarriage to the lowest point of the rotating superstructure is greater than eighteen inches. This applies only to that portion of the rotating superstructure that swings directly over the undercarriage;

(b) The distance from the ground to the lowest point of the rotating superstructure is greater than five feet six inches. This applies only to that portion of the rotating superstructure that swings directly over the undercarriage; or

(c) On crawler-type track-mounted logging machines only, the rotating superstructure is positioned at a right angle to the tracks, and the distance from the side of the cab to the extreme end of the track is four feet or less. This exemption shall apply to side barricades only; barricades between the tracks at both ends of any crawler-type logging machine are required regardless of the right angle dimension.

(12) Items of personal property, tools or other miscellaneous materials shall not be stored on or near any logging machine if retrieval of such items would expose a worker to the hazardous pinchpoint referred to in subsection (11) of this section.

(13) Workers shall approach the hazardous pinchpoint area referenced in subsection (11) of this section, only after informing the operator of their intent and receiving acknowledgment ((~~from~~)) that the operator ((~~that he~~)) understands their intention. All such machines shall be stopped while any worker is in the hazardous pinchpoint area.

(14) A minimum distance of thirty-six inch clearance shall be maintained between the counterweight of a loading machine and trees, logs, banks, trucks, etc., while the machine is in operation. If this clearance cannot be maintained, suitable barricades with warning signs attached, similar to a standard guardrail, shall be installed to isolate the hazardous area. "DANGER—36 inch clearance" shall be marked in contrasting colors on sides and face of counterweight on shovels, loaders and other swing-type logging equipment. ((~~This requirement shall not apply when:~~

~~(a) The distance from the highest point of the undercarriage to the lowest point of the rotating superstructure is greater than 18 inches. This applies only to that portion of the rotating superstructure that swings directly over the undercarriage;~~

~~(b) The distance from the ground to the lowest point of the rotating superstructure is greater than five feet six inches. This applies only to that portion of the rotating superstructure that swings directly over the undercarriage; or~~

~~(c) On crawler-type track-mounted logging machines only, the rotating superstructure is positioned at a right angle to the tracks, and the distance from the side of the cab to the extreme end of the track is four feet or less. This exemption shall apply to side barricades only; barricades between the tracks at both ends of any crawler-type logging machine are required regardless of the right angle dimension.~~))

(15) ((~~Logging machines shall not be operated until all guards have been installed, safety devices activated and maintenance equipment removed.~~)) Guarding.

(a) Each machine shall be equipped with guarding to protect employees from exposed moving elements, such as but not limited to, shafts, pulleys, belts on conveyors, and gears, in accordance with the requirements of this standard and chapter 296-24 WAC, Part C, Machinery and machine guarding.

(b) Each machine used for debarking, limbing and chipping shall be equipped with guarding to protect employees from flying wood chunks, logs, chips, bark, limbs and other material in accordance with the requirements of chapter 296-24 WAC, Part C, Machinery and machine guarding.

(16) Stationary logging machines and their components shall be securely anchored or otherwise stabilized to prevent movement ((~~of the machine~~)) while yarding or skidding.

(17) Ends of drum lines shall be securely fastened to the drum and at least three wraps shall be maintained on the drum at all times. (This rule does not apply to tractor winch lines.)

(18) Such units shall not be tied to any part of the towing unit, when they are being moved on truck and trailer units.

(19) Logs shall not be moved, swung or held over any persons.

(20) Brow logs in the loading or unloading area shall be blocked or secured to prevent movement. Log decks shall be maintained in a safe condition and shall not present a hazard of logs rolling or sliding on workers.

(21) Brakes shall be set and brake locking devices engaged on logging machines when the operator leaves his normal operating position.

(22) Guyline drum controls and outrigger controls shall be separated, color coded or marked in a manner that will prevent engaging of the wrong control.

(23) Exhaust systems.

(a) Engines not equipped with turbochargers shall comply with the department of natural resources chapter 332-24 WAC requirements for spark emitting equipment; and

(b) Each machine muffler provided by the manufacturer, or their equivalent, shall be in place at all times the machine is in operation; and

(c) Exhaust pipes shall be located or insulated to protect workers from accidental contact with the pipes or muffler and shall direct exhaust gases away from the operator and other persons.

(24) Glass on logging machines shall be safety glass or equivalent and shall be free of deposits of oil, mud, or defects that could endanger the operator or other persons. When transparent material is used to enclose the upper portion of the cab, it shall be made of safety glass or other material that the employer demonstrates provides equivalent protection and visibility.

(25) Broken or defective glass shall be removed and replaced.

(26) Where safety glass or equivalent, does not provide adequate operator protection from flying chokers, chunks, saplings, limbs, etc., an additional metal screen and/or barrier shall be provided over the safety glass. The operator's vision shall not be impaired. Barriers shall consist of 1/4-inch diameter woven wire material with maximum two inch openings, 3/4-inch diameter steel rod with eight inch maximum openings in any direction or barriers so designed

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and constructed to provide equivalent operator protection. Such barriers shall be installed no closer than four inches to the glass to enable keeping the glass clean.

(27) Except for hydraulic drums, brakes shall be installed on all logging machines and maintained in effective working condition. Brake levers shall be provided with a ratchet or other effective means for securely holding drums. Brakes shall be tested prior to putting the machine in operation. If defective, they shall be repaired immediately.

(28) A stable base shall be provided under outriggers or leveling pads and a means shall be provided to hold outriggers in both the retracted and extended position.

(29) Abrasive contact with hydraulic hose, tubing or fittings shall be eliminated before further use and defective hydraulic hoses, lines and fittings shall be replaced.

(30) When moving logging machines, the driver or operator shall have a clear and unobstructed view of the direction of travel. When this is not possible, a signalperson with a clear and unobstructed view of the direction of travel shall be designated and used to direct movement of the machine.

(31) Where a signalperson is used, the equipment operator shall move the equipment only on signal from the designated signalperson and only when the signal is distinct and clearly understood.

(32) When moving power units, persons other than the operator and the person in charge shall not be permitted to ride thereon.

(33) All obstructions which may reach the operator while moving machines, shall be removed.

(34) Only shackles with threaded pins shall be used for connecting moving rigging.

(35) Anchors used for moving power units shall be carefully chosen and must be stable.

(36) When snubbing a machine down a steep slope, use the mainline for snubbing and pull with the haulback whenever possible.

(37) Self-powered mobile logging machines of the type where towers or spars can be raised, shall not travel on steep road grades unless they are securely snubbed or towed.

(38) When moving, all persons working on the landing shall stay in the clear of the machine and shall inform the operator of their intention to approach or be near the machine.

(39) Service brakes shall be provided on crawler crane-type logging machines that will bring the machine to a complete stop from normal travel speeds.

(40) A traction lock or brake or an equivalent locking and braking system shall be provided on crawler crane-type machines that is capable of holding the machine stationary under normal working conditions, and on any grade the machine is capable of negotiating.

(41) No modifications or additions which affect the capacity or safe operation of the equipment shall be made by the employer without written approval of the manufacturer or a qualified engineer. If such modifications or changes are made, the capacity, operation and maintenance instruction plates, tags, or decals, shall be changed accordingly. In no case shall the original safety factor of the equipment be reduced.

(42) Equipment shall be classed and used according to the manufacturer's rating. Where low gear ratios or other devices are installed to increase the line pull in accordance with subsection ((~~(42)~~)) (41) of this section, the size of the rigging shall be increased accordingly so that it will safely withstand the increased strains.

(43) Every tractor, skidder, front-end loader, scraper, grader and dozer shall be equipped with a roll-over protective structure (R.O.P.S.). Such structures shall be installed, tested and maintained in accordance with:

(a) WAC 296-155-950 through 296-155-965 of the safety standards for construction, if manufactured prior to ((~~the effective date of this chapter~~)) October 21, 1979.

(b) The society of automotive engineers SAE 1040a-1975, "performance criteria for roll-over protective structures (ROPS) for earthmoving, construction, logging and industrial vehicles," if manufactured after the effective date of this chapter.

(44) The ROPS shall be of sufficient height and width so that it will not impair the movements of the operator or prevent his immediate escape from the vehicle in emergencies and shall allow as much visibility as possible. Clearance above the deck and the ROPS of the vehicle at points of egress shall not be less than fifty-two inches (1.3 meters).

(45) Certified roll-over protective systems shall be identified by a metal tag permanently attached to the ROPS in a position where it may be easily read from the ground. The tag shall be permanently and clearly stamped, etched or embossed indicating the name and address of the certifying manufacturer or registered professional engineer, the ROPS model number (if any) and the vehicle make, model or serial number the ROPS is designed to fit.

(46) Roll-over protective structure systems shall be maintained in a manner that will preserve their original strength. Welding shall be performed by qualified welders only. (A qualified welder is defined under "welder qualification" in American Welding Society A.W.S. A3.0-69.)

(47) Every tractor, skidder, front-end loader, log stacker, forklift truck, scraper, grader and dozer shall be equipped with a FOPS. Such structures shall be installed, tested and maintained in accordance with:

(a) The society of automotive engineers SAE J231-1971, "minimum performance criteria for falling object protective structures (F.O.P.S.) prior to February 9, 1995."

(b) Society of automotive engineers SAE J231, January 1981, "minimum performance criteria for falling object protective structures (FOPS) for each tractor, skidder, log stacker, log loader and mechanical felling device, such as tree shears or feller-buncher, placed into initial service after February 9, 1995."

(c) The employer shall replace FOPS which have been removed from any machine.

(48) Vehicles equipped with ROPS or FOPS as required in subsections (43) and (47) of this section, shall comply with the society of automotive engineers SAE J397a-1972, "deflection limiting volume for laboratory evaluation of roll-over protective structures (ROPS) and falling object protective structures (FOPS) of construction and industrial vehicles." Vehicles placed into initial service after February 9, 1995, shall meet the requirements of SAE J397-1988.

(49) The opening in the rear of the ROPS on the crawler or rubber-tired tractors (skidders) shall be covered with 1/4-inch diameter woven wire having not less than 1-1/2-inches or more than 2-inch mesh, or material which will

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afford equivalent protection for the operator. The covering shall be affixed to the structural members so that ample clearance is provided between the screen and the back of the operator. Structural members shall be free from projections which would tend to puncture or tear flesh or clothing. Suitable safeguards or barricades shall be installed, in addition to the screen, to protect the operator when there is a possibility of being struck by any material that could enter from the rear.

(50) Crawler and rubber-tired tractors (skidders) working in areas where limbs or brush may endanger the operator shall be guarded. Shear or deflector guards shall be installed on each side of the vehicle at an angle leading forward and down from the top front edge of the canopy of the vehicle, which will tend to slide the brush or limbs up and over the top of the canopy. Open mesh material with openings of a size that will reject the entrance of an object larger than 1-3/4-inches in diameter, shall be extended forward as far as possible from the rear corners of the cab sides to give the maximum protection against obstacles, branches, etc. entering the cab area. Deflectors shall also be installed ahead of the operator to deflect whipping saplings and branches. These shall be located so as not to impede ingress or egress from the compartment area. The floor and lower portion of the cab shall be completely enclosed with solid material, except at entrances, to prevent the operator from being injured by obstacles which otherwise could enter the cab compartment.

(51) Enclosures for agricultural and industrial tractors manufactured after September 1, 1972, shall be constructed, designed and installed as detailed in the society of automotive engineers technical report J168. Each machine manufactured after August 1, 1996, shall have a cab that is fully enclosed with mesh material with openings no greater than 2 inches (5.08 cm) at its lease dimension. The cab may be enclosed with other material(s) where the employer demonstrates such material(s) provides equivalent protection and visibility. Exception: Equivalent visibility is not required for the lower portion of the cab where there are control panels or similar obstructions in the cab, or where visibility is not necessary for safe operation of the machine.

(52) (((~~(a)~~))) All bidirectional machines, such as rollers, compactors, front-end loaders, log stackers, log loaders, bulldozers, shovels, and similar equipment, shall be equipped with a horn distinguishable from the surrounding noise level, which shall be operated as needed when the machine is moving in either direction. The horn shall be maintained in an operative condition.

(((~~(b)~~))) (53) No employer shall permit earthmoving, compacting, or yarding equipment, which has an obstructed view to the rear, to be used in reverse gear unless the equipment has in operation a reverse signal alarm distinguishable from the surrounding noise level or an employee signals that it is safe to do so.

(54) Overhead guards. Each forklift shall be equipped with an overhead guard meeting the requirements of the American Society of Mechanical Engineers, ASME B56.6-1992 (with addenda), "Safety Standard for Rough Terrain Forklift Trucks."

(55) Chipping (in-woods locations).

(a) Chipper access covers or doors shall not be opened until the drum or disc is at a complete stop.

(b) Infeed and discharge ports shall be guarded to prevent contact with the disc, knives, or blower blades.

(c) The chipper shall be shut down and locked out in accordance with the requirements of chapter 296-24 WAC, Part A-4 when an employee performs any servicing or maintenance.

(d) Detached trailer chippers shall be chocked during usage on any slope where rolling or sliding of the chipper is reasonably foreseeable.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-553 Yarding, loading and skidding machines—Mobile towers and boom-type yarding and loading machines. (1) Portable (mobile) tower specification plate. A specification plate shall be permanently attached to the base of each portable (mobile) tower so it can be easily read by a person standing on the ground or on the base platform. It shall contain the following information:

(a) Name and address of manufacturer and model number;

(b) The maximum diameter of the mainline or skyline for which the unit is designed and size of haulback and mainline to be used together if drums are interlocking or automatic tensioning type;

(c) The number and size of guylines required to stabilize the unit;

(d) The maximum length and capacity of a loading boom or similar equipment which may be attached if the structure is engineered for such;

(e) If the unit is designed for use on any skyline system of logging; and

(f) Maximum degree of inclination from vertical at which the spar (tower) may be used.

(2) The critical parts of portable spars (towers) shall be inspected by a qualified person at reasonable intervals while in service and each time the spar (tower) is lowered. If indication of failure or weakness is noted or suspected, the part shall be inspected by an approved method and found to be safe, or it shall be repaired or replaced before the operation is allowed to proceed.

(3) Blocks and fair leads shall be so located that there will be no chafing or sawing of any line or part of the structure.

(4) Guyline attachments.

(a) Power guylines used for stabilizing any unit may be choked around an adequately notched stump if using a shackle or approved choker attachment. Three full wraps or more must be placed around an adequately notched stump to secure the guyline if clamps are used. Guyline extensions shall be property shackled to the guylines.

(b) When using a deadman anchor to support a guyline, the connection shall be made by properly shackling both eyes of the anchor strap to the guyline.

(c) If guylines on metal spars or towers are not power guylines, they shall be secured to stumps or anchorages in the same manner as guylines on wood spar trees.

(5) Power driven devices shall be securely anchored when used to tighten guylines. Holding of such devices manually is prohibited.

(6) Machine stabilization.

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(a) Machines or equipment shall be stabilized by their design or the attachment of guylines or other devices which will prevent the machine from overturning. Machine operators shall be advised of the stability limitations of the equipment.

(b) If stabilization of a machine is dependent upon the use of hydraulic outriggers, a pilot operated hydraulic check valve or other locking device shall be installed to prohibit the outrigger from retracting in case a hydraulic line breaks, except when proper blocking is provided.

(7) A qualified person shall direct each raising or lowering of a portable spar or tower.

(8) All persons not engaged in the actual raising or lowering of portable spars or towers shall stay in the clear during such operations.

(9) Guylines required in rigging spars or towers shall be evenly spooled to prevent fouling.

(10) Portable spars or towers shall be leveled to provide even line spooling and avoid excessive stress on component parts.

(11) The portable spar or tower shall be lowered or supported so the stability of the machine is not impaired during movement of the portable spar or tower.

(12) Guylines of portable spars or towers shall not be anchored to standing trees if the unit is used for yarding as a head tree.

(13) Timbers used for masts or booms shall be straight-grained, solid, and capable of withstanding the working load.

(14) Boom points of timber booms shall be equipped with metal straps, plates, or other devices as needed to properly secure eyebolts and fittings used to support lines, blocks, or other rigging.

(15) All mobile vehicles on which yarding equipment, towers, spars, masts or booms are installed, shall be maintained in a safe operating condition.

(16) A-frames shall be secured against displacement and the tops shall be securely bolted or lashed to prevent displacement.

(17) When any portable-type tower, A-frame or spar is used, the base shall be securely and solidly supported.

(18) All loading, unloading and skidding machines shall be equipped with a horn or whistle which is audible above the surrounding noise level. Such horn or whistle shall be maintained in an operative condition.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-555 Yarding—General requirements. (1) Workers shall be alert and be positioned in the clear where they will not be exposed to the hazards of moving logs, saplings, root wads, chunks, rigging, or any other material which might be put in motion by the rigging or turn, before the "go ahead" signal is given. They shall remain in the clear at all times while the rigging is moving.

(2) No person shall be near rigging which is stopped at a hangup, until the rigging has been slacked to reduce the hazard.

(3) No person shall stand or remain within the bight of any running line, nor in a position where he could be struck by a line were it to break or come loose.

(4) Whenever possible, chokers shall be set from the uphill side of a log. Persons shall not be on the lower side of a log which appears to be unstable or likely to roll.

(5) Wire rope used for chokers shall not exceed seventy-five percent of the breaking strength of the mainline.

(6) Chokers shall be placed near the end of the log/tree whenever possible.

Exception: A longer butt attachment point may be used when abnormally long logs or tree-length logs are being yarded and the long-butt is necessary to safely land the logs/trees on the available landing space.

(7) When pulling lines, do not stand close to fair leads or blocks.

(8) Lines shall not be guided on drums with hands or feet. The use of a bar or equivalent means is recommended.

(9) Yarding with more than one unit on any one head spar is prohibited.

(10) The angle between the power unit, the high lead block, and the mainline road shall not exceed a square lead on rigged spars. When using portable spars or towers, the location of the machine or position of the operator shall be such that the operator shall not be endangered by incoming logs.

(11) When there is danger of tail block straps slipping up or off the stump or tree, the stump or tree shall be adequately notched or the line properly wrapped and secured. When the tail tree or stump is not secure, it shall be tied back.

(12) When yarding is being done during the hours of darkness, the area shall be provided with illumination which will allow persons to safely perform their duties. The source of illumination shall be located and directed creating a minimum of shadows and glare. If using a portable tail-hold, lights shall be directed on the equipment to allow the person to visually ascertain that the tail-hold equipment remains stabilized.

(13) No person shall be required or allowed to ride on a turn of logs or rigging excepting the passline. The practice of holding on to moving rigging or chokers to assist a person by being pulled uphill shall be prohibited.

(14) Wire rope shall be wound evenly on the drum and not be allowed to lap one layer on another in an irregular manner. Sheaves shall be smooth and free from defects that could cause rope damage.

(15) Chaser shall be sure that turns are safely landed before approaching to remove the chokers.

(16) Signaling machine operator at landings by throwing bark, chips or other material in the air is prohibited. Whistle or hand signals shall be used at all times.

(17) Logs shall not be landed while loaders or chasers are working in the chutes. Logs shall not be removed from yarder tree by the loader or tractors while the chaser is unhooking a turn from the yarder.

(18) Landings shall be as level as possible and of sufficient size to safely accommodate the majority of type turns to be yarded. At least two-thirds of the log shall rest on the ground or other substantial material when landed. Logs shall be set on the ground or deck and not dropped when being landed. Long sticks shall be safely removed before additional logs are landed.

(19) Chokers shall not be used on a grapple system when the yarder operator cannot clearly see the persons setting the choker, unless conventional whistle signals are used.

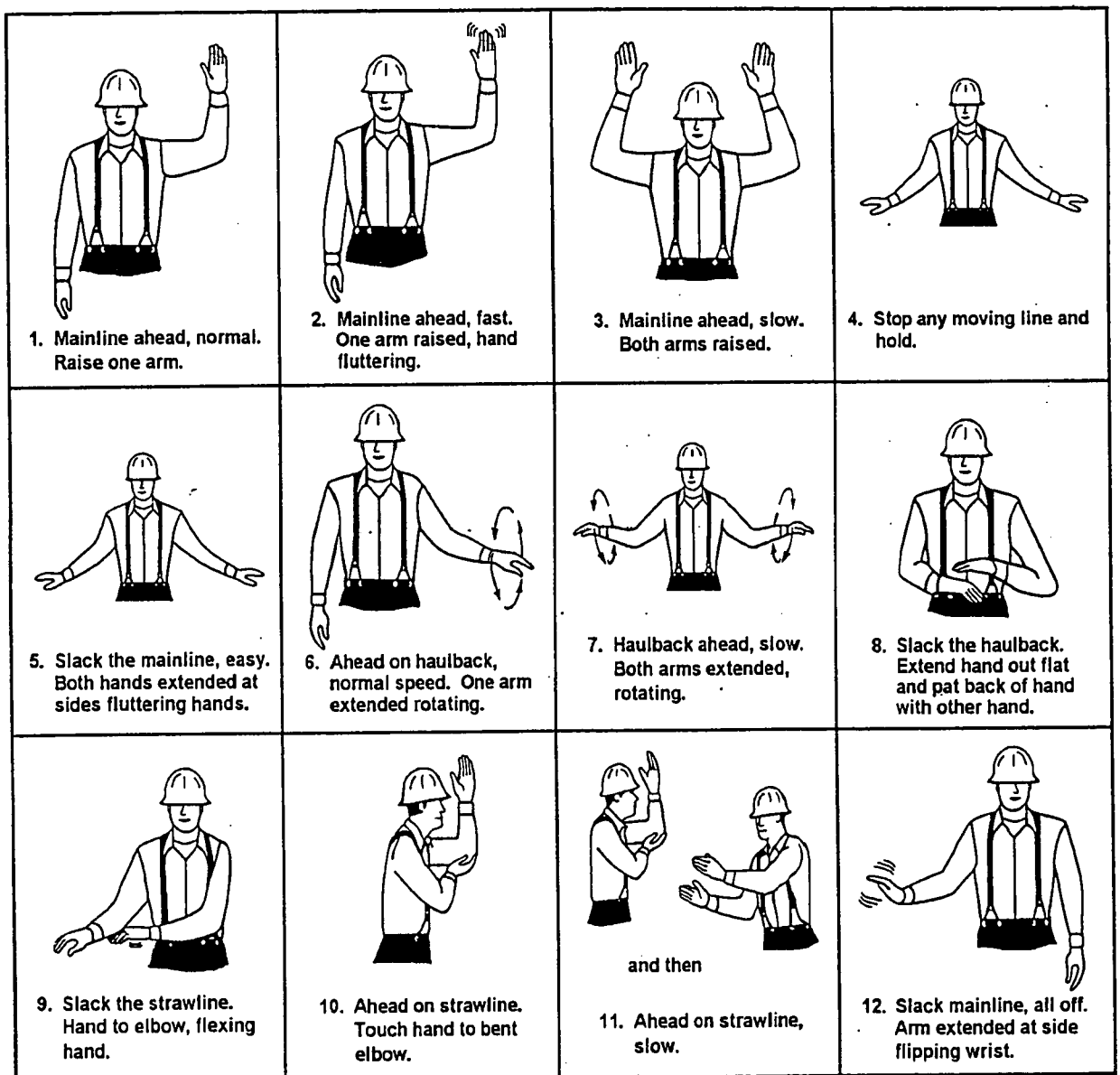
(20) Landings shall be free of root wads, limbs, tops, etc., that constitute a safety hazard.

(21) When shorter logs are yarded in the same turn with long sticks, the shorter logs shall be landed and chokers released before the long stick choker is released.

Note: See Figures No. 4-A and 4-B for Standard Hand Signals for High Lead Logging.

(22) Each yarded tree/log shall be placed in a location that does not create a hazard for an employee and an orderly manner so that the trees/logs are stable before bucking or limbing is commenced.

STANDARD HAND SIGNALS FOR HIGH LEAD LOGGING



AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-557 Yarding—Tractors ((~~and~~)) skidders and rough terrain log loaders (to include feller bunchers and tree shears). (1) Operators shall ensure that all persons are safely in the clear before initiating or continuing the movement of any mobile equipment. The machine shall be operated at such a distance from employees and other machines such that operation will not create a hazard for an employee.

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(2) No person shall ride on any mobile equipment, except where adequate and protected seats, or other safe facilities have been provided.

(3) While in use, tractors and skidders shall be maintained in a safe operable condition, with all guards in proper places.

(4) No person shall be under a tractor or other mobile equipment, or be placed in a hazardous position around the equipment without first making certain it cannot move or be moved by another person.

(5) Prior to working on tractor or skidder blades, arches, or other equipment, the equipment must be blocked up lowered to the ground or otherwise secured against slipping or falling. ((~~Prior to working on hydraulic equipment, the pressure shall be relieved.~~))

(6) When making repairs to tractor or skidder equipment, such as blades, arches, etc., the engine shall be stopped. The engine may be run when necessary for making adjustments to the engine or equipment.

(7) Operators shall operate and control their machines in a safe manner and avoid operations in areas where machine stability may not be maintained.

(8) The following safe work procedures shall be adhered to:

(a) When hobo logs are picked up with a log turn, the turn shall be dropped to free the hobo.

(b) No line shall be allowed to trail behind the tractor or skidder where it may hang up and snap forward.

(c) ((~~Winching at a severe angle, which could cause a hang-up to upset the machine, shall be avoided.~~)) Each machine shall be positioned during winching so the machine and winch are operated within their design limits.

(d) Grapple skidded log turns shall be evenly bunched with squared butt ends, securely grappled and safely positioned before travel commences.

(e) Before climbing or descending grades, the proper gear shall be selected to allow the engine to govern the tractor speed.

(f) On side hills, an abrupt turn uphill shall be avoided. The tractor or skidder shall be backed downhill first then turned uphill. The turn may be slacked off as necessary to permit this maneuver.

(g) The operator shall, before leaving a tractor or skidder, lower the blade to the ground and apply the parking brake.

(h) Tractor or skidder speed shall be adjusted to the circumstances prevailing. Excessive or uncontrolled speed shall be avoided.

(i) Winch lines on logging tractors or skidders shall be attached to the drum with a break-away device.

(9) When hand signals are required for giving instructions to the tractor or skidder operator, the signals as illustrated in Figure No. 5 shall be used.

(10) ((~~Tractor and skidder brakes shall stop and hold the machine on any grade over which the machine is being operated. They shall be effective whether or not the engine is running and regardless of the direction of travel.~~)) Brakes.

(a) Service brakes shall be sufficient to stop and hold each machine and its rated load capacity on the slopes over which it is being operated. They shall be effective whether or not the engine is running and regardless of the direction of travel.

(b) Each machine placed into initial service on or after September 8, 1995, shall also be equipped with back-up or secondary brakes that are capable of stopping the machine regardless of the direction of travel or whether the engine is running; and parking brakes that are capable of continuously holding a stopped machine stationary.

(11) Tractors and skidders shall be provided with a brake locking device that will hold the machine indefinitely on any grade on which it is being operated.

(12) Operating a tractor or skidder with defective steering or braking devices is prohibited.

(13) Arches shall be equipped with line guards.

(14) Where tractor and skidder operators or helpers, because of the nature or their work duties, are required to wear calk soled footwear, the decks and operating foot controls shall be covered with a suitable nonslip material.

(15) Glass used in windshields or in cabs shall be of "safety glass." Broken or cracked glass shall be replaced as soon as practical. Barriers shall be provided, as needed, to protect the glass from being broken by using screen, bars or other material. The protective material shall be a type that will not create a hazard by undue impairment of the operators' vision.

(16) Barriers shall be constructed of at least 1/4-inch diameter woven wire with two inch maximum openings or other material providing equivalent protection. The barrier shall be installed at least four inches from the glass to provide space to clean the glass.

(17) Enclosed-type cabs installed on mobile equipment shall have two means of exit. One may be deemed as an emergency exit and be available for use at all times, regardless of the position of the side arms or other movable parts of the machine. (An easily removable window will be acceptable as the emergency exit if it is of adequate size for a person to readily exit through.)

(18) ((~~Seat belts shall be installed on tractors and other mobile equipment equipped with a roll-over protective system and shall be worn by the operator and passenger(s) at all times the vehicle is in motion. The seat belts and assemblies shall be designed, constructed and maintained to conform to the requirements specified in the society of automotive engineers technical report J386 or J333a. Seat belts need not be provided for equipment which is designed for stand-up operations.~~

~~(19) If the equipment operator and person in charge of the jobsite agree that life safety of the operator is jeopardized by wearing a seat belt, the seat belt need not be worn.~~)) Before the operator leaves the operator's station of a machine, it shall be secured as follows:

(a) The parking brake or brake locks shall be applied;

(b) The transmission shall be placed in the manufacturer's specified park position; and

(c) Each moving element such as, but not limited to blades, buckets, saws and shears, shall be lowered to the ground or otherwise secured.

(19) No load shall exceed the rated capacity of the pallet, trailer, or other carrier.

(20) Seat belts required by ((~~subsection (18) of this section,~~)) WAC 296-54-515(19) shall have buckles of the quick release type, designed to minimize the possibility of accidental release.

(21) Before a tractor or skidder is started or moved, the operator shall be certain nothing is in the way that could be set in motion by the movement of the machine thereby endangering persons.

(22) A log or turn shall not be moved until all persons are in the clear (behind the turn and on the uphill side on sloping ground).

(23) ((~~Before the engine is shut down, the brake locks shall be applied and all elements such as blades, buckets, grapples and shears shall be lowered to the ground.~~)) Towed equipment, such as but not limited to, skid pans, pallets, arches, and trailers, shall be attached to each machine or vehicle in such a manner as to allow a full ninety degree turn; to prevent overrunning of the towing machine or vehicle; and to assure that the operator is always in control of the towed equipment.

(24) Tractors or skidders shall not be operated within a radius of two tree heights of trees being felled unless called upon by the cutter or faller to ground lodged trees. All cutters shall be notified of the tractor or skidder entrance into the area and all felling within two tree lengths of the tractor or skidder shall be stopped.

(25) Except where electrical distribution and transmission lines have been de-energized 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 proximate to power lines only in accordance with the following:

(a) For lines rated 50 kV or below, minimum clearance between the lines and any part of the equipment or machine shall be ten feet;

(b) For lines rated over 50 kV, minimum clearance between the lines and any part of the equipment or machine shall be ten feet plus 0.4 inch for each 1 kV over 50 kV, or twice the length of the line insulator, but never less than ten feet;

(c) In transit with no load and boom or extended equipment lowered, the equipment clearance shall be a minimum of four feet for voltages less than 50 kV, and ten feet for voltages over 50 kV up to and including 345 kV, and sixteen feet for voltages up to and including 750 kV;

(d) A person shall be designated to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means;

(e) Any overhead wire shall be considered to be an energized line unless and until the person owning such line or the electrical utility authorities indicate it is not an energized line and it has been visibly grounded.

(26) Log piles and decks shall be located and constructed to provide working areas around them that will accommodate the safe movement of personnel and machinery.

(27) Braking systems required by subsection (10) of this section, shall be capable of stopping the equipment fully loaded as specified in the society of automotive engineers technical reports listed in subdivisions (a), (b), (c) or (d) of this subsection and shall be installed by June 30, 1973. All rubber-tired tractors or other types of mobile equipment listed below, manufactured after the effective date of these standards, shall have braking systems and requirements specified in the applicable technical reports of the society of automotive engineers as follows:

(a) Brake systems for off-highway, rubber-tired, self-propelled scrapers shall meet or exceed the requirements outlined in SAE technical report J319b.

(b) Brake systems for off-highway, rubber-tired, front-end loaders, log stackers and dozers (skidders) shall meet or exceed the requirements outlined in SAE technical report J237.

(c) Brake systems for rubber-tired, self-propelled graders shall meet or exceed the requirements outlined in SAE technical report J236.

(d) Brake systems for off-highway trucks and wagons shall meet or exceed the requirements outlined in SAE technical report J166.

(28) The yarding machine or vehicle, including its load, shall be operated with safe clearance from all obstructions.

(29) The overhead covering of each cab shall be of solid material and shall extend over the entire canopy.

(30) If a hydraulic or pneumatic storage device can move the moving elements such as, but not limited to, blades, buckets, saws and shears, after the machine is shut down, the pressure or stored energy from the element shall be discharged as specified by the manufacturer.

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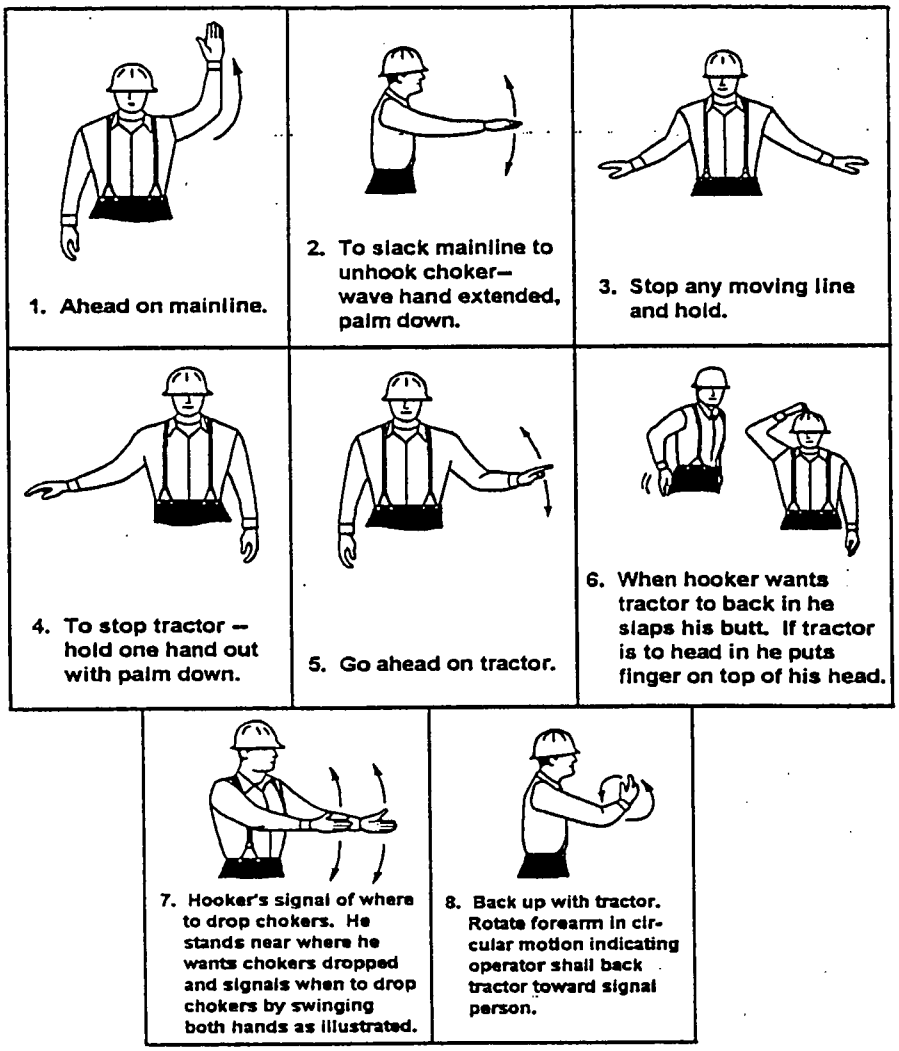
STANDARD SIGNALS FOR TRACTOR LOGGING



AMENDATORY SECTION (Amending Order 88-25, filed 11/14/88)

WAC 296-54-559 Yarding—Helicopters and helicopter cranes. (1) Helicopters and helicopter cranes shall comply with any applicable regulations of the Federal Aviation Administration.

(2) Prior to each day's operation, a briefing shall be conducted. This briefing shall set forth the plan of operation for the pilot and ground personnel.

(3) A take-off path from the log pickup point shall be established, and shall be made known to all workers in that area before the first turn of logs is moved.

(4) The helicopter flight path to and from the drop zone shall be designated and no equipment or personnel (other than flight personnel necessary to assist landing and take-off) will occupy these areas during helicopter arrival or departure.

(5) The approach to the landing shall be clear and long enough to prevent tree tops from being pulled into the landing.

(6) The helicopter shall not pass over an area in which cutters are working at a height which would cause the rotor wash to inhibit a cutter's ability to safely control a tree or dislodge limbs.

(7) Drop zones shall be twice the nominal length of logs to be landed.

(8) The drop zone shall be no less than one hundred twenty-five feet from the loading or decking area.

(9) Separate areas shall be designated for landing logs and fueling the helicopter(s).

(10) The yarding helicopter shall be equipped with a siren to warn workers of any hazardous situation.

(11) Workers shall remain in the clear as chokers are being delivered, and under no circumstances will workers move under the helicopter that is delivering the chokers or take hold of the chokers before they have been released by the helicopter.

(12) Log pickup shall be arranged in a manner that the hook up crew will not work on slopes below felled and bucked timber.

(13) If the load must be lightened, the hook shall be placed on the ground on the uphill side of the turn before the hooker approaches to release the excess logs.

(14) Landing crew shall be in the clear before logs are dropped.

(15) One end of all the logs in the turn shall be touching the ground and lowered to an angle of not more than 45° from the horizontal before the chokers are released.

(16) Logs shall be laid on the ground and the helicopter will be completely free of the choker(s) before workers approach the logs.

(17) If the load will not release from the hook, the load and the hook shall be on the ground before workers approach to release the hook manually.

(18) Loads shall be properly slung. Tag lines shall be of a length that will not permit their being drawn up into rotors. Pressed sleeve, swaged eyes, or equivalent means shall be used for all freely suspended loads to prevent hand splices from spinning open or cable clamps from loosening.

(19) All electrically operated cargo hooks shall have the electrical activating device so designed and installed as to prevent inadvertent operation. In addition, these cargo hooks shall be equipped with an emergency mechanical control for releasing the load. The hooks shall be tested prior to each day's operation to determine that the release functions properly, both electrically and mechanically.

(20)(a) Personal protective equipment for employees receiving the load shall consist of complete eye protection and hard hats secured by chinstraps, and high visibility vests or outer garments.

(b) Loose-fitting clothing likely to flap in the downwash, and thus be snagged on hoist line, shall not be worn.

(21) Every practical precaution shall be taken to provide for the protection of employees from flying objects in the rotor downwash. All loose gear within one hundred feet of the place of lifting of the load, depositing the load, and all other areas susceptible to rotor downwash shall be secured or removed.

(22) Good housekeeping shall be maintained in all helicopter loading and unloading areas.

(23) The helicopter operator shall be responsible for size, weight, and manner in which loads are connected to the helicopter. If, for any reason, the helicopter operator believes the lift cannot be made safely, the lift shall not be made.

(24) Employees shall not perform work under hovering craft except for that limited period of time necessary to guide, secure, hook and unhook loads. Regardless of whether the hooking or unhooking of a load takes place on the ground or other location in an elevated work position in structural members, a safe means of access and egress, to include an unprogrammed emergency escape route or routes, shall be provided for the employees hooking or unhooking loads.

(25) Static charge on the suspended load shall be dissipated with a grounding device before ground personnel touch the suspended load, or protective rubber gloves shall be worn by all ground personnel touching the suspended load.

(26) The weight of an external load shall not exceed the manufacturer's rating.

(27) Hoist wires or other gear, except for pulling lines or conductors that are allowed to "pay out" from a container or roll off a reel, shall not be attached to any fixed ground structure, or allowed to foul on any fixed structure.

(28) When visibility is reduced by dust or other conditions, ground personnel shall exercise special caution to keep clear of main and stabilizing rotors. Precautions shall also be taken by the employer to eliminate as far as practical reduced visibility.

(29) Signal systems between aircrew and ground personnel shall be understood and checked in advance of hoisting the load. This applies to either radio or hand signal systems. Hand signals shall be as shown in Figure 6.

(30) No unauthorized person shall be allowed to approach within fifty feet of the helicopter when the rotor blades are turning.

(31) Whenever approaching or leaving a helicopter with blades rotating, all employees shall remain in full view of the pilot and keep in a crouched position. Employees shall avoid the area from the cockpit or cabin rearward unless authorized by the helicopter operator to work there.

(32) Sufficient ground personnel shall be provided, when required, for safe helicopter loading and unloading operations.

(33) There shall be constant reliable communication between the pilot, and a designated employee of the ground crew who acts as a signalperson during the period of loading and unloading. This signalperson shall be distinctly recognizable from other ground personnel.

(34) Open fires shall not be permitted in an area that could result in such fires being spread by the rotor downwash.

(35) Under no circumstances shall the refueling of any type helicopter with either aviation gasoline or Jet B (turbine) type fuel be permitted while the engines are running.

(36) Helicopters using Jet A (turbine-kerosene) type fuel may be refueled with engines running provided the following criteria is met:

(a) No unauthorized persons shall be allowed within fifty feet of the refueling operation or fueling equipment.

(b) A minimum of one thirty-pound fire extinguisher, or a combination of same, good for class A, B and C fires, shall be provided within one hundred feet on the upwind side of the refueling operation.

(c) All fueling personnel shall be thoroughly trained in the refueling operation and in the use of the available fire extinguishing equipment they may be expected to utilize.

(d) There shall be no smoking, open flames, exposed flame heaters, flare pots or open flame lights within fifty feet of the refueling area or fueling equipment. All entrances to the refueling area shall be posted with "NO SMOKING" signs.

(e) Due to the numerous causes of static electricity, it shall be considered present at all times. Prior to starting refueling operations, the fueling equipment and the helicopter shall be grounded and the fueling nozzle shall be electrically bonded to the helicopter. The use of conductive hose shall not be accepted to accomplish this bonding. All grounding and bonding connections shall be electrically and mechanically firm, to clean unpainted metal parts.

(f) To control spills, fuel shall be pumped either by hand or power. Pouring or gravity flow shall not be permitted. Self-closing nozzles or deadman controls shall be

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used and shall not be blocked open. Nozzles shall not be dragged along the ground.

(g) In case of a spill, the fueling operation shall be immediately stopped until such time as the person-in-charge determines that it is safe to resume the refueling operation.

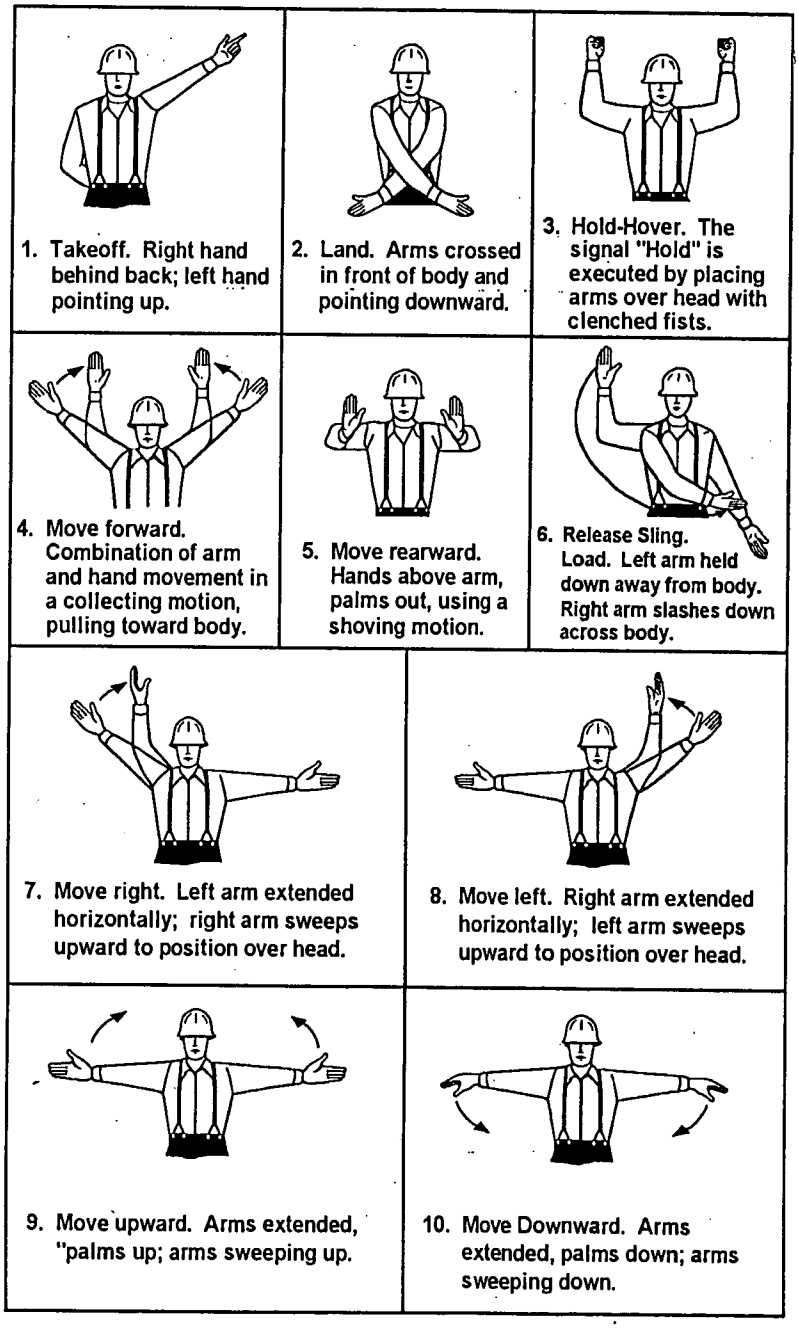
(h) When ambient temperatures have been in the 100 degree F. range for an extended period of time, all refueling of helicopters with the engines running shall be suspended until such time as conditions become suitable to resume refueling with the engines running.

(37) Helicopters with their engines stopped being refueled with aviation gasoline or Jet B (turbine) type fuel, shall also comply with subsection (36)(a) through (g) of this section.

(38) Hook on persons in logging operations shall wear contrasting colored hard hats, with chinstraps, and high visibility vests or outer garments to enable the helicopter operator to readily identify their location.

(39) Riding the load or hook of a helicopter is prohibited except in the case of an emergency with the proper safety gear.

HELICOPTER HAND SIGNALS



Note: See Figures No. 7-A through 7-P, for illustrations of various types of cable logging systems.
See Figures No. 7-Q through 7-U, for illustrations of whistle signals used on various cable logging systems.

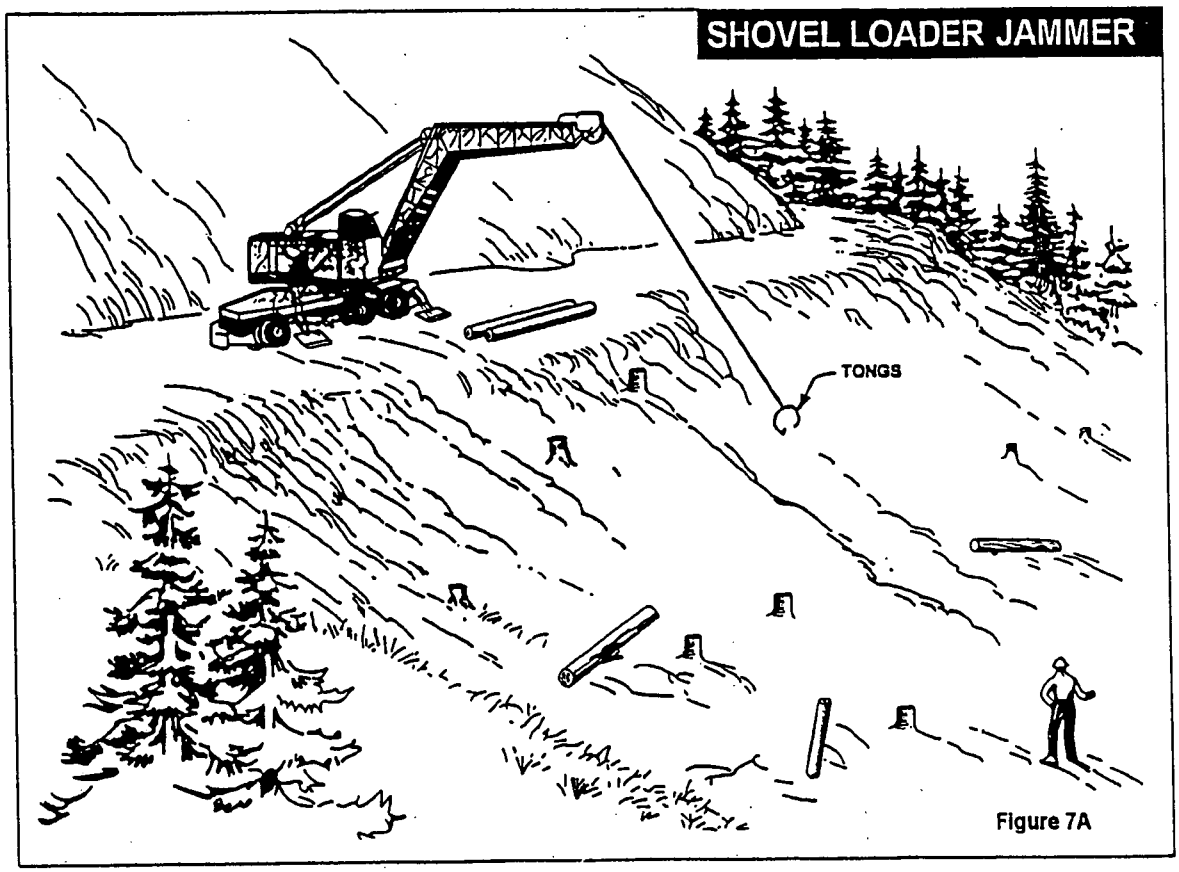


Figure 7A

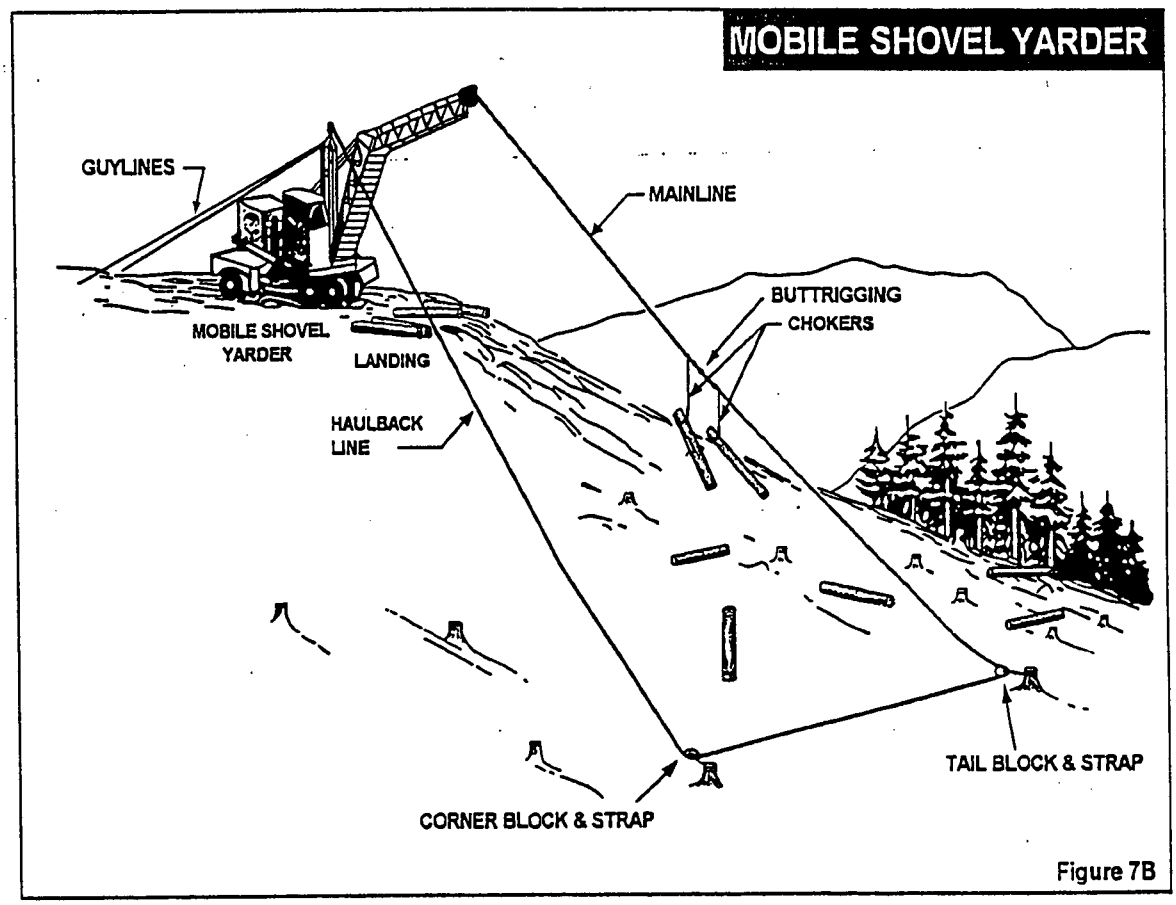


Figure 7B

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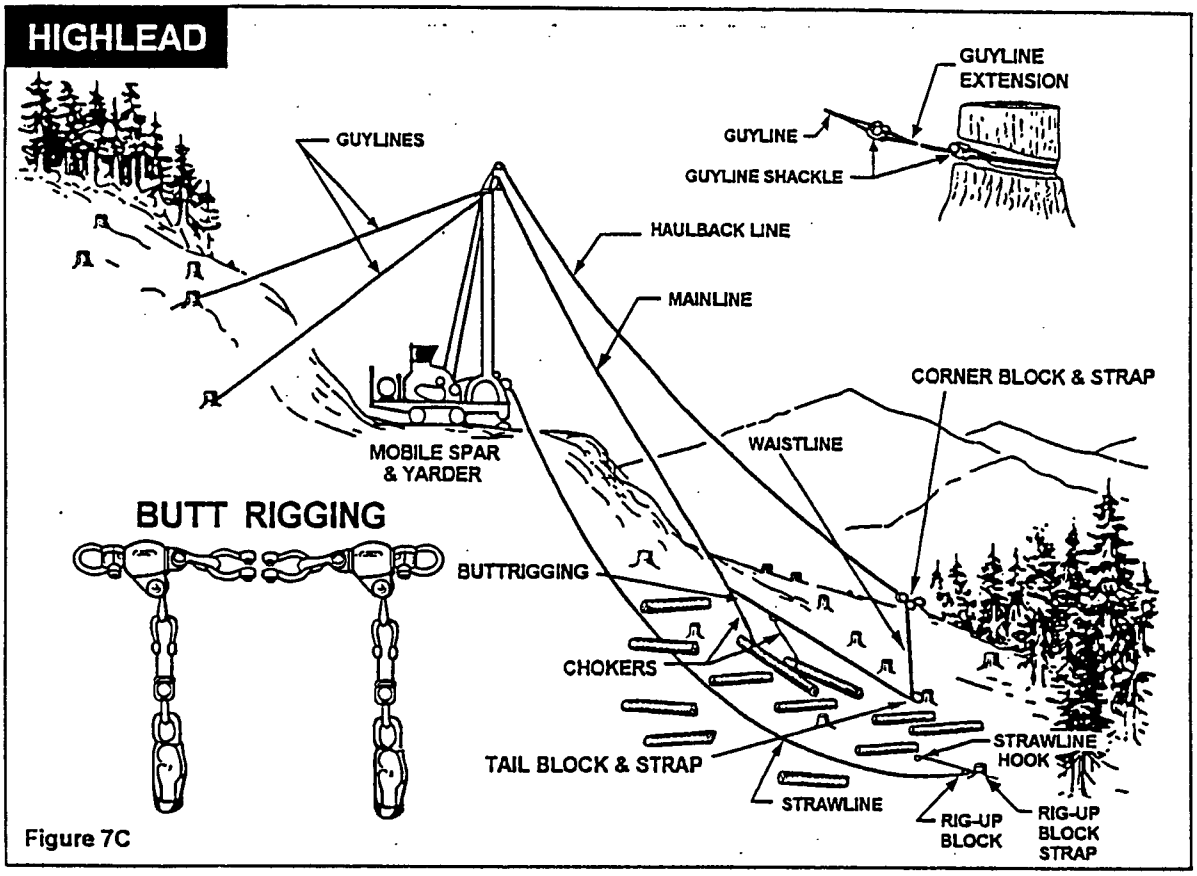

Figure 7C

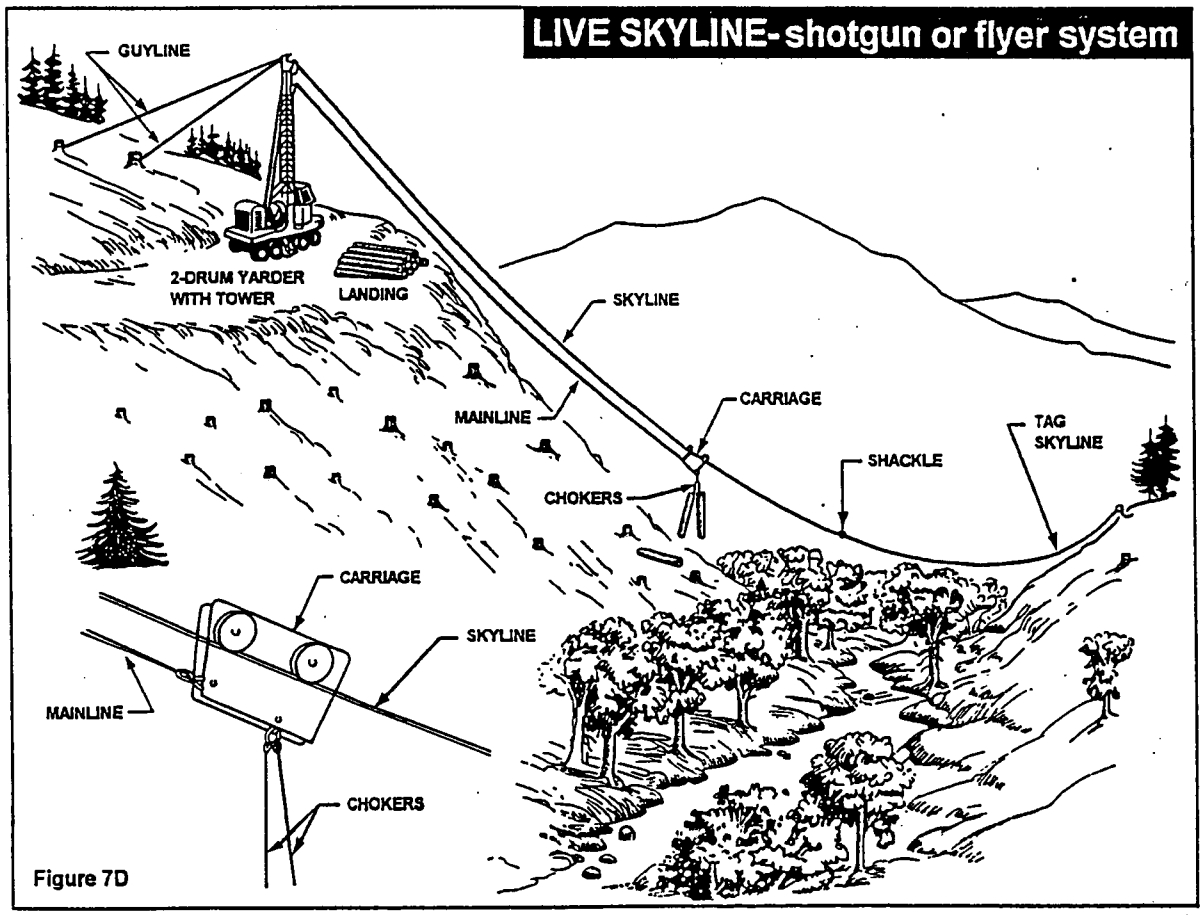

Figure 7D

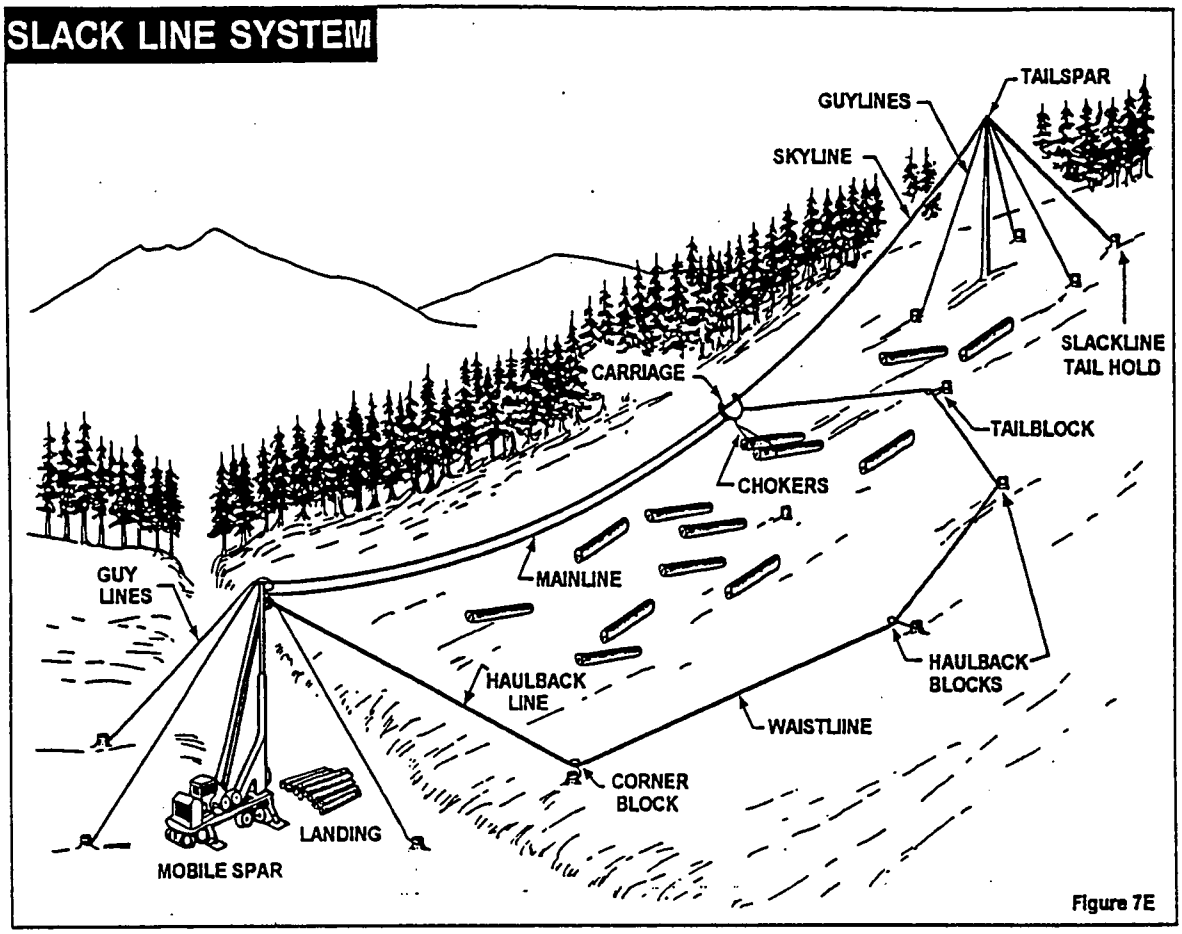

Figure 7E

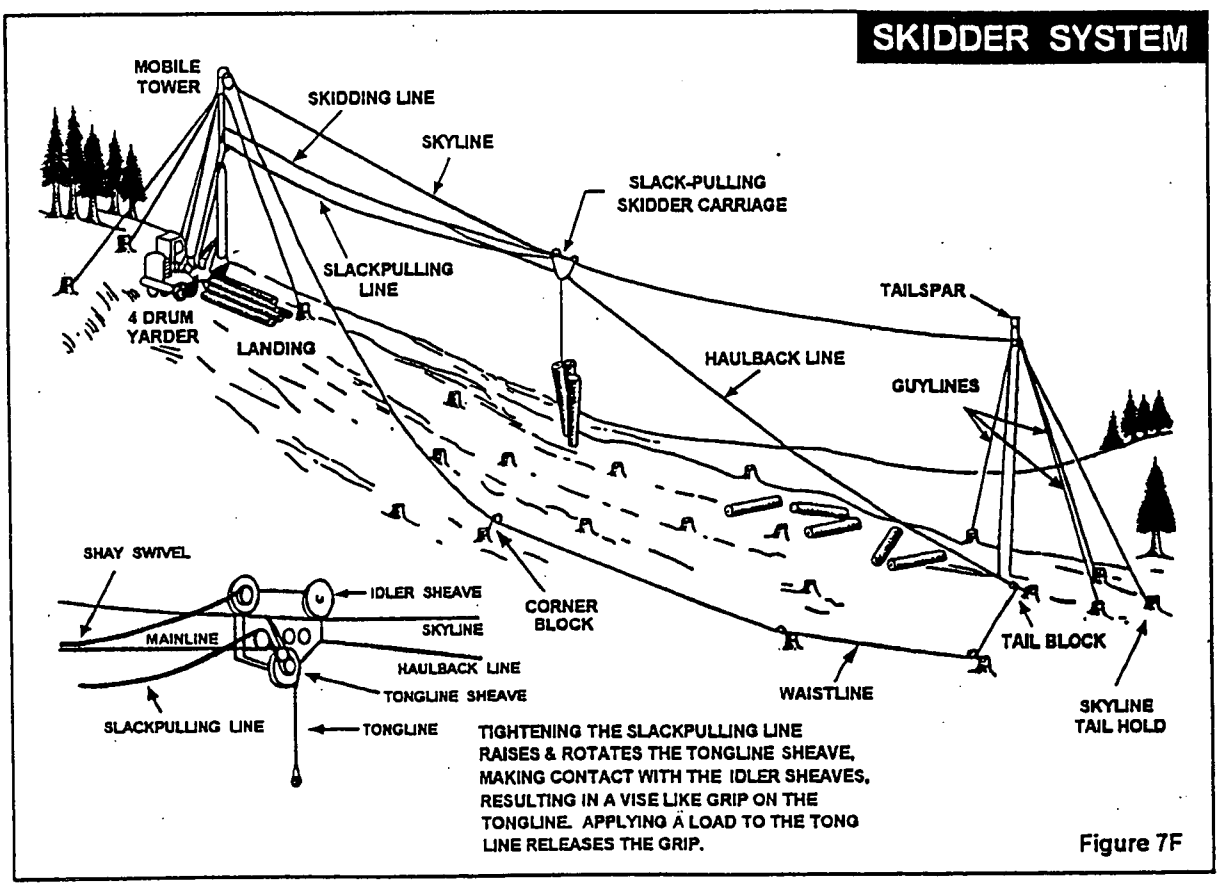

Figure 7F

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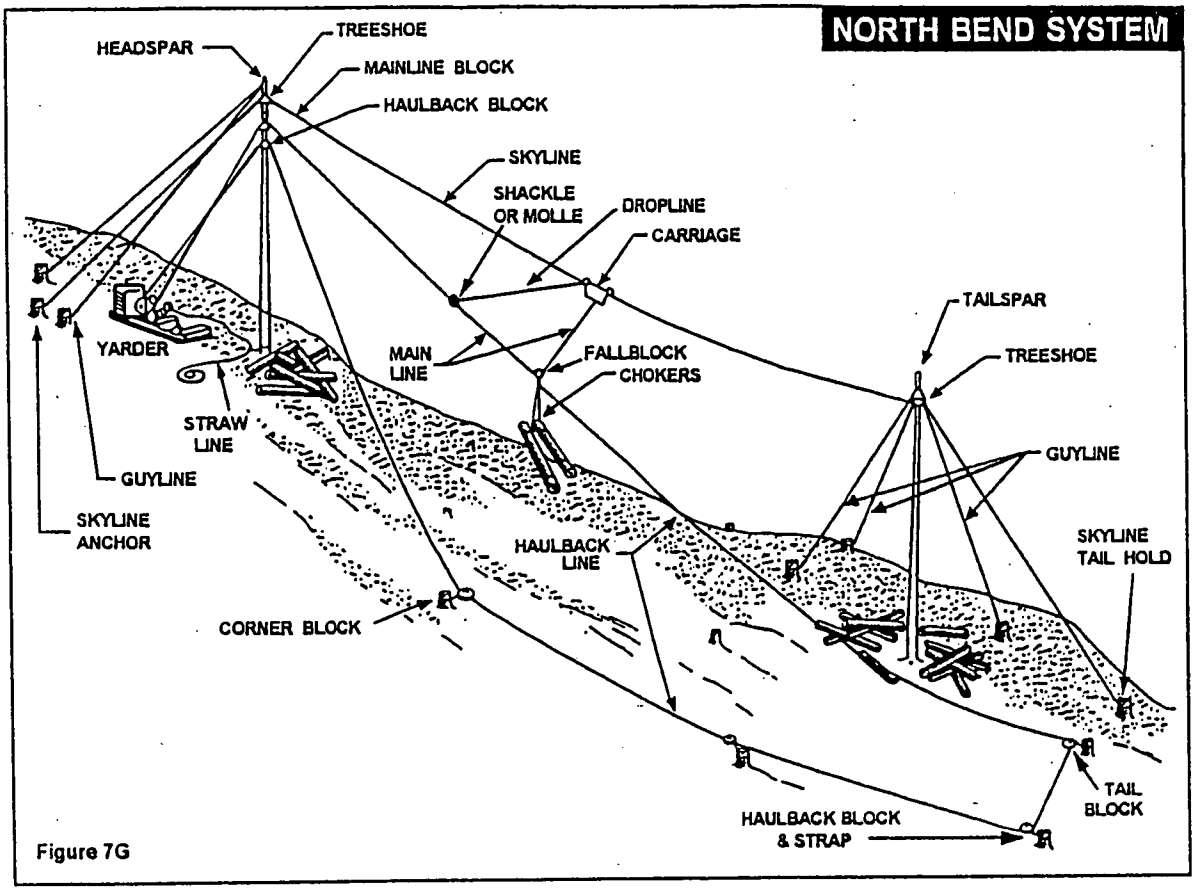


Figure 7G

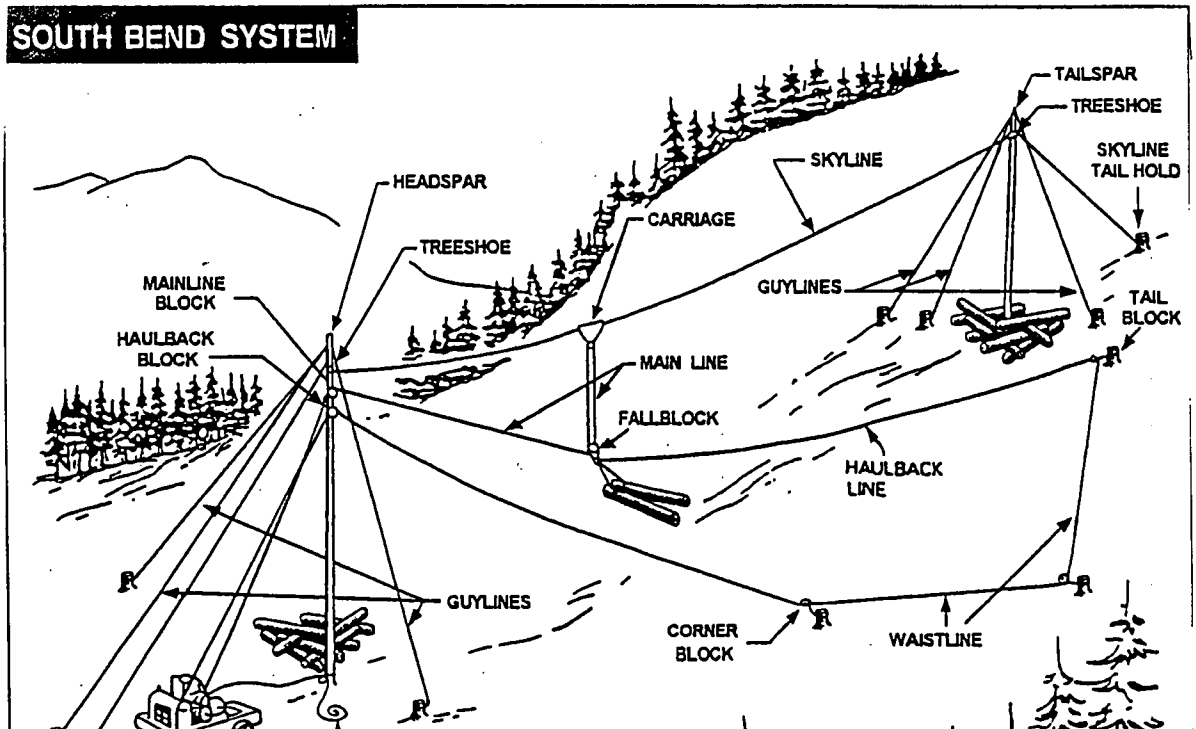
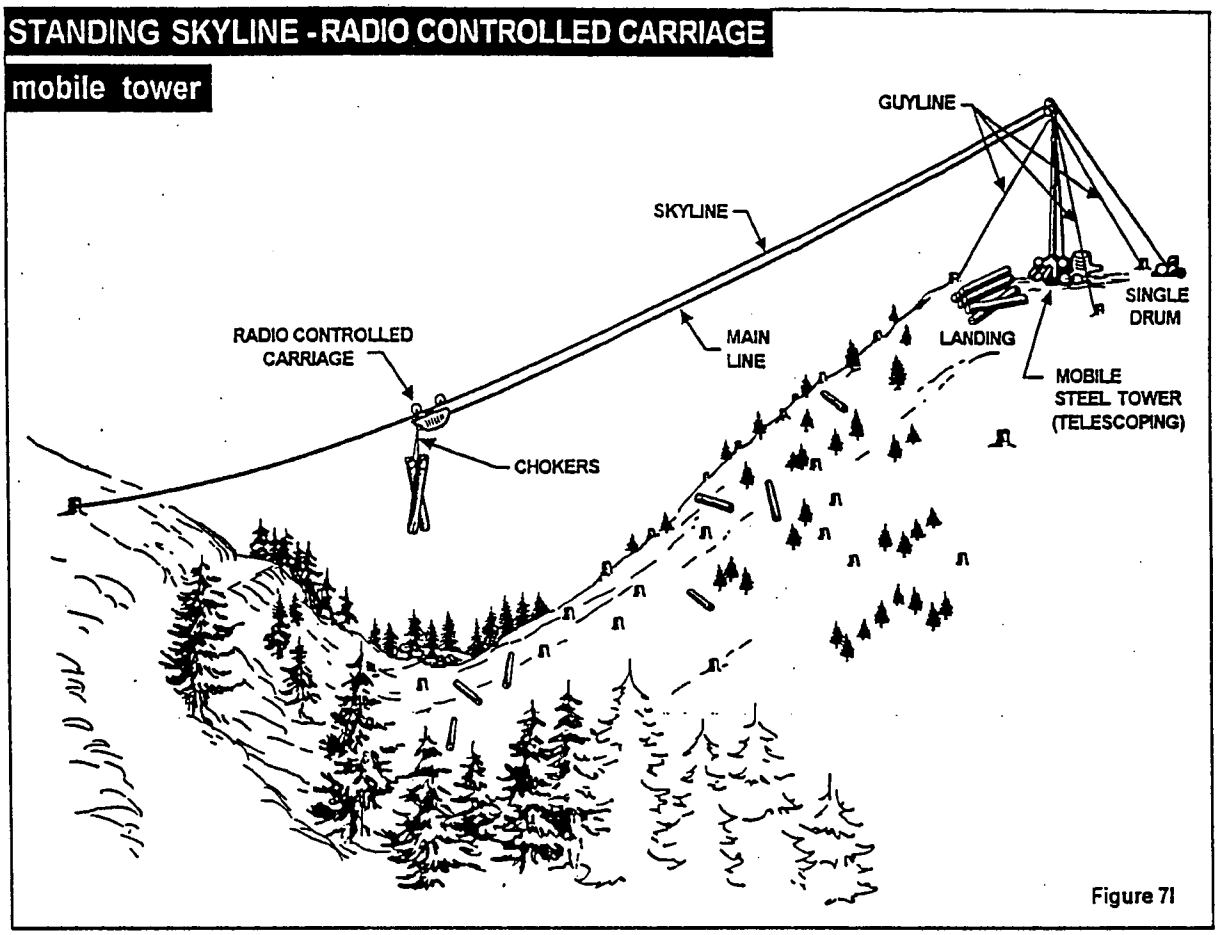
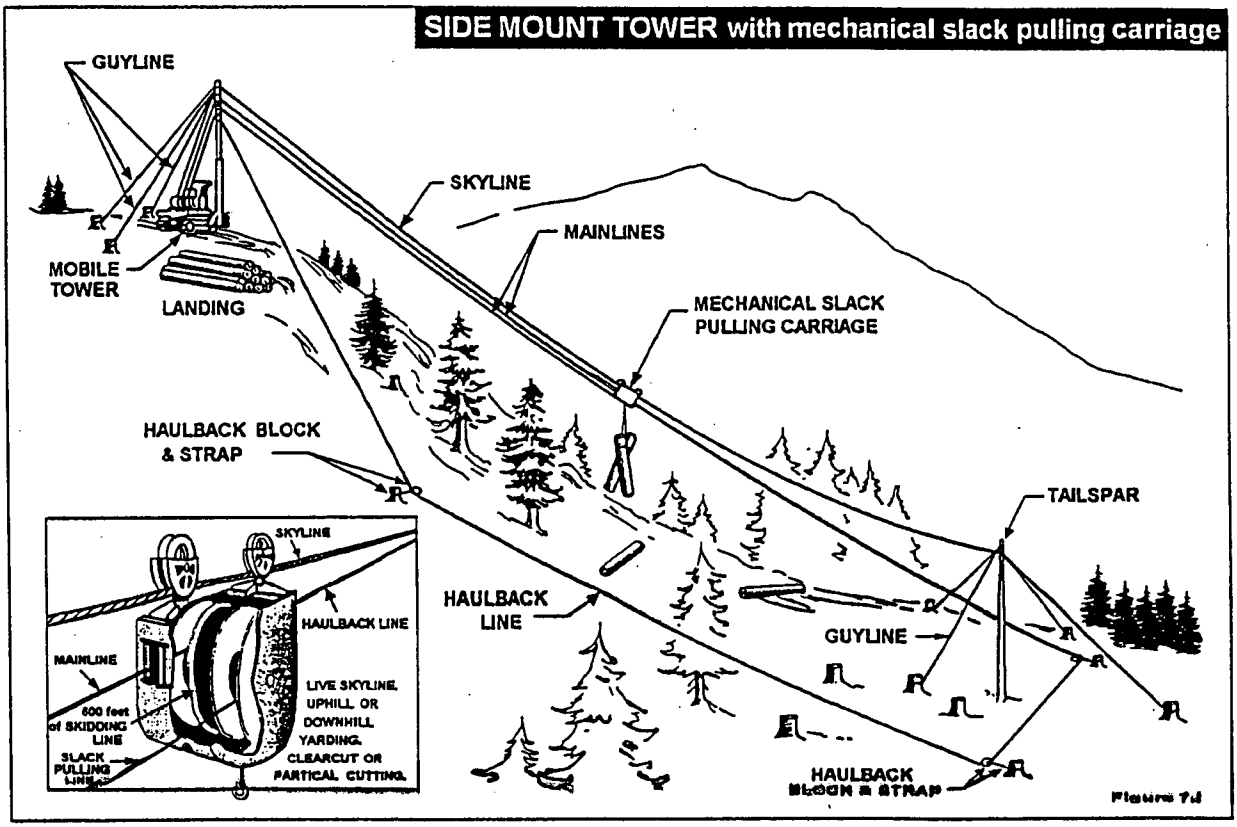


Figure 7H


STANDING SKYLINE - RADIO CONTROLLED CARRIAGE
mobile tower
GUYLINE
SKYLINE
SINGLE DRUM
RADIO CONTROLLED CARRIAGE
MAIN LINE
LANDING
MOBILE STEEL TOWER (TELESCOPING)
CHOKERS
Figure 7I


SIDE MOUNT TOWER with mechanical slack pulling carriage
GUYLINE
SKYLINE
MAINLINES
MOBILE TOWER
LANDING
MECHANICAL SLACK PULLING CARRIAGE
HAULBACK BLOCK & STRAP
TAILSPAR
HAULBACK LINE
GUYLINE
SKYLINE
MAINLINE
600 feet of SKIDDING LINE
SLACK PULLING LINE
LIVE SKYLINE UPHILL OR DOWNHILL YARDING. CLEARCUT OR PARTICAL CUTTING.
HAULBACK BLOCK & STRAP

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PARTIAL CUTTING WITH RUNNING SKYLINE

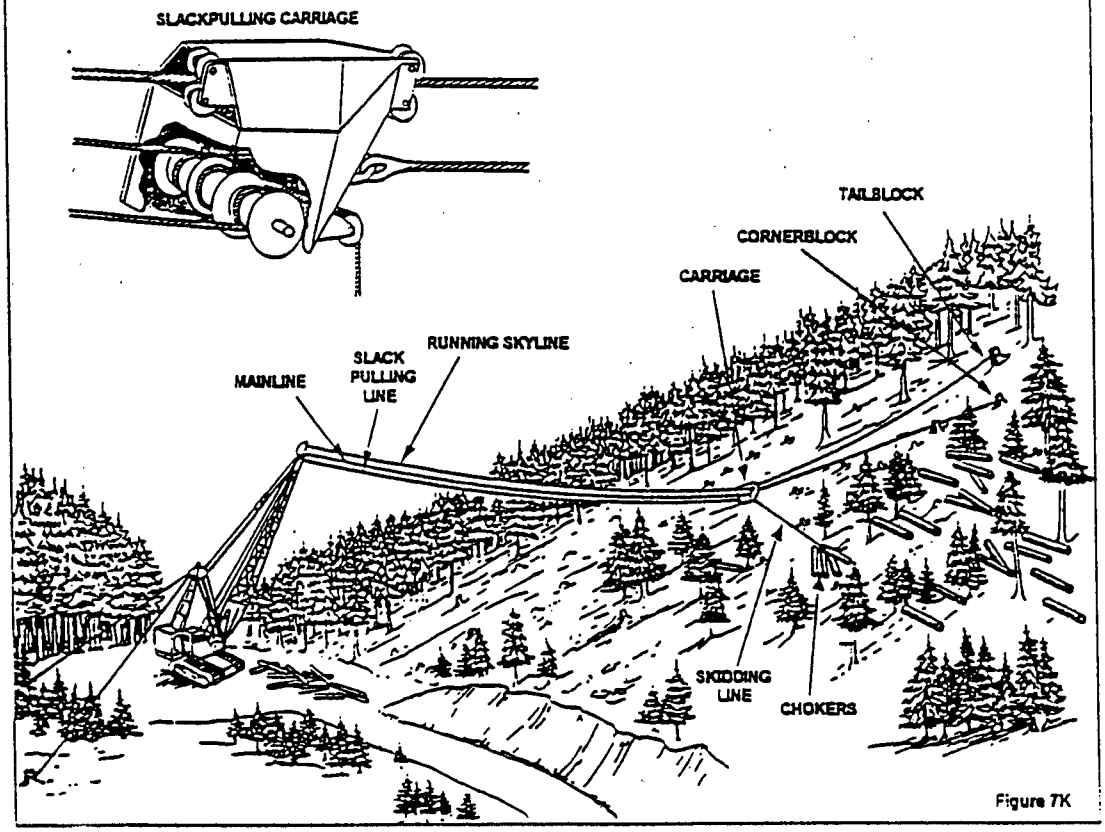

Figure 7K

RUNNING SKYLINE with chokers (GRABINSKI)

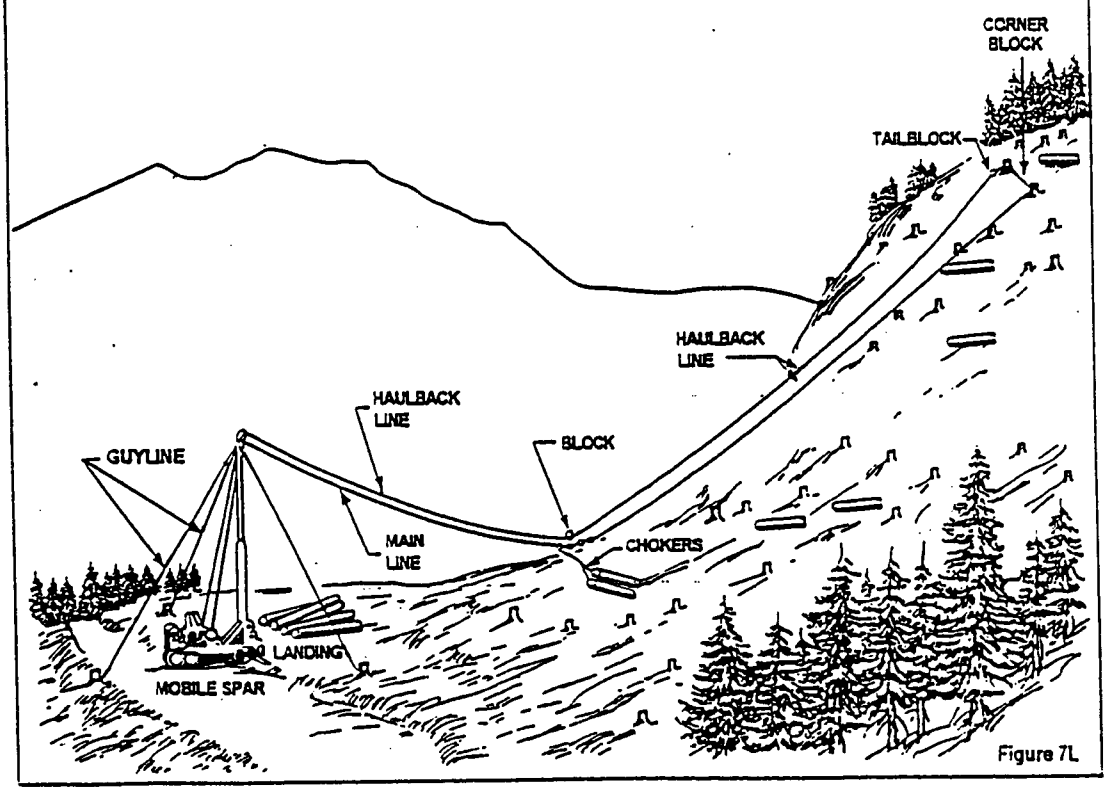

Figure 7L

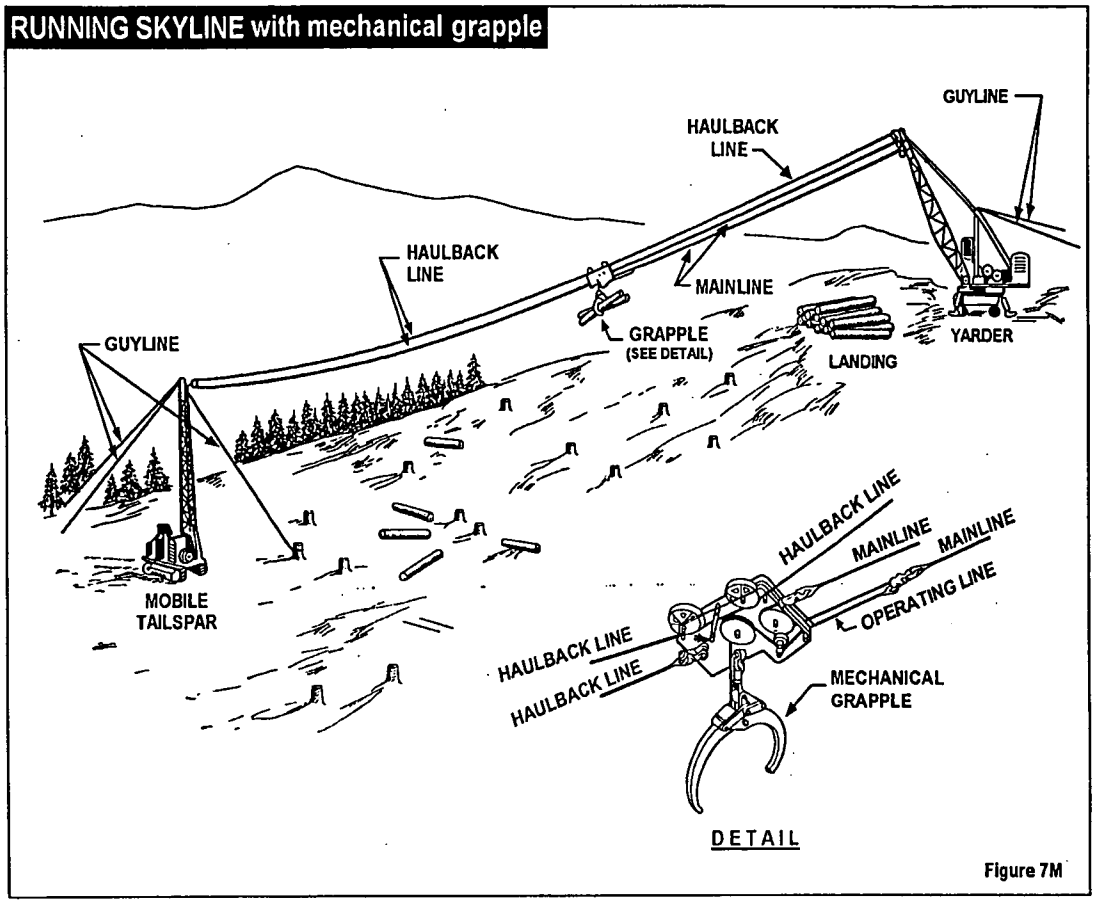

Figure 7M

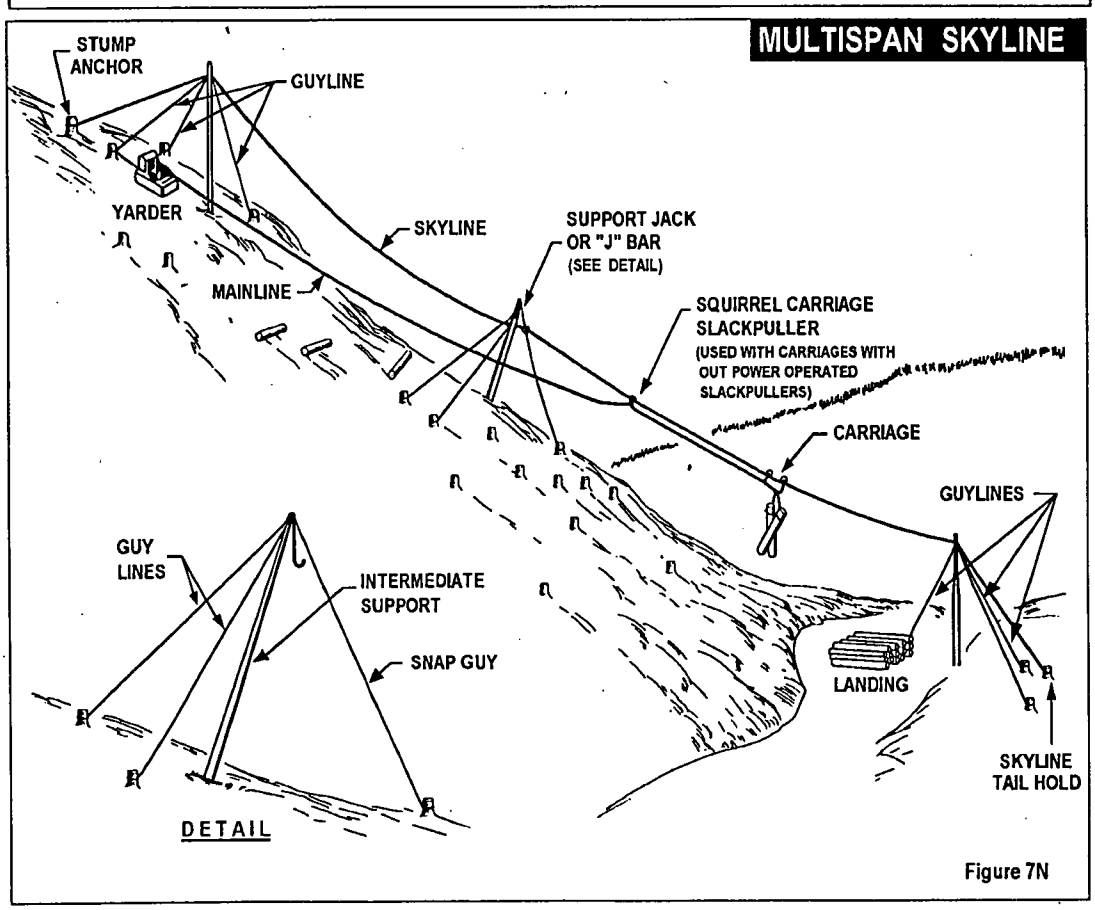

Figure 7N

PERMANENT

BALLOON LOGGING - inverted skyline configuration

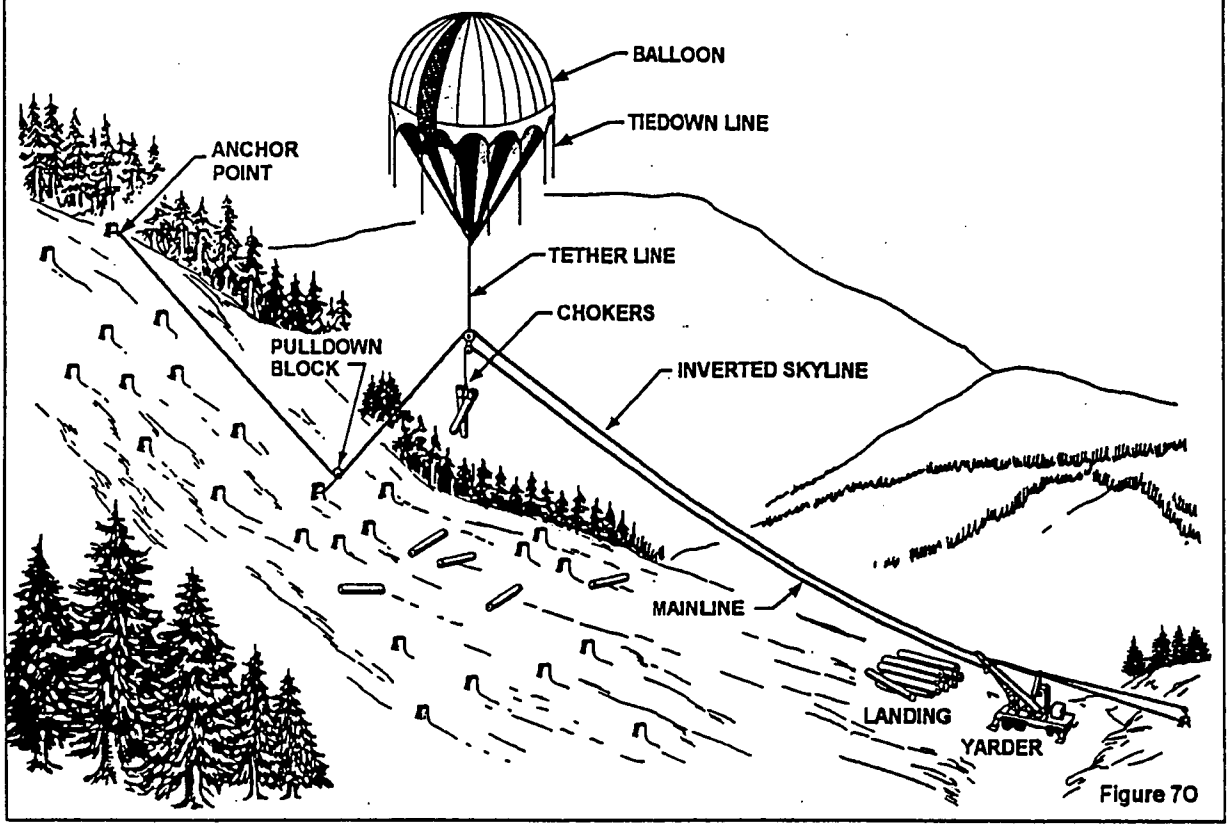

Figure 7O

BALLOON LOGGING - haulback configuration

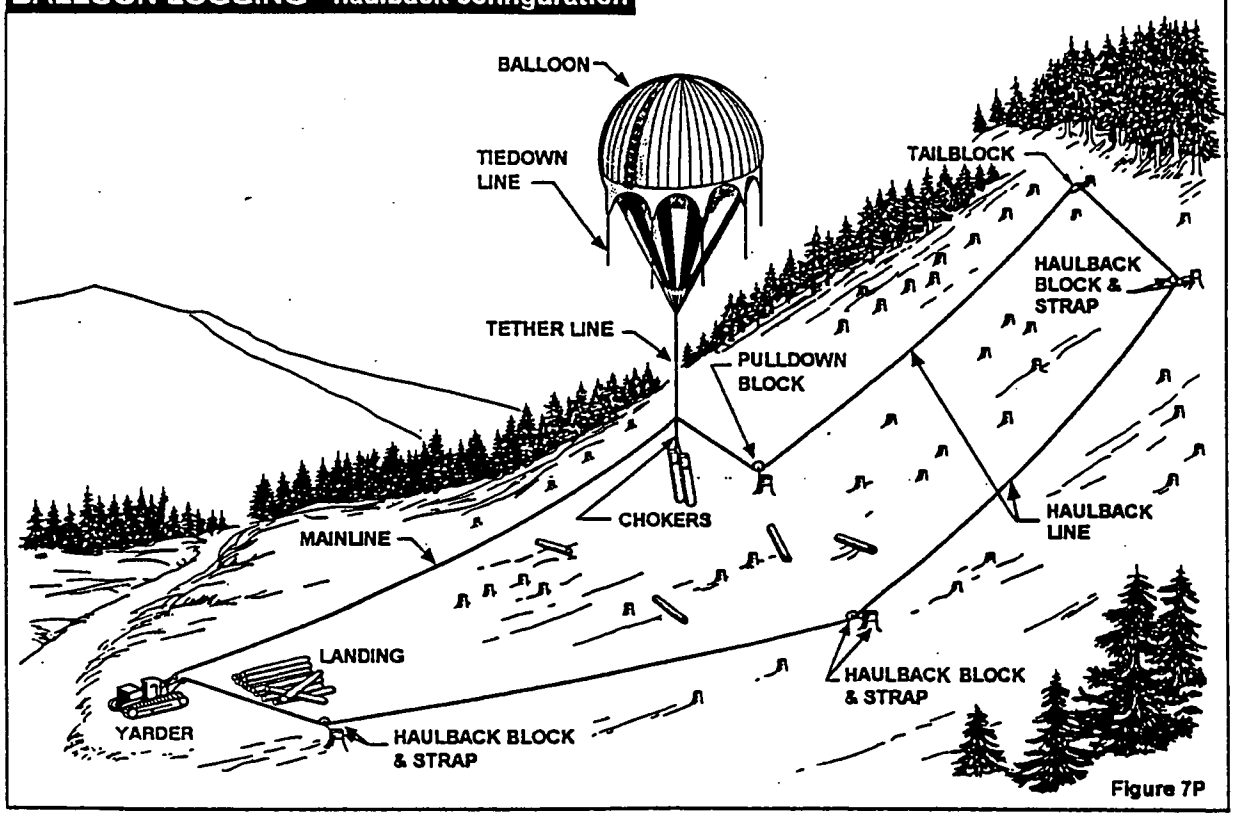

Figure 7P

HIGH LEAD LOGGING WHISTLE SIGNALS
- Means longer spacing between signals.

1 short	Stop all lines.
3 short-3 short	Ahead slow on mainline.
3 short	Ahead on mainline.
2 short	Ahead on haulback.
2 short-2 short	Ahead slow on haulback.
3 short-1 short	Ahead on strawline.
3 short-1 short-3 short	Ahead slow on strawline.
4 short or more	Slack mainline.
2 short-4 short	Slack haulback.
3 short-1 short-4 short	Slack strawline.
3 short-2 short	Standing tight line.
1 short-1 short	Tight line while lines are running, or break if running tight.
3 short	When rigging is in: Strawline back on haulback.
3 short / plus "X" number of shorts	When rigging is in: Indicates number of sections of strawline back on rigging.
3 short-1 short-2 short	Strawline back on rigging.
1 short	When rigging is in: Chaser inspect and repair rigging.
2 short	When rigging is in: No chokers back.
2 short-1 short / plus "X" number of shorts	Number of chokers back.
2 short-4 short	When rigging is in: Slack haulback-hold all lines until 2 short blown.
3 medium	Hooker.
3 medium-4 short	Hooker and ((~~his~~)) that crew.
5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	((~~Man~~)) Person injured, call transportation and stretcher.
1 long-1 short repeated	Fire.
Grabinski system	
2 short-1 short	Slack mainline and haulback together.
2 long	Take off or put on rider block.

Figure 7-Q

SKIDDER WHISTLE SIGNALS
- Means longer spacing between signals.

1 short	Stops moving carriage-stops or goes ahead on slack puller, as case may be, if carriage is stopped.
2 short	Go ahead on skidding line holding carriage.
1 short-2 short	Pick up skidding line, easy.
2 short-1 short	Shake up carriage to clear choker.
2 short-2 short	Ahead on receding line.
3 short	Ahead on carriage, holding at present level, using interlock.
3 short-3 short	Ahead easy on skidding line.
2 short-2 short-2 short	Slack skyline, cable down.
2 short-2 short-2 short-1 short	Pick up skyline, cable up.
2 short-2 short-4 short	Slack receding line.
2 short-4 short	Slack skidding line.
2 short-2 short-1 short	Tighten all lines.
1 short-4 short	Slack off slack puller.
1 short-2 short	Pick up slack puller when slack.
2 short-2 short / plus "X" number of shorts	When carriage is in: Number of chokers wanted.
2 short-2 short-1 long	Bull choker.
1 short	When carriage is in: Inspect butt rigging.
2 short-4 short / 1 short	For each additional ten feet of tong line.
1 long / plus "X" number of shorts	Number of coils of strawline wanted.
5 medium	Tail or second rigger.
5 medium-4 short	Tail or second rigger and ((~~his~~)) that crew.
2 medium	Skidder head rigger.
3 medium-4 short	Hooker and ((~~his~~)) that crew.
2 long	Ahead on transfer.
2 long-4 short	Slack transfer
1 short-3 short	Ahead on carriage with slack puller line.
1 long	Ahead on strawline.
1 long-4 short	Slack strawline.
1 long-3 short	Ahead easy on strawline.
5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	((~~Man~~)) Person injured, call transportation and stretcher.
1 long-1 short repeated	Fire.

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Figure 7-R

SLACKLINE WHISTLE SIGNALS
- Means longer spacing between signals.

2 short-2 short-2 short-1 short	First cable up when road has been changed and tail hold made fast.
2 short-2 short-2 short	Drop skyline.
1 short	Stop any moving line.
1 long	When logging, slack skyline.
2 short	Ahead on skyline.
1 long-2 short	Ahead easy on skyline.
3 short	Ahead on skidding line, holding haulback.
3 short-3 short	Ahead easy on skidding line with slack haulback.
4 short	Slack skidding line.
2 short-2 short / 2 short-2 short	Ahead easy on haulback with slack skidding line.
2 short-2 short	Ahead on haulback.
2 short-2 short-4 short	Slack haulback.
2 short / 3 short	Pick up skyline and skid.
2 short / 2 short-2 short	Pick up skyline and skin.
3 short-1 short	When carriage is in: Strawline back on haulback.
3 short-1 short-2 short	When carriage is in: Strawline back on carriage.
3 short-1 short	When strawline is out: Ahead on strawline.
3 short-2 short	Tight line.
3 short-1 short-4 short	Slack strawline.
3 short-1 short-3 short	Pull easy on strawline.
2 long	Ahead on transfer.
2 long-4 short	Slack transfer.
2 long-2 short-2 short	When carriage is in: Transfer back on carriage.
1 long / plus "X" number of shorts	When carriage is in: Number of coils.
2 short-2 short-1 short / plus "X" number of shorts	When carriage is in: Number of chokers.
1 short	When carriage is in: Inspect rigging, repair and send back.
2 short-2 short-4 short	When carriage is in: Slack haulback and hold all lines until 1 short is blown-then send back.
3 short-3 short	When carriage is in: Send back powder.
5 medium	Tail rigger.
5 medium-4 short	Tail rigger and ((~~his~~)) that crew.
3 medium	Head hooker.
3 medium-4 short	Second hooker and ((~~his~~)) that crew.
5 long	Climber.
4 long	Foreman.
1 long-1 short	Start or stop work.
7 long-2 short	((~~Man~~)) Person injured, call transportation and stretcher.
1 long-1 short repeated	Fire.

Figure 7-S

RUNNING SKYLINE WHISTLE SIGNALS
- Means longer spacing between signals

1 short	Stop all moving lines
2 short	Skin carriage back
2 short-1 short	Slack haulback
2 short-2 short	Skin carriage easy
2 short-3 short	Standing tight line
1 short-2 short	Ahead on drop line
4 short	Slack drop line
1 short-4 short	Slack both mainlines
1 short-1 short	Stop drop line going up and move carriage forward
3 short	Move carriage forward
3 short-3 short	Move carriage forward easy
3 short-1 short	When strawline is out: Ahead on strawline
3 short-1 short-4 short	Slack strawline
3 short	When carriage is in: Strawline
3 short-X short	When carriage is in: Number sections
3 short-1 short-2 short	When carriage is in: Strawline back on carriage
2 short-X short	When carriage is in: Number of chokers
4 short	When carriage is in: Inspect rigging, repair and send back
1 short	When carriage is in: Hold all lines until 2 shorts, then send back
3 medium	Head hooker
3 medium-4 short	Hooker and ((~~his~~)) that crew
4 long	Foreman
1 long-1 short	Start or stop work
7 long-2 short	((~~Man~~)) Person injured; call transportation and stretcher
1 long-1 short (repeated)	Fire
3 short-1 long	Acknowledged by engineer to signify hazardous turn

Figure 7-T

TENSION SYSTEM SIGNALS

4	Release tension
1 short	Stop carriage and start unspooling tong line
1 short	Stop tong line
1 short	Resume unspooling tong line
1 short	Will stop any moving line or slack tong line when carriage is stopped
2 short-2 short	Go into interlock and go back
2 short-4 short	Slack haulback and let carriage down
After turn is set	
2 short	Go ahead on tong line
2 short-3 short	Go ahead easy on tong line
3 short	Go into interlock and take carriage to landing
3 short-3 short	Ahead on carriage easy
1 short-2 short	Increase tension on tong line when carriage is going in
short-1 short	Decrease tension on tong line when carriage is going in

Figure 7-U

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-561 Log loading—General requirements. (1) Loading operators shall have a clear view of the landing and of the cars or trucks being loaded.

(2) Persons shall not ride logs, tongs, grapples or other loading devices.

(3) The use of plain spiked loading hooks without a bell is prohibited for loading logs.

(4) All limbs or knots that would project beyond the stakes or legal height shall be removed before the log is loaded on the car or truck.

(5) When the loading operator is not able to see the loading operation, signals shall be given by a designated person, who shall have a clear view of the operations and shall be visible to the operator. Hand signals used shall be as illustrated in Figure No. 7, following WAC 296-54-565.

(6) Logs shall not be swung or suspended over occupied equipment by loading machines on landings. Persons shall not stand or walk under suspended logs.

(7) No one shall ride loads while cars or trucks are being spotted or dropped, except those whose regular duties require them to do so.

(8) Cars and trucks shall not be moved until the head loader or loading machine operator is positive that all persons are in the clear.

(9) When grapples, trip tongs or similar devices are used in the loading operation, they shall be lowered to the ground whenever the machine is unattended. If the device can tip or fall over, it shall be laid on its side on the ground.

(10) While logs are being loaded, no one shall remain on the load, chain deck or behind the cab protector. Any unattached material shall be removed from the top of the cab protector before the truck is moved from the landing.

(11) To control the movement of a log truck being loaded, a positive audible means of communication shall be established between the truck driver and the loading machine operator. The established means of communication shall be familiar to all employees on the landing and shall include a danger signal to warn employees in case of an emergency. If a movable loader is being used, the loader operator shall sound a warning signal before moving the loader. The signals so used shall be easily distinguishable from other whistle or horn signals used in the landing area.

(12) When signals are used at a landing, reload or deck to control the movement of logging trucks in accordance with subsection (11) of this section, the following signals shall be used:

1 short	Stop
1 short	Ahead
2 shorts	Back
2 shorts then 2 shorts	Wrapper
3 shorts	Check scales
1 long-repeated	Danger
1 long	Loader moving

(13) No person shall be permitted alongside or underneath trucks being loaded or on the load until communication has been established with the loading machine operator and truck driver and assurance has been received that it is safe to be there.

(14) Power saws shall not be operated on top of loaded logging trucks.

(15) Standing underneath a suspended trailer or its reach is prohibited.

(16) The outside bunklogs (bottom tier) shall be loaded tight against the stakes.

(17) Logs shall be loaded in a manner to prevent undue strain on wrappers, binders, bunk stakes and chains or straps.

Note: Logs shall be considered to be "within the stakes" when one-half the log diameter is below the top of the stakes.

(18) Logs in any tier or layer unsecured by stakes or chalk blocks shall be well saddled and have their diameter centers inside the diameter centers of the outer logs of the next lower tier or layer.

(19) Bunk and wing logs shall extend not less than twelve inches beyond the front and rear bunks or stakes. On rigid type bunks, they shall extend not less than six inches beyond the front and rear bunks or stakes.

(20) Double ended logs, above the stakes, shall not be loaded on the side of the load from which the binders or wrappers are intended to be released from.

(21) Logs shall be loaded in a manner that will not impair full and free movement of the truck and trailer.

(22) Each log not contained within the stakes shall be secured with at least two wrappers before the truck leaves the immediate landing area.

(23) Loads or logs shall not be moved or shifted while wrappers and binders are being applied or adjusted.

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(24) Stable loads. Loads shall be built up or loaded in a manner to be stable without the use of wrappers. Wrappers shall be considered only as precautionary measures to ensure stability of the load.

(25) Loading equipment maintained. All loading machines and equipment shall be maintained in a safe condition. The critical parts of such equipment, such as bolts in base plates, etc., that cannot be inspected while in operation, shall be inspected at reasonable intervals by a qualified person when the machine is shutdown. If indications of failure or weakness is noted or suspected, the parts in question shall be examined by an approved method and if found to be defective, shall be repaired or replaced before the equipment is put back into operation.

(26) Tongs pulling out. Where there is a danger of tongs or hooks pulling out of the log, straps shall be used. Tongs may be used on extra-large logs provided the logs are barked and notched to provide a secure hold.

(27) The transport vehicle shall be positioned to provide working clearance between the vehicle and the deck.

(28) Only the loading or unloading machine operator and other personnel the employer demonstrates are essential shall be in the work area during loading and unloading.

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AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-565 Log loading—Self-loading log trucks. (1) A safe means of access and egress shall be provided to the operator's loading work station.

(2) Self-loading log truck operators shall not unload their own load unless a positive means of securing the logs has been provided when binders and wrappers are removed.

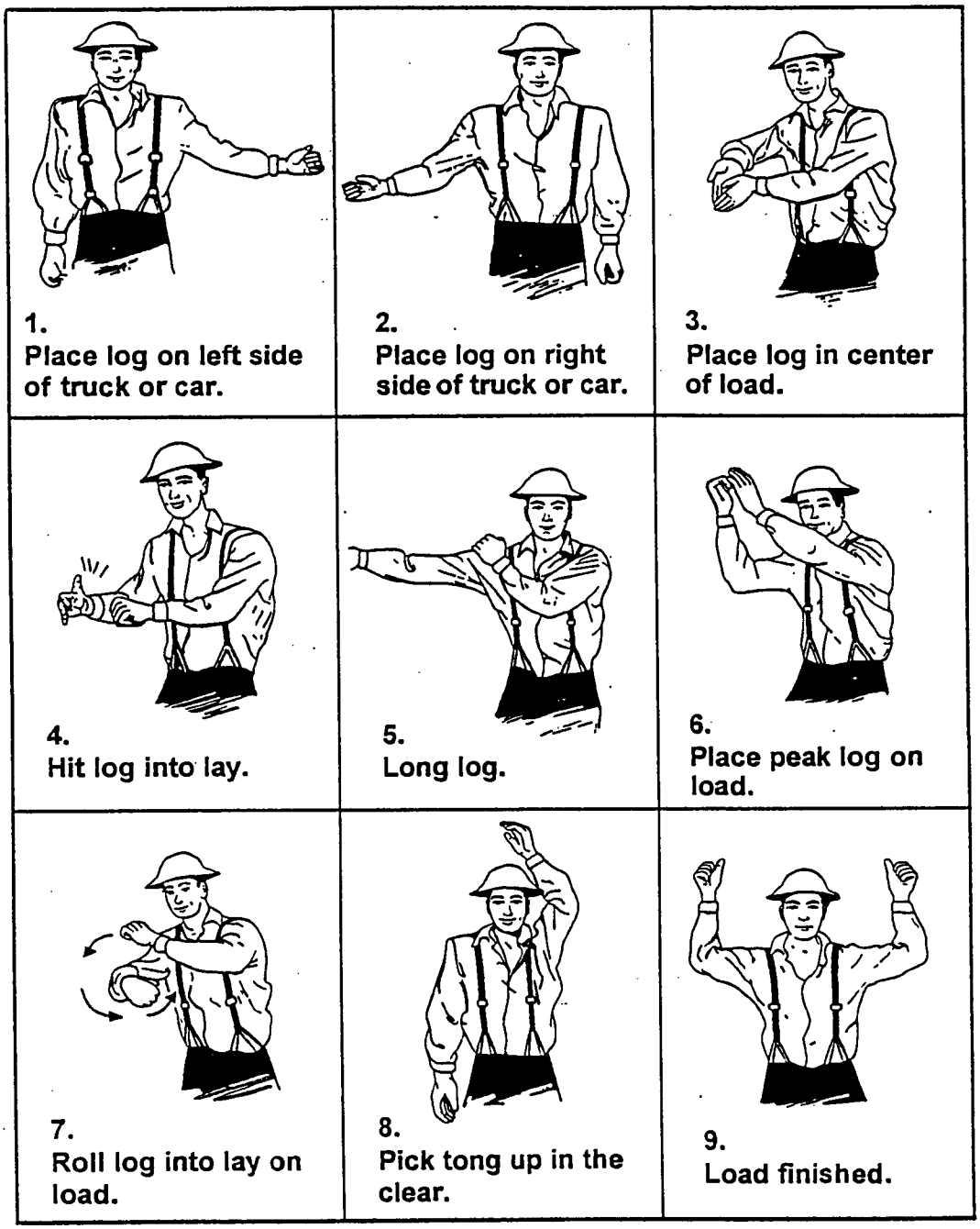
(3) New self-loading log trucks purchased and put in operation after January 1, 1980, shall be equipped with:

(a) A check valve installed on the jib boom; and

(b) A seat that is offset from the point of attachment of the boom. The seat and boom structure shall rotate concurrently.

(4) The operator of a self-loading log truck shall not heel the log over ((~~his head~~)) the operator's work station.

STANDARD SIGNALS for LOADING LOGS



AMENDATORY SECTION (Amending Order 81-3, filed 2/10/81)

WAC 296-54-567 Motor truck log transportation—General requirements. (1) Prior to use, the operator shall make a complete daily inspection of the truck and trailer with particular attention to steering apparatus, lights and reflectors, brake boosters, brake hoses and connections, reaches, and hitches (couplings). The brakes shall be tested before and after movement of the vehicle. The operator shall submit a written list of necessary repairs to a person designated by the employer.

(2) Any defective parts that would make the vehicle unsafe to operate, shall be replaced or repaired before the vehicle is placed in service.

(3) All motor vehicles operated on public roads shall comply with the rules of the regulatory body having jurisdiction. Motor vehicles used on roads not under the control of the state department of transportation, counties or cities shall be equipped with accessories necessary for a safe operation including operable head lamps and at least two tail lamps and brake lamps which shall emit a red light plainly visible from a distance of one thousand feet to the rear and shall also have two reflectors visible at night from three hundred

fifty feet when directly in front of properly adjusted motor vehicle head lamps.

(4) Truck tires worn beyond a point of safety or not meeting the safety requirements of the jurisdiction having authority as to tread wear and tire conditions, shall not be used.

(5) The driver shall do everything reasonably possible to keep ((~~his~~)) the truck under control at all times and shall not operate in excess of a speed at which ((~~he~~)) the driver can stop the truck in one-half the distance between ((~~him and~~)) the range of unobstructed vision.

(6) The area between the truck frame members, extending from the cab rearward as far as necessary to provide a safe work area, shall be covered with suitable nonslip type material. Log trucks which have logs scaled at stations shall be provided with a platform on each side extending outward from the frame members at least eighteen inches, and shall be eighteen inches long or as near this dimension as the design of the truck will permit. The treading surface of the platforms shall be of nonslip type material and the platform shall be capable of safely supporting a five hundred pound load.

(7) To protect the operator of vehicles from loads, a substantial bulkhead shall be provided behind the cab which shall extend up to the height of the cab.

(8) If logs must be scaled or branded while the loading operation is being carried on, the loading operation shall cease while the scaling or branding is being done so that the scaler or person doing the branding is not subjected to any hazards created by the loading operation.

(9) When at the dump or reload or where logs are scaled or branded on the truck, the logs shall be scaled or branded before the binders are released.

(10) All vehicles, where vision of the operator in the direction of travel is impaired by the load or vehicle, shall be moved only on a signal from a worker who shall have a clear view in the direction in which the vehicle is to be moved.

(11) Where a bridge or other roadway structure is posted with a load limit sign, log truck drivers or operators of other heavy equipment are prohibited from driving a load in excess of the posted limit over such structure.

(12) Persons shall be allowed to ride only when in the cab of the log truck.

(13) All trucks shall keep to the right side of the road except where the road is plainly and adequately posted for left side travel.

(14) A method shall be provided to assure that the trailer will remain mounted on the truck while driving on highways or logging roads.

(15) When trucks are towed on any road, the person guiding the vehicle being towed shall, by prearranged signals, govern the speed of travel. The towing of vehicles shall be done at a reasonable speed and in a prudent manner. A tow cable or chain over fifteen feet in length shall have a white flag affixed at the approximate center, however, it is recommended that a rigid tow bar be used for this purpose.

(16) All air lines, air chambers and systems shall be free of leaks and be able to maintain air pressure on constant brake application with the motor shut-off for one minute, or air pressure does not drop more than 4 p.s.i. in one minute with the engine running at idling speed and the service brake applied.

(17) All rubber-tired motor vehicles shall be equipped with fenders. Mud flaps may be used in lieu of fenders whenever the motor vehicle is not designed for fenders.

(18) Seat belts and anchorages meeting the requirements of 49 CFR Part 571 (D.O.T. Federal Motor Vehicle Safety Standards) shall be installed and used in all motor vehicles.

(19) All trucks shall be equipped with doors with operable latches, or a safety bar or strap shall be provided in lieu of the door.

(20) All trucks shall be equipped with a means to protect the operator from inclement weather.

(21) Log trucks shall not approach a landing while there is danger from incoming logs.

(22) Log truck drivers shall stop their vehicle, dismount, check and tighten loose load wrappers and binders, either just before or immediately after leaving a private road to enter a public road. While enroute, the operator shall check and tighten the wrappers/tie downs whenever there is reason to believe that the wrappers/tie downs have loosened or the load has shifted.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-575 Motor truck log transportation—Stakes, stake extensions and chock blocks. (1) Trucks and trailers shall be equipped with bunk stakes or chock blocks of strength and sized material to perform their intended function.

(2) Stake extensions shall not be used unless all component parts of the bunking system are of sufficient size and strength to support the added stresses involved. Stake extensions shall be secured by safety chains or other devices to prevent their accidental displacement.

(3) The linkage used to support the stakes or chocks must be of adequate size and strength to withstand the maximum imposed impact load. Molles or cold shuts are prohibited in chains or cables used for linkage.

(4) Stake chains or cables shall be equal to or better than "high test" steel chain or "plow steel" wire rope, and shall be of a size necessary to meet the requirements of a safe working load of not less than six thousand six hundred pounds. (3/8-inch alloy chain, 7/16-inch high test chain of welded link construction, and 5/8 inch improved plow steel cable in 6 x 19 and 6 x 37 construction meet this requirement.)

(5) Bunk chains containing cut, cracked, excessively worn, or otherwise defective links, shall be immediately removed from service. Molles, cold-shuts (welded or otherwise), or bolts are not permitted in bunk chains.

(6) The use of frayed, stranded, or otherwise defective wire rope for chock block cable or stake straps is prohibited.

(7) Only chain links approved for welding (and properly welded) or approved repair links which will develop a strength equivalent to the chain, are permissible for repairs or attachments to stake chains or binder chains.

(8) Chains or cables used to secure stakes or chock blocks shall be secured in a manner which will not necessitate hammering directly on them to release the stakes or

blocks. Keyhole slots and similar methods of securing chains are prohibited.

(9) Deformed or defective stakes, stake securing or stake locking devices, or bunks shall be immediately repaired or removed from service.

(10) Each stake and chock which is used to trip loads shall be so constructed that the tripping mechanism is activated on the side opposite the release of the load.

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-593 Dry land sorting and storage. (1) Unauthorized foot and vehicle traffic shall not be permitted in the sorting or storage area.

(2) Logs shall be stored in a safe and orderly manner. Roadways and traffic lanes shall be kept clear of protruding ends of logs and debris.

(3) Dry deck log storage areas shall be kept orderly and maintained in a condition conducive to safe operation of mobile equipment. Roadways and walkways shall have a smooth hard-packed surface wide enough to permit a safe operation. Bark, mud, and other debris shall not be allowed to accumulate to the extent it constitutes a hazard to the operation.

(4) At log dumps, sorting and storage areas, an effective means shall be provided and used to control dust.

(5) Only an authorized person shall operate or ride any lift truck, log stacker, or log unloader.

(6) Signaling log unloader operators at dry deck areas by throwing bark or chips in the air is prohibited. Hand, horn signals or other safe, effective means shall be used at all times.

(7) Unnecessary talking to operator while engaged in operating controls of log stacker or log unloader is forbidden.

(8) Lift forks and arms of unloading machines shall be lowered to their lowest position, and all equipment brakes set prior to the operator leaving ((~~his~~)) the machine unattended.

(9) Log unloaders or stackers shall not be moved about the premises for distances greater than absolutely necessary with the lift extended above the drivers head or with loads lifted higher than is necessary for vision.

(10) When truck drivers are out of the cab, they shall be in the clear, and in view of the log unloader before the lift forks are moved under the load and the lift is made.

(11) Where logs are offloaded onto a dry deck by means of unloading lines, a mechanism shall be used which is self-releasing. Employees shall be prohibited from ascending dry decks to release unloading lines.

(12) Persons shall not position themselves in the hazardous area near or under loads of logs being lifted, moved or suspended.

(13) Jackets or vests of fluorescent or other high visibility material shall be worn by persons working on dry land log storages. Hard hats shall be of a contrasting color or shall have high visibility tape affixed thereon.

(14) Log unloaders and log stackers designed in a manner whereby logs being handled may jeopardize the safety of the operator shall be provided with overhead protection and any other safeguards needed to afford adequate protection.

(15) Log unloaders and log stackers shall be equipped with a horn or other audible warning device. If vision is impaired or restricted to the rear, the warning device shall be sounded before operating the vehicle in reverse gear and sounded intermittently during the entire backing operation. The warning device shall be maintained in an operative condition.

(16) Each log-handling machine shall be equipped with a braking system which is capable of stopping and holding the machine with maximum load on any grade on which it may be required to work.

(17) A limit stop, which will prevent the lift arms from over-traveling, shall be installed on electric powered log unloaders.

(18) Shear guards shall be installed on unloading machines and similar types of equipment on which the arms pivot and move alongside the operator creating a pinch point at that location.

(19) All forklift type machines shall be equipped with grapple arms and the arms shall be used whenever logs are being moved.

(20) When log trucks are loaded by the use of a log stacker and the lay of any log is higher than the stakes, the log stacker shall remain against the completed load, or other suitable protection provided, to prevent the logs from falling until at least two wrappers and binders have been applied.

(21) All binders and wrappers shall remain on the load until an approved safeguard has been provided to prevent logs from rolling off the side of the truck or trailer when binders are released. A shear log, or equivalent means, shall be provided to ensure the log truck will be stationed close enough to the wrapper rack so that a log cannot fall between the log truck and the wrapper rack when removing binders and wrappers. At least one binder shall remain secured while relocating or tightening other binders. Crotch lines, forklifts, log stackers, log unloaders, or other effective means shall be used for this purpose.

(22) An extra wrapper or metal band of equal strength shall be placed to hold the logs when it is necessary to remove a wrapper to prevent it from being fouled by the unloading machine.

(23) Machines of the type having arms which block the regular exit when in the up position, shall have an emergency exit installed.

(24) Seat provided. Riding on any part of a log handling machine except under the canopy guard is prohibited.

(25) Identification tags shall not be applied or pulled unless logs are resting in a stationary place, such as bunks, cradles, skids, or sorting tables.

(26) No person shall approach the immediate vicinity of a forklift-type log handling machine without first notifying the operator of ((~~his~~)) the person's intention and receiving an acknowledgement from the operator.

(27) When forklift-type machines are used to load, unload, or handle trailers, a positive means of holding the lifting attachment to the fork shall be installed and used.

(28) When dry land log dumps use unloading methods similar to those of water dumps, the safety standards for water dumps shall apply to dry land dumps.

(29) When logs are handled between the hours of sunset and sunrise or other periods of poor visibility, illumination shall be provided consistent with chapter 296-62 WAC,

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general occupational health standards, pertaining to illumination.

(30) Air operated stake releases shall be in conformity with the following requirements:

(a) The air supply shall be taken from the "wet" air reservoir or from the accessory air line to a spring loaded, normally closed control valve.

(b) The control valve shall be located in the cab, positioned so that it is accessible only from the operator's position.

(c) The control valve shall be fitted with a spring loaded cover or be otherwise guarded against inadvertent operation.

(d) A separate air line shall extend from the control valve to the tractor and trailer stake release chambers. The air line shall be clearly identified or installed in such a manner as to preclude it from being mistaken for the service or emergency air line.

(31) Each deck shall be constructed and located so it is stable and provides each employee with enough room to safely move and work in the area.

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AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-595 Railroad operations. (1) All persons employed in any service on trains or rail operations, which are not engaged in interstate commerce, are subject to and shall be conversant with all rules and special instructions.

(2) Employees must render every assistance in their power in carrying out these rules and special instructions and must report to the proper official any violation thereof.

(3) Accidents, detention of trains or speeders, failure in supply of fuel or water, defects in track, bridges, or signals, must be properly reported to the supervisor by the quickest possible method.

(4) Any logging railroad may maintain a special set of operating rules applicable to their operation, provided that said rules are acceptable to the division of industrial safety and health, department of labor and industries.

(5) Each logging railroad operation which has more than one piece of railroad equipment in operation, must have a dispatcher on duty. All equipment must receive clearance from dispatcher.

(6) Train crew size shall be dependent upon the number of persons needed to safely operate the train under all prevailing conditions; however, when necessary to set hand brakes, two or more persons shall be assigned to set the brakes and give signals.

(7) All locomotives shall be equipped with sanding devices for both rails, front and rear, in proper working order. Clean, dry sand should be used.

(8) Locomotives shall be equipped with power brakes (air or steam) on all driving wheels. Tenders also shall have power brakes.

(9) All locomotives and speeders, operating between sunset and sunrise or other periods of reduced visibility, shall be equipped with and use head lights which shine in the direction of travel. The lights shall be of sufficient candlepower so the train can be stopped within range of the light beam. Cab lights shall be provided and maintained so the operators can see from their required positions the gauges and equipment necessary for operation.

(10) All locomotives shall be equipped with proper grab irons, hand holds, steps, and running boards.

(11) All locomotives shall be equipped with automatic couplers, suitable for low or high draw-bars.

(12) On all rolling stock, wheels which have sharp or badly worn flanges, shall be replaced. Avoid the use of flat wheels.

(13) All locomotives with tender shall have an apron of proper length and width to insure safety and which shall be roughened to insure secure footing.

(14) Handholds and footboards shall be provided on locomotive cranes, except where cab overhangs end of car.

(15) Trains and speeders shall not exceed a safe speed.

(16) A terminal test of air brakes shall be made by trainmen before leaving the terminal. Enginemen shall not proceed until they are satisfied by brake action that brakes are able to control the train.

(17) All of the cars in a train shall have their brakes in good operating condition.

(18) On railroads where joint operations of two or more firms are necessary, trains shall not be dispatched less than fifteen minutes apart. Red lights shall be displayed on the rear of such trains at night or when visibility is poor.

(19) Whenever cars are left on grades, derailers shall be provided. Derail signs shall be placed near derailers. In setting out equipment, care shall be used in seeing that proper clearance is provided.

(20) Standard pressure for mountain grades requires a pressure of ninety pounds in train pipe, one hundred ten pounds in main reservoirs (low pressure) and one hundred thirty pounds in high pressure to insure quick releasing of brakes and recharging of auxiliaries. Engineer shall see that ((~~his~~)) the engine carries these pressures and that sanders, both forward and rear, are in working order. On all heavy grades the high pressure retaining valve must be used and before train is started from landing, a test of brakes must be made and piston travel adjusted, if necessary, and retaining valves put up. Engineer shall start train away from landing slowly, giving wheels a chance to roll before applying brakes and, to avoid skidding of wheels, using sand freely. Brakes should then be applied immediately and released, allowing the retaining valves to hold the train while train pipe and auxiliaries are being recharged. Train speed should be held to the required rate by setting and releasing brakes as it is necessary to control train.

(21) When it is necessary to leave loads on pass while switching a side, loads must be left close to derailer, air set and sufficient hand brakes set up, before cutting engine from train.

(22) ((~~Enginemen~~)) Engineer must see car or ((~~signalman~~)) signal person when making couplings, giving ((~~trainmen~~)) train crew ample time to align drawheads and open knuckles of coupler, especially on curves, except when using radios.

(23) Drawbars should not be aligned with the foot while cars or engines are in motion. ((~~Trainmen~~)) Train crew shall not climb between cars while in motion. ((~~Enginemen~~)) Engineers shall not drift too close to switches which are to be thrown. Position of switch points should always be observed after throwing switch. Switch lever should be

pushed firmly into the notch before leaving the switch. No persons except trainmen, unless authorized, shall ride on engine foot-boards. No object shall be thrown from train or engine while in motion. Bell shall be rung or whistle blown, before moving locomotive.

(24) No equipment shall be pushed ahead of locomotive unless a ((~~brakeman~~)) brake tender is on head car in constant view of engineer or second ((~~brakeman~~)) brake tender in position to intercept and pass signal to engineer.

(25) In addition to air brakes, hand brakes must be provided on all cars and maintained in good working order.

(26) Hand brakes must be easily accessible to ((~~brakemen~~)) brake tenders when cars are loaded. When wheels or staff brakes are used they should be placed on the side opposite the brow log at the dump to prevent their damage when cars are unloaded. All switch throws, walkways and cleared areas for ((~~brakemen~~)) brake tenders shall be on the hand brake side.

(27) All brake hickeys shall be made from three-fourths inch hexagon steel (high grade) and be twenty-four inches with a good claw on one end to fit the wheel and a knob on opposite end to prevent slipping from brakeman's hand.

(28) All railroad trucks and cars, where brakes are set by hand while in motion, shall have good footboards and toeboards on the brake end.

(29) A ten inch bunk block is recommended on all trucks to prevent logs from slipping over block.

(30) All cars other than logging trucks must have hand hold and foot steps to permit persons to get on and off easily and safely.

(31) All cars and trucks regularly operated must have automatic couplers.

(32) Locomotives and cabooses shall carry the following equipment:

1 red light (lantern type)
3 red flags
At least 3 fuses

(33) When a train stops between telephones, or where the rear of a train extends beyond yard limits, the rear of the train must be properly protected.

(34) Whistle sign board shall be placed one thousand two hundred feet from each side of highway crossings.

(35) A rail clamp shall be placed to hold cars left on a grade on main line or spurs.

(36) All cars and trucks shall be legibly numbered so that those with defects may be reported and taken out of service. Each locomotive, speeder, or other self-propelled vehicles shall be numbered, or otherwise made readily identifiable.

(37) All cars used for hauling logs shall be equipped with patent stake bunks, or bunks with chock blocks and/or chains, so constructed that block can be released from opposite end of bunk unless solid stakes are used.

(38) All main line trains of more than ten loaded cars shall have a caboose at the rear of the train.

(39) All operations having both truck roads and railroads, shall post signs at intersections same as public crossings.

Engine whistle signals. The following engine whistle signals are established as standard and are taken from the American Association of Railroads. The signals prescribed are illustrated by "o" for short sounds and "-" for long sounds. Audible whistle shall be sounded when approaching camps, junctions, grade crossings and other prescribed places in conformity with the American Association of Railroads:

One short	(o) Stop, apply brakes.
Two long	(—) Release brakes.
Three long	(—-) When running, train parted, to be repeated until answered by hand signal.
Two short	(oo) Answer to any signals not otherwise provided for.
Three short	(ooo) When train is standing back.
Four short	(oooo) Call for signals.
Two long, two short	(—oo) Approaching highway crossing at grade.
One long	(-) Approaching station, rollway, chute, crossing, junctions, and derailers. When standing, air leak.
Six long	(— — — —) Repeated at intervals, call for section ((~~men~~)) crew, train derailed.
One long, three short	(-ooo) ((~~Flagman~~)) Flagger to go back and protect rear of train.
Four long	(——) Foreman.
Five long	(— — -) ((~~Flagman~~)) Flagger to return from any direction.
Long, short	(-o-o-o) Repeated four or more times, fire alarm.
Seven long, two short	(— — — —-oo) Repeated, ((~~man~~)) person hurt.
One long, one short	(-o) Repeated at intervals, closing down.
Groups of shorts repeated	(ooooooo) Danger of runaway.

Unnecessary use of whistle is prohibited.

AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-597 Railroad maintenance—Loading or unloading. (1) Track gangs, bridge crews, etc., when working on railroads in use shall place a yellow caution flag by day and a yellow lantern by night a sufficient distance both directions from the crew to protect them against approaching equipment. The operator of said equipment shall acknowledge the signal by two short blasts of the whistle or horn and proceed with caution.

When said crews are removing or replacing a rail or are performing any other work that would make it necessary for approaching equipment to come to a stop, they shall place a red flag by day and a red lantern by night in the center of the track a sufficient distance in both directions from the crew to protect them against said equipment. The operator of approaching equipment shall acknowledge the signal by one short blast of the whistle or horn and shall come to a dead stop and remain standing until the signal is removed by

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the person who placed it, or until investigation proves that the track is safe for passage. If a ((~~flagman~~)) flagger is used, the above provision need not apply.

(2) Where clearance is scant, warning signs or signals shall be posted.

(3) Switch throws should be kept well oiled and targets and signs in good legible condition.

(4) Standard clearances shall be maintained at all points on the right of way except where necessarily restricted where loading or unloading operations are performed or at water tanks, fuel tanks, etc. Warning signs shall be posted at all such locations.

(5) Whenever ((~~workmen~~)) workers are repairing, working on or in railroad equipment, loading or unloading cars or performing other duties where there is danger of the railroad equipment being struck by other moving railroad equipment; proper means, methods or safeguards shall be used to protect such ((~~workmen~~)) workers. A derail shall be used to prevent other rail equipment from contacting such cars or equipment or endangering the ((~~workmen~~)) work crew. After cars are spotted, blue flags shall be placed in the center of the tracks at least fifty feet from the end car during the day and blue lights shall be installed at such locations at night. Flags, lanterns and derails shall be removed only by the person placing them unless they are to remain posted for a longer period of time, in which case one person on each oncoming shift shall be responsible to ascertain that they are in place and ((~~he~~)) they shall not remove such safeguards until ((~~he~~)) that person investigates to make certain all persons are in the clear. Operators of approaching equipment shall not pass or remove a flag or lantern which is properly posted. Cars or other equipment shall not be placed where it will obscure the signal from an operator controlling approaching equipment.

PERMANENT

AMENDATORY SECTION (Amending Order 80-15, filed 8/20/80)

WAC 296-54-601 Signals and signal systems. (1) Standard hand or whistle signals as described or illustrated herein, shall be used for the movement of rigging, logs, or equipment when using a high lead, slackline, or cable skidder system for yarding. For hand signal illustrations, see Figure 4.

(2) Voice communications may be used for yarding under the following conditions:

(a) Voice communications by use of radio frequencies may be used to transmit instructions and directions to the yarder operator when using a grapple type logging system, providing no person is in a hazardous area near live rigging.

(b) Voice communication may be used to instruct the yarder operator when picking up an occasional log with the use of a choker on a grapple system, providing the grapple is on the ground prior to the setting of the choker and that no lines are moved by the operator until the person setting the choker has returned to a safe location away from any running lines. At no time shall chokers be used on the grapple system during the hours of darkness or during periods of reduced visibility to such extent that the yarder operator cannot clearly see the ((~~workmen~~)) setting of the choker. When a number of logs are required to be yarded by using chokers instead of the grapple, the requirements specified for high lead type of logging shall apply.

(c) Voice communications by use of radio frequencies may be used to transmit instructions and directions to the yarder operator when using a balloon system for yarding. The person operating the radio shall ascertain that all crew members are in the clear before transmitting instructions which would cause any line or turn to move. The person giving such instructions shall keep the crew members informed as to which movements will commence. The whistle shall be blown before moving any running line.

(d) The Federal Communications Commission rules require that assigned call letters be used in conjunction with voice communications.

(3) Voice communications on the same radio frequencies used to transmit skyline, highlead, slackline, or skidder whistle signals (154.57 and 154.60 MHz channels), shall be prohibited.

Note: If voice is received on 154.57 or 154.60 MHz channels, it is recommended the Assistant Director, Department of Labor and Industries, ((~~Division of Industrial Safety and Health,~~)) P.O. Box ((~~207, Olympia, Washington 98504, (Phone 360/753-6500)~~)) 44650, Olympia, Washington 98504-4650 (phone (360) 902-5428) be contacted as soon as possible to enable the department to ascertain the source of the voice transmission.

(4) If a standard signal is not listed for an unusual or new situation, a hand or whistle signal other than any listed for the type of yarding being done may be used for the specific situation only. Any special signals so developed shall be understood by all persons required to work in the area which may be affected by their use.

(5) A copy of the standard hand and whistle signals shall be posted on the yarder and at places where crews congregate. For tractor logging operations, hand signals shall be posted at places frequented by the crew members such as in crew buses, etc.

(6) Only one ((~~workman~~)) person in any crew shall give signals at the point where chokers are being set. Any person is authorized to give a stop signal when a ((~~workman~~)) person is in danger or other emergency condition is apparent.

(7) Hand signals are permitted only when the signal person is in plain sight of the machine operator and when visibility is such that the signals are discernible. Hand signals may be used at any time as an emergency stop signal.

(8) Throwing of any type of material as a signal is prohibited.

(9) The use of a jerk wire signal system for any type of yarding operation is prohibited.

(10) All persons shall be in the clear before any signal is given to move the rigging, logs, or turns, and movement of rigging, logs, or turns shall not commence until after the proper signals have been given.

(11) Machine operators shall not move any line unless the signal received is clear and distinct. If in doubt, the operator shall repeat the signal as understood and wait for confirmation.

(12) A horn or whistle which is automatically activated by the radio or electric signaling system shall be used on each yarder used for skyline, high lead, skidder or slackline system of yarding, except where hand signals are permissible. The horn or whistle shall emit a sound which will be

clearly audible to all persons in the affected area. Such a horn or whistle shall also be required on combination yarding and loading machines and tree pullers. Audible signals are not necessary on grapple or other yarding systems where persons are not exposed to the movement of logs or rigging.

(13) Each unit of the signal or control system in use, shall be tested daily before operations begin. Audible signals used for test purposes shall not include signals used for the movement of lines or materials.

(14) Citizen band (CB) radios shall not be used to activate any signal, machine, or process, either automatically or by voice. This shall not prohibit the use of CB radios for communication between sides, vehicles, work units, or for emergency situations.

(15) When audible whistle signals are being used simultaneously by yarding and loading machines at a landing, signal whistle or horn tones used in connection with machine movements shall be so differentiated as to distinctively identify any intended work movement of either machine.

AMENDATORY SECTION (Amending Order 88-25, filed 11/14/88)

WAC 296-54-605 Radio systems used for voice communication, activation of audible signals, or equipment. (1) Every employer who uses a radio signaling or control system (voice or functions) shall comply with or exceed the minimum requirements specified in this section.

(2) A valid operating permit shall be obtained by the owner from the ((~~division of industrial safety and health,~~)) department of labor and industries, prior to putting into use any radio signaling or control system (voice or functions) intended to be used in conjunction with any type of cable logging operation. Permits will be issued only for systems licensed for such use and using those carrier frequencies as authorized by the Federal Communications Commission. In addition, permits will be granted only when tone or function frequencies are compatible with other radio systems in use and when in compliance with all other applicable requirements contained in this safety standard.

(3) The ((~~division of industrial safety and health~~)) department of labor and industries reserves the right to designate the use of radio frequencies for certain purposes or functions, for example, certain frequencies may be used for voice transmission of instruction, others for tone coded functions, or activation of signaling devices. No single tone sets shall be permitted for logging purposes. The ((~~division~~)) department may also designate which tone frequencies may be used for the activation of a signaling device or for control of equipment on certain federal communication assigned carrier frequencies.

(4) A list of tone frequencies which may be used with any Federal Communications Commission assigned carrier frequencies will be made available by the ((~~division of industrial safety and health~~)) department to any interested person, firm, or corporation upon request.

(5) The ((~~division of industrial safety and health~~)) department shall assign the area or areas in which a radio signaling system may be used and shall so mark on the permit. Radio signaling systems shall not be used in any area other than indicated on the permit. (See Figure 10 for map of areas.)

(6) The person or firm name on the permit shall be the same as the person or firm operating the radio signaling system except for loaner or rental sets. A person or firm using a loaner or rental set shall be responsible for the radio signal system as if they were the owner of the set. The application for a permit to use a radio signaling system shall contain the following information:

(a) Name and address of applicant.

(b) The radio frequencies of the radio signaling device in MHz.

(c) The tone frequency or frequencies of the radio signaling system used to activate a horn, whistle, or control equipment in Hz. The security gate, or pulse tone, shall be shown first.

(d) The name of the manufacturer of the radio signaling system.

(e) The serial number of the receiving unit.

(f) The state assigned area or location in which the unit will operate.

(g) Indicate type of signaling used.

(h) From whom the system was purchased or acquired, and the date of acquisition of the system.

(i) Intended use and function of system.

(7) The permit granted by the department shall be attached to the case of the receiver of the radio signaling system for which it is granted.

(8) Each radio receiver shall have its radio carrier frequency in MHz and tone frequency(s) in Hz indicated on the outside case of the receiver. The manufacturer's name and serial number shall also be permanently indicated on the outside of the case. When the duration or width of the tone frequencies performs a function, the one duration/width shall also be permanently indicated on the outside of the receiver case. Each transmitter shall be identified with its receiver. Two or more receivers in operation simultaneously on the same tone frequency shall be prohibited.

(9) It shall be the responsibility of the owner of any radio signaling system to notify the ((~~division of industrial safety and health,~~)) department of labor and industries, immediately, if the signal system is:

(a) Permanently retired (in what manner and date retired).

(b) Sold (submit name and address of purchaser and date sold).

(c) Removed from the state (name of state to which moved and date moved).

(d) Stolen (date).

(10) Two operable transmitters shall be carried by separate individuals at the point where chokers are being set at all times when transmitters are being used for tone signaling by persons around the live rigging in the choker setting area. Only one radio transmitter shall be required if in the possession of a signalperson who has no other duties and remains in an area where there are no hazards created by the moving rigging or logs. If the total crew consists of a yarder operator and one person in the rigging, only one transmitter is required provided a positive system is instituted and used to check on the well-being of the person in the rigging.

PERMANENT

(11) When interference, overlap, fadeout, or blackout of radio signals is encountered, the use of the device shall be discontinued immediately. The use of the device shall not be resumed until the source of trouble has been detected and corrected.

(12) All radio signaling systems put into use for the first time after the effective date of these safety standards, shall meet or exceed the minimum performance specifications contained in WAC 296-54-607 of these safety standards, and, when altered or repaired, shall continue to meet such specifications.

(13) At least one make and model of each signaling system shall be tested and certified that it meets or exceeds the minimum requirements for performance as specified in WAC 296-54-607. A copy of such performance report shall be signed by the person or persons who tested the unit or components and shall be sent to the ((~~Division of Industrial Safety and Health,~~)) Department of Labor and Industries, P.O. Box ((~~207~~)) 44650, Olympia, Washington ((~~98504~~)) 98504-4650.

(14) Radio equipment shall not be used without displaying a permit as required by this standard. The permit shall be prominently displayed on the outside case of the receiver of the unit or, for radio controlled carriages, on the transmitter in the yarder.

(15) Adjustments, repairs, or alterations of radio signaling devices shall be done only by or under the immediate supervision and responsibility of a person holding a first-class or second-class commercial radio operator's license, either radio-telephone or radio-telegraph, issued by the Federal Communications Commission. Persons who do not possess the technical ability or do not have the proper equipment to cause the signaling systems to function within required tolerances shall not attempt to repair, alter, or adjust such systems.

(16) Radio frequencies assigned to systems for which voice communications may be used to give signals to the yarder operator, shall not be the same frequencies as those assigned for whistle signals used in skyline, highlead, slackline, or cable skidder systems.

(17) When hazardous interference is created by moving a voice communication system into an area where a system is already in use on the same frequency, use of the newly-moved system shall be immediately discontinued until the problem of interference has been corrected.

(18) Before moving any unit from one assigned geographical area to another (see area map, Figure 10 following this section), a new permit shall be applied for and secured from the ((~~Division of Industrial Safety and Health,~~)) Department of Labor and Industries, P.O. Box ((~~207~~)) 44650, Olympia, Washington ((~~98504~~)) 98504-4650.

PERMANENT

Dept. of Labor & Industries
Div. of Consultation & Compliance
P.O. Box 44650
Olympia, WA. 98504-4650

APPLICATION FOR PERMIT
TO OPERATE RADIO SIGNAL SYSTEM IN DESIGNATED AREA

Firm name | Phone number

Address | City | State ZIP+4

Radio carrier frequency | Receiver's serial no.

Tone coding frequencies

Name of manufacturer of signal system

Intended function of unit:
☐ Voice communication ☐ Whistle signal ☐ Control equipment

System to be used for:
☐ Grapple ☐ Highlead, Slackline, Skidder ☐ Balloon

Area in which unit will be operated (Area map included in Safety Standards for Logging Operations)
1 ☐ 2 ☐ 3 ☐

Type of tone:
☐ Sequential ☐ Simultaneous ☐ If other, specify type

System purchased or acquired from | Date system purchased or acquired:

Mail permit to:

Address | City | State ZIP+4

Department Use Only
Date Permit Issued
/ /

F416-087-000 app for permit 9-94

Dept. of Labor & Industries
Div. of Consultation & Compliance
P.O. Box 44650
Olympia, WA. 98504-4650

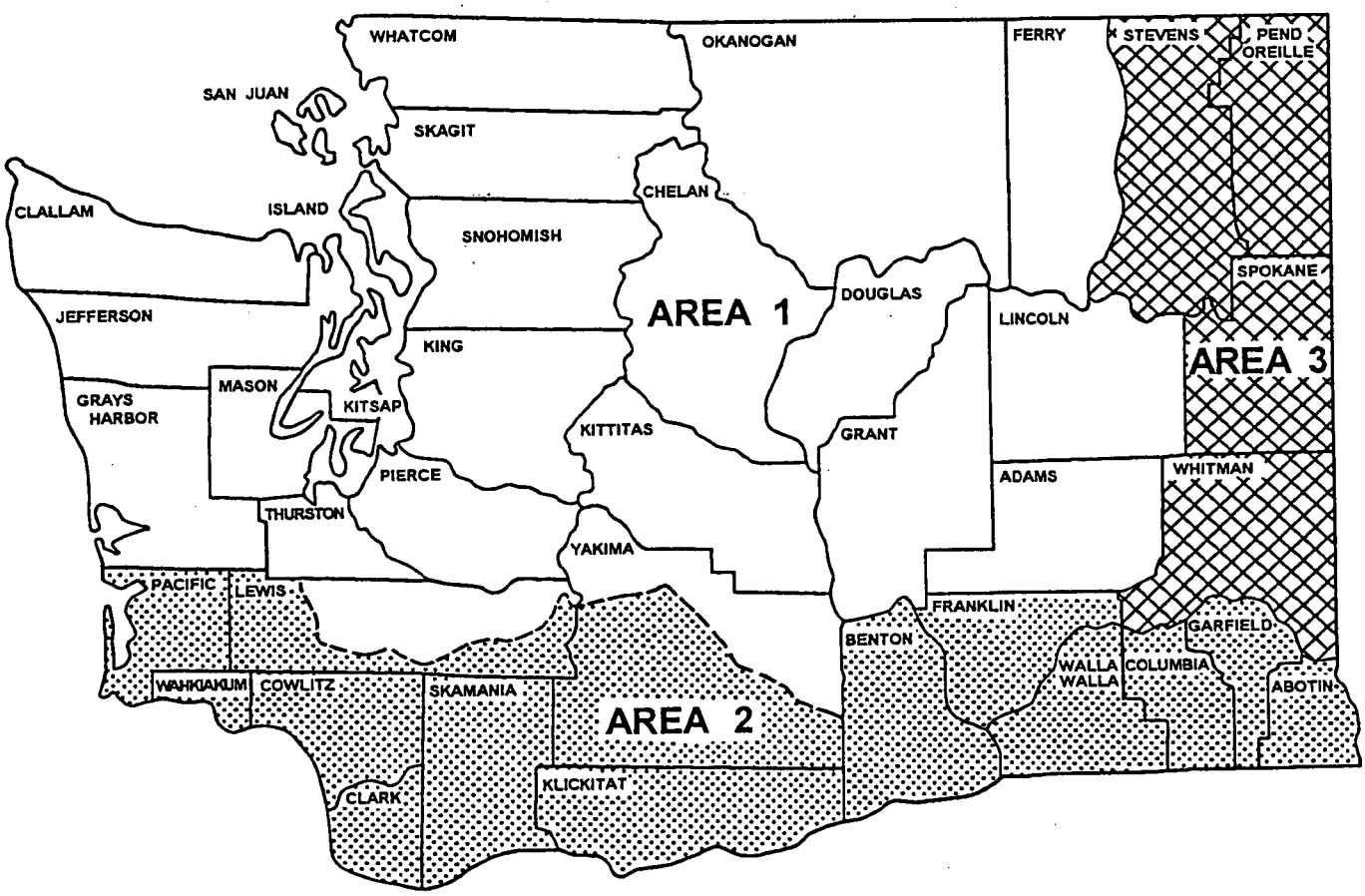
RADIO PERMIT

TO OPERATE MULTI-TONE RADIO SIGNAL SYSTEM IN DESIGNATED AREA.

MODEL	SERIAL
CARRIER FREQUENCY	MHz
TONES	Hz
AREA	
FIRM NAME	
ISSUED BY	

F416-086-000 RADIO PERMIT 10-88

AREAS FOR USE OF RADIO SIGNALING SYSTEMS FOR LOGGING OPERATIONS



State of Washington
Department of Labor and Industries
Division of Industrial Safety and Health

PERMANENT

A permit issued by the ((~~division of industrial safety and health~~)) department of labor and industries shall be attached to the outside of the receiver which shall indicate the area in which the radio signaling equipment may be used.

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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-54-45001 Pulpwood logging.

PERMANENT

WSR 96-22-018
PERMANENT RULES
PARKS AND RECREATION COMMISSION

[Filed October 29, 1996, 2:37 p.m., effective January 1, 1997]

Date of Adoption: October 25, 1996.

Purpose: To establish a definition for the proposed commercial use and commercial recreation use provider. This will also clarify existing WACs.

Citation of Existing Rules Affected by this Order: Amending WAC 352-20-010, 352-32-010, 352-32-130, 352-32-250, and 352-32-251.

Statutory Authority for Adoption: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040.

Adopted under notice filed as WSR 96-19-080 on September 17, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 5, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 5, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 5, repealed 0.

Effective Date of Rule: January 1, 1997.

October 25, 1996
Robert C. Petersen
Chair

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-20-010 Parking. (1) No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any state park area, except where the operator is using the area for a designated recreational purpose or possesses a state park nonrecreation permit and the vehicle is parked either in a designated parking area, or in another area with the permission of a ranger.

(2) No person shall park, leave standing, or abandon a vehicle in any state park area after closing time, except when camping in a designated area, or with permission from the ranger.

(3) No person shall park, leave standing, or abandon a vehicle being used for commercial purposes in any state park area without written permission from the ranger.

(4) Any vehicle found parked in violation of subsection (1), (2), or (3) of this section may be towed away at the owner's or operator's expense.

(5) Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 96-02-015, filed 12/21/95, effective 1/21/96)

WAC 352-32-010 Definitions. Whenever used in this chapter the following terms shall be defined as herein indicated:

"Bivouac" shall mean to camp overnight on a vertical rock climbing route on a ledge or in a hammock sling.

((~~"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.

"Commercial recreation use" is a recreational activity in a state park that is packaged and sold as a service by an organization or individual, other than state parks or a state park concessionaire.

"Commercial recreation provider" is any individual or organization that packages and sells a service that meets the definition of a commercial recreation use.

"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 the park manager decides may be used for camping when no alternative camping facilities are available within reasonable driving distances.

"Environmental interpretation" shall mean the provision of services, materials, publications and/or facilities, including environmental learning centers (ELC), for other than basic access to parks and individual camping, picnicking, and boating in parks, that enhance public understanding, appreciation and enjoyment of the state's natural and cultural heritage through agency directed or self-learning activities.

"Environmental learning centers (ELC)" shall mean those specialized facilities, designated by the director, designed to promote outdoor recreation experiences and environmental education in a range of state park settings.

"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.

"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.

"Overflow area" shall mean an area in a park separate from designated overnight and emergency camping areas, designated by the park manager, for primitive camping to accommodate peak camping demands in the geographic region.

"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 hang gliders 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, flush comfort station 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.

"Watercraft launch site" shall mean any facility located in a state park area designated for the purpose of placing or retrieving any vehicle-borne or trailer-borne watercraft into or out of the water.

"Water trail advisory committee" shall mean the twelve-member committee constituted by RCW 43.51.456.

"Water trail camping sites" shall mean those specially designated group camp areas identified with signs, that are near water ways, and that have varying facilities and extent of development.

PERMANENT

AMENDATORY SECTION (Amending WSR 94-01-087, filed 12/13/93, effective 1/13/94)

WAC 352-32-130 Aircraft. (1) No aircraft shall land on or take off from any body of water or land area in a state park area not specifically designated for landing aircraft. This provision does not apply to official aircraft used in the performance of search and rescue missions, medical emergencies, law enforcement activities, or firefighting activities. It also does not apply in cases where the director or designee specifically authorizes such landings or take offs, in writing, associated with the operational, or administrative needs of the agency or state.

(2) Individuals who have complied with the registration process provided or who have obtained a special recreation event permit pursuant to WAC 352-32-047 may launch and land paragliders in state park areas specifically designated by the director as available for paragliding. Prior to any such designation, the director or designee shall advertise and conduct a public meeting in the region where the park is located. The director shall consider the potential impacts of paragliding in the proposed area, including but not limited to the following factors: The degree of conflict paragliding may have with other park uses, public safety issues, and any potential damage to park resources/facilities. Any park designated for paragliding shall be conspicuously posted as such by the director.

(3) Individuals paragliding in state parks must:

(a) Comply with the registration process provided for such purposes;

(b) Observe all applicable laws and regulations;

(c) Never destroy or disturb park facilities, natural features, or historical or archeological resources;

(d) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities;

(e) Conduct themselves in compliance with the following basic safety regulations:

(i) Comply with specific site operational rules that are posted;

(ii) Fly in a manner consistent with the pilot rating held;

(iii) Preplanned landings should be made in areas no smaller than forty feet wide by one hundred feet long;

(iv) Make preflight checks of weather, equipment and site conditions;

(v) Observe all published traffic and right of way flight guidelines, including yielding right of way to all aircraft;

(vi) Wear protective clothing, headgear, Coast Guard approved flotation gear, reserve parachute, supplemental oxygen and communication equipment as appropriate for conditions;

(vii) Fly in a manner that does not create a hazard for other persons or property;

(viii) Fly only during daylight hours, or hours otherwise specified by posting at the site;

(ix) Do not fly over congested areas of parks or open air assembly of persons;

(x) Fly only in designated areas of parks;

(xi) Fly with visual reference to the ground surface at all times.

(xii) Do not tether paraglider to the ground or other stable nonmovable object.

(f) Not fly while under the influence of alcohol or drugs.

AMENDATORY SECTION (Amending WSR 95-22-067, filed 10/30/95, effective 1/1/96)

WAC 352-32-250 Standard fees charged. Fees shall be charged in parks operated by the Washington state parks and recreation commission for use of lands, facilities, programs, services, and materials as published by state parks: *Provided, however,* That the director has the authority to discount fees to a maximum of 50% below the published fee amounts in order to take advantage of marketing opportunities to encourage use and increase revenues. Any such discounts shall be effective for a limited period of time less than one year in duration. The director may consider the following factors in discounting fees:

Prevailing rates for comparable facilities;

Day of the week;

Season of the year;

Amenities of the park area and site;

Demand for facilities; and

Such other considerations as the director deems appropriate. The director may also waive fees for marketing or promotional purposes or to redress visitor complaints, provided, however, that annual fees may not be waived.

(1) The director may authorize reciprocity with other state or federal agencies for the use of annual permits of like services, provided, that Washington licensed vehicles and/or residents shall be required to have and/or display the appropriate Washington permit;

(2) Overnight camping - standard campsite; utility campsite; emergency campsite; overflow campsite; primitive campsite for nonmotorized vehicle; primitive campsite for motorized vehicle - fees will be charged as published by state parks. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger;

(3) 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;

(4) Group camping area - certain parks: Individual camping units using these facilities must pay the primitive campsite fee or other appropriate fee based on facilities available;

(5) Environmental interpretation:

(a) Service fees will be established by the director in order to recover, to the maximum extent practicable, all direct and indirect costs of environmental interpretation services on a program-wide basis based on anticipated attendance.

(b) Material and publication fees will be established by the director. All material and publication fees will be deposited in the parks improvement account to be used for purposes specified in RCW 43.51.052.

(c) Facility use, including environmental learning center fees, will be established by the commission. A facility use fee schedule is available by contacting Washington State

PERMANENT

Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650;

(6) Adirondacks - not to include those located in ELC areas: Occupancy shall be limited to the number of built-in bunks provided;

(7) Extra vehicle overnight parking fee will be charged 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;

(8) Unattended vehicle overnight parking permit: Unoccupied vehicles parked overnight in designated areas must register and pay the nightly permit fee. The permit must be prominently displayed in the vehicle;

(9) ((~~Boat~~)) Watercraft launch site permit fee - charged according to facilities provided. Boat launch permit shall not be required for:

(a) Vehicles registered for camping or overnight mooring in the park containing the ((~~boat~~)) watercraft launch ((~~area~~)) site;

(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~~)) watercraft launch site permit;

(10) Annual ((~~boat~~)) watercraft launch site permit valid January 1 - December 31 at any launch site designated by the commission. Permit must be displayed as instructed on permit backing;

(11) Trailer dump station fee - Fee shall not be required for:

(a) Registered camping vehicles in the park containing the dump station;

(b) Vehicles of persons holding limited-income senior citizen, disability or disabled veterans passes;

(12) Popular destination park - a surcharge will apply for use of standard or utility campsite located in a popular destination park during such periods as the director may specify;

(13) Water trail site permits -

(a) Unlimited use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of $1.00 per site available for public use at the start of the calendar year;

(b) One day/night use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of $.35 per site available for public use at the start of the calendar year;

(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;

(e) Water trail permits will be issued to holders of Washington state parks passes (WAC 352-32-251) for the applicable discounts;

(14) A surcharge per collection shall be assessed for any staff collected fee at a self-registration overnight facility;

(15) Group day use facilities - a minimum daily permit fee will be charged for groups of 20 or more;

(16) Reservation transaction - fee will be charged as published by state parks;

(17) Moorage facilities - fee will be charged as published by state parks;

(18) Hot showers, electric stoves - fees will be charged as published by state parks. Fees published by state parks do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended;

(19) Commercial recreation provider permit registration - a fee shall be charged, as published by state parks for registration as a commercial recreation provider;

(20) Commercial recreation provider permit - effective January 1, 1998, a fee shall be charged, as published by state parks for obtaining a permit to engage in commercial recreational use of state parks, as defined in WAC 352-32-010.

AMENDATORY SECTION (Amending WSR 90-04-024, filed 1/29/90, effective 3/1/90)

WAC 352-32-251 Limited income senior citizen, disability, and veteran disability passes. (1)(a) Persons who are senior citizens, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission accompanied by either a copy of a federal income tax return filed for the previous calendar year, or a senior citizen property tax exemption pursuant to RCW 84.36.381, or a notarized affidavit of income on a form provided by the commission, receive a limited income senior citizen pass at no charge, which entitles the holder and the holder's camping unit to free admission to any state park administered facility, free use of trailer dump stations, watercraft launch sites, and to a fifty percent reduction in any campsite fees or moorage fees levied by the commission. Limited income senior citizen passes shall remain valid so long as the pass holder meets eligibility requirements.

(b) Proof submitted to the commission for the return of a senior citizen pass surrendered upon request to a commission employee who has reason to believe the user does not meet the eligibility criteria shall be the same as listed in subsections (1) and (5) of this section for original pass issuance.

(2) Persons who are permanently disabled, legally blind, or profoundly deaf, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a five year disability pass at no charge and other disabled persons who meet the eligibility requirements of RCW 43.51.055 and have been residents of Washington state for at least one year shall, upon application to the commission, receive a one year disability pass which entitles the holder and the holder's camping unit to free admission to any state park administered facility, free use of

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trailer dump stations, watercraft launch sites, and to a fifty percent reduction in any campsite fees or moorage fees levied by the commission.

(3) Persons who are veterans, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a lifetime veteran disability pass at no charge which entitles the holder and the holder's camping unit to free admission to any state park administered facility and to free use of any state park campsite, trailer dump station, watercraft launch site, or moorage facility.

(4) Applications for limited income senior citizen, disability, and veteran disability passes shall be made on forms prescribed by the commission.

(5) Verification of age shall be by original or copy of a birth certificate, notarized affidavit of age, witnessed statement of age, baptismal certificate, or driver's license. Verification of residency shall be by original or copy of a Washington state driver's license, voter's registration card, or senior citizen property tax exemption.

(6) For pass holders who travel by car or recreational vehicle a camping unit shall include the pass holder and up to seven guests of the holder who travel with the holder and use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping unit of a holder at one campsite or portion of a designated group camping or emergency area when in the judgment of a ranger the constructed facilities so warrant and the total number of guests of the holder do not exceed seven.

(7) For pass holders who travel by a mode of transportation other than car or recreational vehicle a camping unit shall include the pass holder and up to five guests who travel with the holder and use one campsite or portion of a designated group camping or emergency area.

(8) If the conditions of a pass holder change during the time period when a pass is valid such that a pass holder no longer meets the eligibility requirements of RCW 43.51.055 and WAC 352-32-251, then a pass holder shall return a pass to the commission.

NEW SECTION

WAC 352-32-330 Commercial recreation providers—Permits. (1) Effective January 1, 1997, commercial recreation providers are required to register in order to engage in commercial recreational use of state parks. Effective January 1, 1998, commercial recreation providers are required to register and possess a commercial recreation provider permit in order to engage in commercial recreational use of state parks. Registration for commercial recreation provider permits requires completion of application forms, providing proof of insurance and paying the appropriate fees. The commission shall establish the permit and registration fees and the director shall set the amount of the fees.

(2) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

WSR 96-22-028
PERMANENT RULES
EXECUTIVE ETHICS BOARD
[Filed October 30, 1996, 11:03 a.m.]

Date of Adoption: October 11, 1996.

Purpose: The purposes of the rules are to implement chapter 42.52 RCW and replace temporary emergency rules. These rules establish procedures to investigate and adjudicate complaints filed with the Executive Ethics Board.

Statutory Authority for Adoption: Chapter 42.52 RCW, RCW 42.52.360 (2)(b).

Adopted under notice filed as WSR 96-15-095 on July 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: WAC 292-100-010 [(1)](c) has been changed to clarify the disqualification of a board or staff member from official action on a complaint he or she has filed.

WAC 292-100-030(3) changed to new (4) to more clearly state that the board will not consider nonjurisdictional complaints.

WAC 292-100-040(2) changed to add that the Washington State Patrol may also receive referrals of complaints involving possible criminal violations.

WAC 292-100-040(3) has been deleted because it wrongly implied that the board might curtail an investigation due to substantial expenditure.

WAC 292-100-040(4) (new) clarifies that the board will work with the agency that employs the respondent.

WAC 292-100-040(5) (new) clarifies that the complaint may be referred to the agency that employs the respondent, for investigation and resolution.

WAC 292-100-050(5) has been changed to clarify that the employing agency is the entity that, upon completion of their investigation, will return an investigative report to the board.

WAC 292-100-060 has been changed to add the agency that employs the respondent as a recipient of the reasonable cause determination and the investigative report.

WAC 292-100-070 changes the term "reasonable cause determination" to make it more clear.

WAC 292-100-080 changes the term "probably" to "is likely to."

WAC 292-100-090 (1)(a) clarifies that a respondent's request for settlement must be in writing.

WAC 292-100-090(2) adds language stating that formal settlement discussions will not become evidence in a subsequent public hearing.

WAC 292-100-100 (4)(b) adds the complainant and the respondent's employing agency to those who will receive copies of the board's findings, conclusions, and decision.

WAC 292-100-100 (5)(c) adds the complainant and the respondent's employing agency to those who will receive copies of the board's final order.

All of these changes were made in response to comments received by the Executive Ethics Board during the comment period and at the public hearing on the proposed rule held on September 13, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 20, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 20, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 28, 1996
Barbara Cook
Secretary to the Board

CHAPTER 292-100 WAC
EXECUTIVE ETHICS BOARD
PROCEDURAL RULES

NEW SECTION

WAC 292-100-010 Initiation of complaint. (1) A complaint alleging a violation of chapter 42.52 RCW may be filed by:

(a) Any person;

(b) The board;

(2) If a member of the board or the board's staff files a complaint in his or her individual capacity, the board member or staff member shall be disqualified from acting in his or her official capacity with regard to the disposition of that complaint.

(3) Other agencies may refer information about possible violations of chapter 42.52 RCW to the board for consideration. The board will file a complaint if appropriate.

NEW SECTION

WAC 292-100-020 Complaint procedures—Status of complainant and others. (1) When a complaint has been filed with the board, neither the complainant, if other than board staff, nor any other person shall have special standing to participate or intervene in the investigation or consideration of the complaint by the board. The staff shall give notice to the complainant of any open board hearings on the matter.

(2) The person or persons alleged in a complaint to have violated chapter 42.52 RCW, are respondents as to that complaint.

NEW SECTION

WAC 292-100-030 Procedures for filing complaints. (1) A complaint filed with the board shall be in writing on a form provided by the board and signed by the complainant. A complaint signed by the complainant may also be filed by the complainant's representative.

(2) A complaint shall include:

(a) the complainant's name; except that the board may choose to issue a complaint based upon information provided by a person who refuses to be identified;

(b) A statement of the nature of the alleged violation or violations, date, time and place of each occurrence and name of person or persons responsible; and

(c) All available documentation and other evidence including any witnesses to the violation which the complainant is able to supply to demonstrate a reason for believing that a violation of chapter 42.52 RCW, or the rules adopted under it has occurred.

(3) A complaint which is incomplete, or does not contain enough information to allege a violation of chapter 42.52 RCW, will not be accepted for filing.

(4) The board will not consider allegations in a properly filed complaint that fall outside the jurisdiction of the board.

NEW SECTION

WAC 292-100-040 Investigation of complaints. (1) Upon acceptance of a complaint the board staff shall conduct an investigation.

(2) If board staff determine that a complaint alleges conduct which may violate a criminal statute, the staff shall refer the complaint to the appropriate prosecuting attorney or the Washington State Patrol and shall suspend their investigation until the prosecuting attorney or the Washington State Patrol responds as to whether criminal charges will be filed. If the prosecuting attorney elects to file criminal charges, no further action will be taken while the criminal case is pending. If the prosecuting attorney elects not to file criminal charges, board staff shall complete their investigation and follow the procedures set forth in these rules.

(3) During the course of the investigation, the board staff shall contact the respondent(s) and provide the respondent(s) with a copy of the complaint.

(4) It is the intent of the board that board staff who are investigating a complaint will work with the agency that employs the respondent, unless in the judgment of the investigator it will impede the investigation. During the course of the investigation, the board staff shall provide the agency that employs respondent a copy of the complaint.

(5) The board may refer a complaint to the agency that employs the respondent for investigation and recommendation of resolution. The referral will include a copy of the complaint and all supporting documentation and shall include a date for submission of the report and recommendation allowing at least 30 days. The agency receiving the referral may request additional time, if needed. During the course of the agency's investigation, the agency shall contact the respondent and provide the respondent with a copy of the complaint.

NEW SECTION

WAC 292-100-050 Determination on reasonable cause. (1) Following the investigation, the board staff shall prepare a written investigation report and make a recommendation to the board on whether to find reasonable cause, including a recommendation as to whether the penalty may be greater than $500.

(2) Upon receipt of the board staff's investigation report and recommendation, the board shall determine whether or not there is reasonable cause to believe that a violation of chapter 42.52 RCW has occurred.

(3) The board's reasonable cause determination shall be done in closed session.

(4) If the board finds reasonable cause, the board shall consider whether the penalty for the alleged violation may be

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greater than $500. If the board may wish to impose a penalty greater than $500, the respondent may be given the option to have an administrative law judge conduct the hearing and rule on procedural and evidentiary matters. If the respondent is not given that option, the board may not impose a penalty greater than $500. The board may, on its own initiative, choose to retain an administrative law judge to conduct any hearing.

(5) Upon receipt of an investigation report and recommendation on a complaint referred to the agency that employs the respondent for investigation, the board shall either:

(a) reject the report and recommendation and initiate its own investigation; or

(b) concur with the report and recommendation and either initiate a hearing if the recommended penalty is a monetary fine or refer the matter back to the referral agency for implementation of the recommendation, if the recommended penalty involves disciplinary action.

NEW SECTION

WAC 292-100-060 Notice of hearing—Filing of answer. (1) Following the board's determination on reasonable cause, the board shall provide the complainant, the respondent and the agency that employs the respondent with a copy of the written determination on reasonable cause and with a copy of the board staff's written investigation report. If reasonable cause is found, the determination of reasonable cause shall include a statement of the alleged violations. Prior to scheduling a public hearing, the board shall provide the respondent with an explanation of the option to request that the hearing be conducted by an administrative law judge if the penalty for the alleged violation may be greater than $500.

(2) Within 30 days of the issuance of the written determination on reasonable cause, the respondent shall file an answer which shall state his/her response to the alleged violations. The answer shall include either a request for or a waiver of the right to request an administrative law judge if the penalty for the alleged violation may be greater than $500.

(3) The respondent shall be notified of the date of the hearing no later than 30 days before the hearing date.

NEW SECTION

WAC 292-100-070 Investigation materials not disclosable during investigation. (1) It is the policy of the board during the course of any investigation that all records generated or collected as a result of that investigation are exempt from public inspection and copying under RCW 42.17.310 (1)(d). The investigation is not considered complete until the board has made its reasonable cause determination determination as to whether there is reasonable cause to believe a violation has occurred. If a public records request is made following the reasonable cause determination for any such record which implicates the privacy of an individual, written notice of the records request will be provided to the individual in order that such individual may request a protective order from a court under RCW 42.17.330.

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 292-100-080 Investigation procedures - Subpoenas. (1) During the course of an investigation, the board, or any board member, may issue a subpoena directed to any person who is likely to possess information which is relevant and material to the investigation. The subpoena shall:

(a) Specifically describe the information which is sought, and

(b) Set forth a reasonable time and place for the production of the information, and

(c) Notify the person that if the information is not produced, the board will apply to the superior court for an appropriate order or other remedy. The subpoena may be personally delivered or sent by certified mail, return receipt requested.

(2) The board may issue a subpoena under RCW 42.52.390 to compel persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other documents which the board deems relevant and material.

NEW SECTION

WAC 292-100-090 Informal settlement—Cases resolvable by stipulation. (1) RCW 34.05.060 authorizes agencies to establish by rule specific procedures for attempting and executing informal settlement of matters. The following procedures are available for informal dispute resolution that may make more elaborate proceedings under the Administrative Procedure Act unnecessary.

(a) Any respondent may request settlement by notifying the staff of the board in writing.

(b) If settlement may be accomplished by negotiation, negotiations shall be commenced at the earliest possible time. Settlement may be concluded by:

(i) Stipulation of facts by the parties; or

(ii) Stipulation of facts, conclusions and penalty by the parties.

(2) Any proposed stipulation shall be in writing and signed by each party to the stipulation or his or her representative. The stipulation shall be recited on the record at the hearing. The board has the option of accepting, rejecting, or modifying the proposed stipulation or asking for additional facts to be presented. If the board accepts the stipulation or modifies the stipulation with the agreement of the respondent, the board shall enter an order in conformity with the terms of the stipulation. If the board rejects the stipulation or the respondent does not agree to the board's proposed modifications to the stipulation, the normal process will continue. The proposed stipulation and information obtained during formal settlement discussions shall not be admitted into evidence at a subsequent public hearing. If the board requests additional facts be presented, the matter shall be referred to the board staff for further investigation.

NEW SECTION

WAC 292-100-100 Conduct of hearings. (1) A hearing shall be conducted pursuant to the Administrative Procedures Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC), shall be followed unless modified by chapter 292-100 WAC.

(2) A hearing shall be conducted either by the board or by an administrative law judge. If an administrative law judge participates, either by request of a respondent or by request of the board, the board may choose to sit with the administrative law judge to hear the matter and to enter a final order at the conclusions of the proceedings; or to have the administrative law judge hear the matter alone and prepare an initial order for review by the board. If an administrative law judge sits with the board, he or she shall rule on procedural and evidentiary matters.

(3) After the hearing the board or administrative law judge may find that:

(a) Respondent(s) did not violate the act, as alleged, and dismiss the case; or

(b) Respondent(s) is (are) in apparent violation of chapter 42.52 RCW, the board's remedy would be inadequate and the matter should be referred to the appropriate law enforcement agency as provided in RCW 42.52.470.

(4) Following a hearing in which the board participates, the board

(a) Shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and

(b) Shall deliver, either in person or by mail, to each respondent, complainant and the agency that employs the respondent, a copy of the findings of fact, conclusions of law and decision.

(5) Following a hearing in which the board does not participate, the administrative law judge shall

(a) Set forth written findings of fact, conclusions of law and decision on the merits of the case in an initial order;

(b) Shall deliver, either in person or by mail to each respondent and board staff a copy of the findings of fact, conclusions of law and decision, including a statement of the right to request review of the initial order by the board.

(c) If neither the board staff nor the respondent files exceptions to the initial order within 20 days, the board may adopt the initial order as the final order of the board.

(d) Within 20 days of entry of the initial order, either the board staff or the respondent may file written exceptions to the initial order. Such exceptions shall be filed with the secretary to the board and served on all other parties. The board shall set a date for submission of written argument on the exceptions and shall notify the board staff and the respondent in writing.

(e) The board shall review the initial order, any exceptions and argument filed and shall issue a final order which shall be delivered, either in person or by mail, to the board staff and the respondent, complainant and the agency that employs the respondent.

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 292-100-110 Prehearing conference—Rule. (1) In any proceeding, the board chair or an administrative law judge upon his/her own motion or upon request by staff or the respondent or their qualified representative, may direct the staff or respondent to appear at a specified time and place for a conference to consider:

(a) Simplification of issues;

(b) The necessity of amendments to the hearing notice;

(c) The possibility of obtaining stipulations, admissions of facts and of documents;

(d) Limitation on the number of witnesses; and

(e) Procedural and such other matters as may aid in the disposition of the proceeding.

(2) Prehearing conferences may be presided over by the chair or an administrative law judge.

(3) Prehearing conferences may be held by telephone conference call or at a time and place specified by the presiding officer.

(4) Following the prehearing conference, the presiding officer shall issue an order reciting the action taken and decisions made at the conference. If no objection to the order is filed with the presiding officer within seven days after the date the order is mailed, the order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

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NEW SECTION

WAC 292-100-120 Hearings—Discovery—Subpoenas. (1) The board or a board member may issue subpoenas for discovery, subpoenas to persons to appear and give testimony, and may require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material and the board or presiding officer may issue protective orders as appropriate. Any party may issue subpoenas. All subpoenas must be filed with the board, together with proof of proper service, at least five days prior to the date of the hearing for which they are issued. Such subpoenas will issue and may be enforced in the form and manner set forth in RCW 34.05.446 and WAC 10-08-120.

(2) The board, upon motion and before the time specified in the subpoena for compliance therewith, may:

(a) Quash or modify the subpoena if it is unreasonable and oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(3) The attendance of witnesses and such production of evidence may be required from any place within the state of Washington to any location where a hearing is being conducted.

NEW SECTION

WAC 292-100-130 Hearings—Discovery—Depositions and interrogatories—Right to take. Unless otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the

hearing. The attendance of witnesses to a deposition may be compelled by use of a subpoena. Depositions shall be taken only in accordance with this rule and the rules on subpoenas, except that staff and the respondent may stipulate to other arrangements.

NEW SECTION

WAC 292-100-140 Hearings—Discovery—Depositions and interrogatories—Notice. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than seven days in writing to the board and all parties. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. On motion of a party to whom the notice is served, the board or its hearing officer may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

NEW SECTION

WAC 292-100-150 Depositions and interrogatories in hearings—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the board or its designated hearing officer may order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or the board may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the board or its designated hearing officer may order the officer conducting the examination to cease forthwith from taking the deposition or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed only upon the order of the board. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

NEW SECTION

WAC 292-100-160 Discovery—Production of documents and use at hearing. (1) Upon request by either the board or the staff or the respondent copies of all materials to be presented at the hearing shall be provided to the requester within seven days of the request but, for good cause shown, not less than three business days prior to the date of the hearing.

(2) When documents are to be offered into evidence at the hearing, the one offering the exhibit shall provide a minimum of seven copies, one for opposing party, one for each member of the board, and one for the board's legal advisor.

(3) If documentary evidence has not been exchanged prior to the hearing, the parties shall arrive at the hearing location in sufficient time before the time scheduled for the hearing for the purpose of exchanging copies of exhibits to be introduced.

NEW SECTION

WAC 292-100-170 Brief enforcement hearings—Authority. (1) The board may provide a brief enforcement hearing for violations of provisions in chapter 42.52 RCW in which the facts are undisputed, the violations appear to be relatively minor in nature, and a penalty no greater than $500 will be assessed for the violations.

NEW SECTION

WAC 292-100-180 Brief enforcement hearing—Procedure. (1) A brief enforcement hearing may be presided over by the chair, or a member of the board designated by the chair.

(2) When a violation is alleged, before taking action, the secretary of the board shall send the alleged violator notice, which shall include:

(a) Alleged violation;

(b) The maximum amount of the penalty which can be imposed at the hearing and the amount of any proposed fine; and

(c) Person's right to respond, within ten days, either in writing or in person to explain his/her view of the matter.

(3) At the time of the hearing if the presiding officer believes alleged violations are of such magnitude as to merit penalties greater than $500, the presiding officer shall immediately adjourn the hearing and direct the matter be scheduled for an enforcement hearing by the full board or an administrative law judge.

(4) At the time any unfavorable action is taken, the presiding officer shall serve upon each party a written statement describing the violation, the reasons for the decision, the penalty imposed and their right to request review by the board at the next scheduled board meeting.

(5) The written decision of the presiding officer is an initial order. If no review is taken of the initial order, the initial order shall be the final order.

NEW SECTION

WAC 292-100-190 Brief enforcement hearing—Administrative review procedures. (1) The board shall conduct a review of the initial order upon the written or oral request of a party if the board receives the request within twenty-one days after the service of the initial order.

(2) If the parties have not requested review, the board may conduct a review of the initial order upon its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

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(3) The order on review shall be in writing stating the findings made, and the reasons for the decision, and notice that judicial review is available. The order on review shall be entered within twenty-one days after the date of the initial order or of the request for review, whichever is later.

NEW SECTION

WAC 292-100-200 Reconsideration and review of decisions. (1) For purposes of this rule, "decision" means any findings, conclusions, order, or other action by the board which is reviewable by a court.

(2) A decision may be reconsidered only upon (a) the written request of a party or (b) the motion or written request of a board member who voted on the prevailing side when that decision was made.

(3) Such a request for reconsideration shall be served at the office of the board, or motion made, no later than ten days after service of the decision of which reconsideration is sought.

(4) A request or motion for reconsideration shall specify the grounds therefor.

(5) Upon being served with a decision, the respondent may treat that decision as final for the purpose of petitioning for judicial review. The board may not reconsider any decision after being served with a petition for judicial review.

(6) When a request for reconsideration is served, or motion made, enforcement of the decision of which reconsideration is sought shall be stayed and the decision shall not be final until the board has acted on the reconsideration.

(7) The board shall act on the reconsideration, at the next meeting at which it practicably may do so by: (a) Deciding whether to reconsider its decision, and (b) if it decides to do so, either affirming or amending its decision: Provided, That before a decision may be amended other than by lowering a penalty, the respondent shall be given notice and an opportunity to be heard if, and in the same manner, as required for the original decision.

WSR 96-22-029
PERMANENT RULES
EXECUTIVE ETHICS BOARD
[Filed October 30, 1996, 11:04 a.m.]

Date of Adoption: October 11, 1996.

Purpose: The purpose of the rule is to comply with the legislative directive in RCW 42.52.180 (2)(b) to define the term measurable expenditure.

Statutory Authority for Adoption: RCW 42.52.180 (2)(b), 42.52.360 (2)(b).

Adopted under notice filed as WSR 96-15-093 on July 19, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 28, 1996
Barbara Cook
Secretary to the Board

EXECUTIVE ETHICS BOARD
Chapter 292-110
Agency Substantive Rules

NEW SECTION

WAC 292-110-030 Measurable expenditure. (1) RCW 42.52.180(1) provides that no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Facilities of an agency include, but are not limited to, use of stationery, postage, machines and equipment, use of state employees during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) RCW 42.52.180(2) sets forth exceptions to the prohibition in RCW 42.52.180(1). The exceptions include a statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry without an actual measurable expenditure of public funds (RCW 42.52.180 (2)(b)); activities that are part of the normal and regular conduct of the office (RCW 42.52.180 (2)(c); and de minimis use of public facilities by state-wide elected officials incidental to the preparation or delivery of permissible communications initiated by the official regarding the official's views on a ballot proposition that may foreseeably affect a matter that falls within the official's constitutional or statutory responsibilities (RCW 42.52.180 (2)(d)).

(3) Elected officials regularly expend public funds to respond to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions. RCW 42.52.180 (2)(b) permits elected officials to respond to such inquiries regarding ballot propositions without an actual measurable expenditure of public funds. For purposes of RCW 42.52.180 (2)(b) measurable expenditure means an expenditure or separately identifiable cost or specific portion of a cost incurred by the agency beyond the normal and regular expenditures or costs incurred by the agency in responding to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.

Example 1: A statewide elected official conducts a press conference in state office space. During the conference the official is asked about a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's

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agency nor within the official's constitutional or statutory responsibilities. The official replies to the question explaining his or her opinion on the ballot proposition and the reason for the opinion. It is not an ethical violation to reply to such an inquiry. The use of state office space, during the time the official answers the question about the ballot proposition, does not result in a measurable expenditure of public funds. This is because the expenditure or cost of the office space during this period is not a separately identifiable cost.

Example 2: A statewide elected official receives a letter from a constituent asking for the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. The official replies by letter explaining his or her opinion on the ballot proposition and the reason for the opinion. In the course of preparing the reply the official has the assistance of staff and uses office space, equipment, stationary and postage. It is not an ethical violation to reply to such an inquiry. There is no measurable expenditure of public funds because the agency has not incurred a cost beyond the normal and regular costs incurred by the agency in responding to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.

Example 3: A statewide elected official received a letter from a constituent asking for the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. The official replies by letter explaining his or her opinion on the ballot proposition and the reason for the opinion. In the course of preparing the reply the official has the assistance of staff and uses office space, equipment, stationary and postage. The official sends copies of the reply to other individuals on the agency mailing list. This is an ethical violation. While it is permissible to reply to the constituent who inquired about the official's position (Example 1), it is improper to send copies of the response to others. There is a measurable expenditure of public funds because the cost of the paper and postage for the additional copies is a separate identifiable cost beyond the normal and regular costs incurred by the agency in responding to inquiries from the media, constituents and other persons on matters unrelated to ballot propositions.

Example 4: A statewide elected official writes a letter to the editor of a newspaper stating the official's position on a ballot proposition. The subject of the ballot proposition does not fall within the normal and regular conduct of the official's agency nor within the official's constitutional or statutory responsibilities. In the course of preparing the letter the official has the assistance of staff and uses office space, equipment, stationary and postage. This is an ethical violation. The official has used the facilities of the agency and the exception in RCW 42.52.180 (2)(b) does not apply because the official is not responding to an inquiry.

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 96-22-030
PERMANENT RULES
EXECUTIVE ETHICS BOARD
[Filed October 30, 1996, 11:05 a.m.]

Date of Adoption: October 11, 1996.

Purpose: The purpose of this rule is to comply with the legislative directive in RCW 42.52.360 (2)(b) to define working hours to provide guidance to officers and employees in the executive branch to insure that they do not engage in campaign activities during their working hours.

Statutory Authority for Adoption: RCW 42.52.180(1), 42.52.360 (2)(b).

Adopted under notice filed as WSR 96-15-094 on July 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: WAC 292-110-020(4) is added to address legal holidays; and subsection (6) adds "documented" to written authorization to permit electronic documentation used by some agencies. Both changes were made in response to comments received during the comment period and at the September 13, 1996, public hearing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 28, 1996
Barbara Cook
Secretary to the Board

EXECUTIVE ETHICS BOARD
Chapter 292-110
Agency Substantive Rules

NEW SECTION

WAC 292-110-020 Working hours. (1) RCW 42.52.180(1) provides that no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Facilities of an agency

includes use of state officers or state employees during working hours. The purpose of the rule is to define the term "working hours" for officers and employees of the executive branch of state government. The prohibition in RCW 42.52.180(1) only applies during working hours. Nothing in RCW 42.52.180(1) or this rule prohibits a state officer or state employee from assisting in a campaign during non-working hours. An officer or employee who assists in a campaign during non-working hours may not use any facilities of an agency.

(2) Some state officers and state employees occupy positions that have fixed schedules with the same beginning and ending times. For officers and employees with fixed schedules, working hours are the hours between the starting and ending times of their positions. Officers and employees with fixed schedules may not assist in a campaign during these fixed working hours, unless they are on a lunch break under section four of this rule or on annual leave under section five of this rule.

Example 1: An employee works for an agency open to the public during the hours of 8:00 a.m. to 5:00 p.m. The employee is in a position with a fixed schedule of Monday through Friday 8:00 a.m. to 5:00 p.m. The employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 8:00 a.m. or after 5:00 p.m. Monday through Friday or on Saturday or Sunday.

Example 2: An employee works for an agency open to the public during the hours of 8:00 a.m. to 5:00 p.m. Although the agency is open during the hours 8:00 a.m. to 5:00 p.m., the employee is in a position with a fixed schedule of Monday through Thursday 3:00 p.m. through 12:00 a.m. The employee's working hours are 3:00 p.m. to 12:00 a.m. Monday through Thursday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 3:00 p.m. or after 12:00 a.m. Monday through Thursday or anytime on Friday, Saturday or Sunday.

(3) Some state officers and state employees occupy positions that do not have fixed schedules with the same starting and ending times. For officers and employees who do not have fixed schedules, working hours are defined as either:

(a) the hours set forth in any policy on working hours adopted by an agency. Agencies have flexibility in determining working hours for the officers and employees to meet their unique needs so long as the time considered to be working hours is clearly established. If an agency does not adopt a working hours policy, working hours shall be 8:00 a.m. to 5:00 p.m. Monday through Friday when state agencies are generally open to the public; or

(b) the work schedule for an officer or employee approved by the agency, if it is different from the agency policy or, if the agency has not adopted a policy, 8:00 a.m. to 5:00 p.m. Monday through Friday.

Example 3: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. Although the agency is open to the public at these times, the work of the agency goes on twenty-four hours a day. The agency has adopted a working hours policy that divides working hours into three shifts: the day shift (8:00 a.m. to 5:00 p.m.); swing shift (3:00 p.m. to 12:00 a.m.) and midnight shift (12:00 a.m. to 9:00 a.m.). An employee without a fixed schedule is assigned to the swing shift (3:00 p.m. to 12:00 a.m.) Monday through Friday. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 3:00 p.m. and sometimes after 3:00 p.m. Similarly, the employee may leave work before or after 12:00 a.m. This employee's working hours are 3:00 p.m. to 12:00 a.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 3:00 p.m. or after 12:00 a.m. Monday through Friday or on Saturday or Sunday.

Example 4: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 8:00 a.m. or after 5:00 p.m. Monday through Friday, or on Saturday or Sunday.

Example 5: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. Although the agency is open to the public at these times, the work of the agency goes on twenty-four hours a day. The agency has adopted a working hours policy that divides working hours into three shifts: the day shift (8:00 a.m. to 5:00 p.m.); swing shift (3:00 p.m. to 12:00 a.m.) and midnight shift (12:00 a.m. to 9:00 a.m.). An employee without a fixed schedule is assigned to the day shift (8:00 a.m. to 5:00 p.m.) Monday through Friday. However, the agency has approved a different work schedule for this employee. Instead of the usual day shift of 8:00 a.m. to 5:00 p.m., the employee works 7:00 a.m. to 4:00 p.m. Since the employee does not have a fixed schedule the employee, sometimes comes to work before

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7:00 a.m. and sometimes after 7:00 a.m. Similarly, the employee may leave work before or after 4:00 p.m. This employee's working hours are 7:00 a.m. to 4:00 p.m. Monday through Friday. The employee may not assist in a campaign during these hours unless the employee is on a lunch break or on annual leave. The employee may assist in a campaign before 7:00 a.m. or after 4:00 p.m. Monday through Friday, or on Saturday or Sunday.

(4) Working hours do not include state legal holidays unless the officer's or employee's work schedule requires the officer or employee to work on a state legal holiday.

(5) Working hours do not include the time approved and designated for an officer's or employee's lunch break. A lunch break is between 12:00 p.m. and 1:00 p.m., unless the agency has designated a different time in a working hours policy or has approved a different lunch break as part of an officer's or employee's work schedule. If an officer or employee engages in campaign activity during the lunch break, the officer or employee may not make use of any of the facilities of the agency.

Example 6: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday with a lunch break between 12:00 p.m. and 1:00 p.m. The employee may assist in a campaign during the employee's lunch break between 12:00 p.m. and 1:00 p.m.

(6) Working hours do not include the time in official leave status if the leave has received advance documented or written authorization. An officer or employee on leave may assist in a campaign.

Example 7: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. On Friday the employee receives advance written authorization to be on leave for five days, Monday through Friday of the next week. The employee may assist in a campaign during this leave.

Example 8: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. In this agency employees without fixed schedules take leave during a month and then get written authorization for the leave at the end of the month. An employee takes leave Monday through Friday and assists in a campaign. At the end of the month the employee obtains written authorization for the leave. The employee has assisted in a campaign during working hours since the employee did not obtain written authorization prior to taking leave to assist in a campaign. To assist in a campaign while on leave, the employee must obtain written authorization prior to going on leave.

(7) The definition of working hours also includes any time an officer or employee is actually working. For an officer or employee with a fixed schedule, working hours includes overtime when the officer or employee is working additional hours other than those in the fixed schedule. For an officer or employee without a fixed schedule, working hours include any time the officer or employee is working.

Example 9: An employee works for an agency that is open to the public 8:00 a.m. to 5:00 p.m. Monday through Friday. The agency has not adopted a policy on working hours. An employee without a fixed schedule usually works 8:00 a.m. to 5:00 p.m. Since the employee does not have a fixed schedule, the employee sometimes comes to work before 8:00 a.m. and sometimes after 8:00 a.m. Similarly, the employee may leave work before or after 5:00 p.m. Since the agency has not adopted a policy on working hours, this employee's working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. On a Monday the employee works from 8:00 a.m. to 9:00 p.m. Even though the employees working hours are 8:00 to 5:00 the time spent working between 5:00 p.m. and 9:00 p.m. are working hours because the employee is working for the agency during this time.

(8) The governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands, and the insurance commissioner are state officers in the executive branch subject to RCW 42.52.180. These officers are elected to office and hold office for a term of four years and until their successors are elected and qualified. Since these officers are elected to a term of office, they do not have working hours and may assist in a campaign at any time. However, if these officers do assist in a campaign, they may not make use of any facilities of an agency except as provided in RCW 42.52.180(2).

WSR 96-22-031
PERMANENT RULES
OFFICE OF
FINANCIAL MANAGEMENT
[Filed October 30, 1996, 3:20 p.m.]

Date of Adoption: October 22, 1996.

Purpose: 1996 legislation (3SHB 1381) has expanded the shared leave program by adding the ability to donate sick leave and personal holiday leave to other state employees.

Citation of Existing Rules Affected by this Order: Amending WAC 82-54-010.

Statutory Authority for Adoption: RCW 41.04.650 through 41.04.670.

Adopted under notice filed as WSR 96-19-061 on September 16, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

October 25, 1996
G. Dewey Harris III
Assistant Director

AMENDATORY SECTION (Amending Order 89-69, filed 8/22/89, effective 9/22/89)

WAC 82-54-010 Transfer of shared leave. The Washington state leave sharing program as established in RCW 41.04.650 through 41.04.670 provides that employees may donate annual, sick, and personal holiday leave to other employees for sick leave purposes ((~~as established under chapter 93, Laws of 1989~~)). The purpose of the shared leave program is to permit state employees to aid fellow state employees who are suffering from, or have a relative or household member suffering from, extraordinary or severe illness, injury, impairment, or physical or mental condition which have caused or are likely to cause the employees to take leave without pay or terminate their employment.

WSR 96-22-034
PERMANENT RULES
WASHINGTON STATE PATROL
[Filed October 31, 1996, 9:51 a.m.]

Date of Adoption: October 31, 1996.

Purpose: The statute regarding this subject expired as of July 1, 1993. This change repeals chapter 204-29 WAC, Marking license plates of persons with a suspended, revoked, or no valid operator's license.

Citation of Existing Rules Affected by this Order: Repealing chapter 204-29 WAC, Marking license plates.

Statutory Authority for Adoption: RCW 46.37.005.

Adopted under notice filed as WSR 96-19-076 on September 17, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 31, 1996
Annette M. Sandberg
Chief

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 204-29-010 Marking license plate.

WSR 96-22-035
PERMANENT RULES
WASHINGTON STATE PATROL
[Filed October 31, 1996, 9:55 a.m.]

Date of Adoption: October 31, 1996.

Purpose: This amendment sets harvest dates for agricultural operations as allowed under the National Highway System Designation Act of 1995. This allows expanded use of agricultural transporters in Washington state.

Citation of Existing Rules Affected by this Order: Amending WAC 446-65-010 Transportation requirements.

Statutory Authority for Adoption: RCW 46.33.020.

Adopted under notice filed as WSR 96-19-077 on September 17, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 1, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 31, 1996
Annette M. Sandberg
Chief

AMENDATORY SECTION (Amending WSR 95-13-080, filed 6/20/95, effective 7/21/95)

WAC 446-65-010 Transportation requirements. (1) The Washington state patrol hereby adopts the following parts of Title 49 Code of Federal Regulations, for motor carriers used in intrastate or interstate commerce, in their entirety: Parts 390 General, 391 Qualification of drivers, 392 Driving of motor vehicles, 393 Parts and accessories necessary for safe operation, 395 Hours of service of drivers, 396 Inspection, repair, and maintenance, 397 Transportation of hazardous materials; driving and parking rules, provided, however, motor carriers operating vehicles with a gross vehicle weight rating between 10,001 lbs. and 26,000 lbs. operating solely intrastate, and not used to transport hazardous materials in a quantity requiring placarding, are exempt from Parts 390 General, 391 Qualifications of drivers, 392 Driving of motor vehicles, 395 Hours of service, and 396 Inspection, repair, and maintenance.

(2) As provided in Part 395, exemption for agricultural transporters, the harvest dates are defined as starting February 1 and ending November 30 of each year.

(3) Copies of Title 49 CFR, parts 390 through 397, now in force are on file at the code reviser's office, Olympia and at the Washington state patrol headquarters, commercial vehicle enforcement section, Olympia. Additional copies may be available for review at Washington state patrol district headquarters offices, public libraries, Washington utilities and transportation commission offices, and at the United States Department of Transportation, Bureau of Motor Carrier Safety Office, Olympia. Copies of the CFR may be purchased through the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

WSR 96-22-048
PERMANENT RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed October 31, 1996, 11:27 a.m.]

Date of Adoption: October 31, 1996.

Purpose: Chapter 296-306 WAC, Safety standards for agriculture, ESSB 5121 (1995) stated agriculture operations would benefit from safety rules that were easily referenced and agriculture specific. The department, in coordination with the legislature, agriculture growers, and agriculture worker representatives worked to develop an understandable, easy to read, and easy to use version of the agriculture standard. As a result of this work, the department is adopting a revised agriculture standard which has been rewritten and reorganized for clarity and easy use for those in the agriculture industry.

The department involved agriculture industry employers and employee representatives throughout the development of this standard by soliciting and considering comments on earlier drafts of the proposal, by holding forum meetings around the state in April 1996, and by considering August 1996 public hearing comments on the proposal. The standard being adopted is the result of that effort.

The current agriculture standard, chapter 296-306 WAC (January 15, 1996, effective date), was published for the public with a series of appendices attached. The appendices contain all of the requirements from chapter 296-24 WAC, that apply to agriculture operations. The adopted agriculture standard, chapter 296-306A WAC, contains all of the requirements of chapter 296-306 WAC merged with the applicable requirements of chapter 296-24 WAC, currently published as appendices.

The sole purpose of this clear rule writing adoption is to produce a clearly written agriculture standard that is easy to use. The intent of the existing standard requirements have not changed and no new requirements are being proposed.

The following changes or types of changes have been adopted to produce a standard written and reorganized for clarity and for easy use for those in the agriculture industry. These amendments are made to:

- Replace the existing chapter 296-306 WAC, Safety standards for agriculture, with chapter 296-306A WAC, Safety standards for agriculture. This change was recommended by the Code Reviser's Office. It also allows chapter information to be reorganized in the order felt to be most useful to the user.
- Merge applicable existing requirements of chapter 296-24 WAC, General safety and health standards (currently included by reference in the appendix of chapter 296-306 WAC) into chapter 296-306A WAC.
- Move existing agriculture standard requirements into new sections in chapter 296-306A WAC.
- Rewrite the entire agriculture standard for clarity.
- Simplify the overall outline structure of the chapter.
- Separate sections into smaller single-topic sections.
- Reorganize sections and subsections for better organization of information and easier use.
- Use questions for section titles to better describe the information contained in the section.
- Use a "less formal voice" in the way the rules are written. For example, the employer is referred to as "you" rather than "the employer," and the department is referred to as "we" rather than "the department."
- Eliminate cross references as much as possible.
- Eliminate repetitive language as much as possible.
- Highlight exceptions to rules whenever possible.
- Delete definition numbering as required by the code reviser.
- Move definitions closer to where they are used in the chapter.

- Delete definitions commonly understood or not used in the chapter.
- Replace manufacturing requirements with references to the appropriate industry standard.
- Replace "means of egress" requirement language with the OSHA's general industry "exit routes" language.
- Repeal the chapter 296-306 WAC sections applicable to this promulgation action.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-306-003 Subsections, subdivisions, items, subitems, and segments, 296-306-006 Equipment approval by nonstate agency or organization, 296-306-009 Equipment whether or not owned by, or under control of the employer, 296-306-010 Purpose and scope, 296-306-01001 Cadmium, 296-306-012 Definitions applicable to all sections of this chapter, 296-306-015 Variance procedures, 296-306-020 Serious injury reporting, 296-306-025 Management's responsibility, 296-306-030 Employee's responsibility, 296-306-035 Accident prevention program, 296-306-040 Safety bulletin board, 296-306-045 First-aid training and certification, 296-306-050 First-aid kit, 296-306-055 Safe place standards, 296-306-057 Hand tools, 296-306-061 Machinery and machine guarding, 296-306-06101 Powered saws, general requirements, 296-306-06103 Band saws, 296-306-06105 Radial armsaws, 296-306-06107 Table saws, 296-306-06109 Circular fuel wood saws, 296-306-065 Materials handling and storage—General requirements, 296-306-070 Reserved, 296-306-075 Bench grinders, 296-306-07501 Definitions, 296-306-07503 Use, mounting, and guarding, 296-306-080 Guarding of hand-held portable power tools, 296-306-084 Portable abrasive wheels, 296-306-085 Fire protection and ignition sources, 296-306-08501 Scope and application, 296-306-08503 General requirements, 296-306-08505 Selection and distribution, 296-306-08507 Inspection, maintenance and testing, 296-306-08509 Employee emergency and fire prevention plans, 296-306-090 Storage and handling of anhydrous ammonia, 296-306-09001 Storage and handling of liquefied petroleum gases, WAC 296-306-09003 Hazardous materials, flammable and combustible liquids, spray finishing, dip tanks, 296-306-095 Walking working surfaces, elevated walkways and platforms, 296-306-100 Handrails, 296-306-105 Ladders, 296-306-110 Job-made ladders, 296-306-115 Bins, bunkers, hoppers, tanks, pits and trenches, 296-306-120 Aerial manlift equipment, 296-306-125 Gas welding and cutting, 296-306-130 Welding, 296-306-135 Arc welding and cutting, 296-306-140 Welding areas protected, 296-306-145 Electrical, 296-306-14501 Purpose, scope and application, 296-306-14503 Definitions, 296-306-14505, Temporary lighting and wiring, 296-306-14507 Guarding of live parts, 296-306-14509 Equipment installation and maintenance, 296-306-14511 Proximity to overhead lines, 296-306-14513 Safeguards for personal protection, 296-306-14515 Selection and use of work practices, 296-306-150 Slow-moving vehicles, 296-306-155 General requirements for maintenance of farm motor vehicles and equipment, 296-306-160 Vehicles, 296-306-165 General requirements for all agricultural equipment, 296-306-170 Auger conveying equipment, 296-306-175 Farm field equipment guarding, 296-306-180 Farmstead equipment, 296-306-200 Rollover protective structures (ROPS) for tractors used in agricultural operations, 296-306-250 Protective frames for wheel-type agricultural tractors—Test procedures and performance requirements—Purpose, 296-306-25003 Types of tests, 296-306-25005 Description, 296-306-25007 Test procedures, 296-306-25009 Performance requirements, 296-306-25013 Protective enclosures for wheel-type agricultural tractors—Test procedures and performance requirements—Purpose, 296-306-25017 Types of tests, 296-306-25019 Description, 296-306-25021 Test procedures, 296-306-25023 Performance requirements, 296-306-25095 Exhibit B—Figures C-1 thru C-16, 296-306-260 Rollover protective structures (ROPS) for material handling equipment, 296-306-26001 Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, and crawler tractors, 296-306-265 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in agriculture, 296-306-270 Overhead protection for operators of agricultural and industrial tractors, 296-306-27095, Exhibit B—Figures C-17 through C-34, 296-306-275 Seatbelts, 296-306-300 Field sanitation—Scope, 296-306-310 Field sanitation—Definitions, 296-306-320 Field sanitation—Requirements, 296-306-40003 General requirements, 296-306-40005 Pesticides record form, and 296-306-40011 Cholinesterase monitoring for employees mixing, loading, or applying organophosphate pesticides, and/or early reentering of treated areas. Nonmandatory.

Statutory Authority for Adoption: RCW 49.17.040, [49.17.]050, [49.17.]060.

Adopted under notice filed as WSR 96-14-121 on July 3, 1996.

Changes Other than Editing from Proposed to Adopted Version: As a result of written and oral comments received, the following sections are being amended:

Chapter 296-306A WAC, Safety standards for agriculture.

WAC 296-306A-006 What does this chapter cover?

- The example in WAC 296-306A-006(3) has been amended for clarification and now reads: "Employees working in fruit and vegetable packing houses are covered by the general safety and health standards in chapter 296-24 WAC."

WAC 296-306A-033 How often must safety meetings be held?

- WAC 296-306A-033(3) was changed to read: "Short-term operations that last less than one month..."

WAC 296-306A-05507 What other requirements apply to ladders?

- WAC 296-306A-05507(4) has been changed to show that steel points are an example of how to equip ladders used on slippery surfaces.

WAC 296-306A-08003 Which agricultural tractors are covered by this section?

- WAC 296-306A-08003(2) has been clarified to indicate that ROPS are required on pre-1976 tractors if: "According to the manufacturer, the tractor was designed to accommodate the addition of ROPS."

WAC 296-306A-22009 What rules apply to walk-behind and riding rotary mowers?

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- WAC 296-306A-22006 provides general requirements that apply to all power lawnmowers. These general requirements include a provision that all lawnmowers used by employees must meet the design specifications of ANSI B71.1.-1968. Since the ANSI standard covers requirements related to maximum tip speed and square degrees of discharge openings, the requirements were removed from WAC 296-306A-22009.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 592, amended 0, repealed 88.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 31, 1996
Mark O. Brown
Director

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REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-306-003	Subsections, subdivisions, items, subitems, and segments.
WAC 296-306-006	Equipment approval by nonstate agency or organization.
WAC 296-306-009	Equipment whether or not owned by, or under control of the employer.
WAC 296-306-010	Purpose and scope.
WAC 296-306-01001	Cadmium.
WAC 296-306-012	Definitions applicable to all sections of this chapter.
WAC 296-306-015	Variance procedures.
WAC 296-306-020	Serious injury reporting.
WAC 296-306-025	Management's responsibility.
WAC 296-306-030	Employee's responsibility.
WAC 296-306-035	Accident prevention program.
WAC 296-306-040	Safety bulletin board.
WAC 296-306-045	First-aid training and certification.
WAC 296-306-050	First-aid kit.
WAC 296-306-055	Safe place standards.
WAC 296-306-057	Hand tools.
WAC 296-306-061	Machinery and machine guarding.
WAC 296-306-06101	Powered saws, general requirements.
WAC 296-306-06103	Band saws.
WAC 296-306-06105	Radial armsaws.
WAC 296-306-06107	Table saws.
WAC 296-306-06109	Circular fuel wood saws.
WAC 296-306-065	Materials handling and storage—General requirements.
WAC 296-306-070	Reserved.
WAC 296-306-075	Bench grinders.
WAC 296-306-07501	Definitions.
WAC 296-306-07503	Use, mounting, and guarding.
WAC 296-306-080	Guarding of hand-held portable power tools.
WAC 296-306-084	Portable abrasive wheels.
WAC 296-306-085	Fire protection and ignition sources.
WAC 296-306-08501	Scope and application.
WAC 296-306-08503	General requirements.
WAC 296-306-08505	Selection and distribution.
WAC 296-306-08507	Inspection, maintenance and testing.
WAC 296-306-08509	Employee emergency and fire prevention plans.
WAC 296-306-090	Storage and handling of anhydrous ammonia.
WAC 296-306-09001	Storage and handling of liquefied petroleum gases.
WAC 296-306-09003	Hazardous materials, flammable and combustible liquids, spray finishing, dip tanks.
WAC 296-306-095	Walking working surfaces, elevated walkways and platforms.
WAC 296-306-100	Handrails.
WAC 296-306-105	Ladders.
WAC 296-306-110	Job-made ladders.
WAC 296-306-115	Bins, bunkers, hoppers, tanks, pits and trenches.
WAC 296-306-120	Aerial manlift equipment.
WAC 296-306-125	Gas welding and cutting.
WAC 296-306-130	Welding.
WAC 296-306-135	Arc welding and cutting.
WAC 296-306-140	Welding areas protected.
WAC 296-306-145	Electrical.
WAC 296-306-14501	Purpose, scope and application.
WAC 296-306-14503	Definitions.
WAC 296-306-14505	Temporary lighting and wiring.
WAC 296-306-14507	Guarding of live parts.
WAC 296-306-14509	Equipment installation and maintenance.
WAC 296-306-14511	Proximity to overhead lines.
WAC 296-306-14513	Safeguards for personal protection.
WAC 296-306-14515	Selection and use of work practices.
WAC 296-306-150	Slow-moving vehicles.
WAC 296-306-155	General requirements for maintenance of farm motor vehicles and equipment.
WAC 296-306-160	Vehicles.
WAC 296-306-165	General requirements for all agricultural equipment.
WAC 296-306-170	Auger conveying equipment.
WAC 296-306-175	Farm field equipment guarding.

WAC 296-306-180	Farmstead equipment.
WAC 296-306-200	Rollover protective structures (ROPS) for tractors used in agricultural operations.
WAC 296-306-250	Protective frames for wheel-type agricultural tractors—Test procedures and performance requirements—Purpose.
WAC 296-306-25003	Types of tests.
WAC 296-306-25005	Description.
WAC 296-306-25007	Test procedures.
WAC 296-306-25009	Performance requirements.
WAC 296-306-25013	Protective enclosures for wheel-type agricultural tractors—Test procedures and performance requirements—Purpose.
WAC 296-306-25017	Types of tests.
WAC 296-306-25019	Description.
WAC 296-306-25021	Test procedures.
WAC 296-306-25023	Performance requirements.
WAC 296-306-25095	Exhibit B—Figures C-1 thru C-16.
WAC 296-306-260	Rollover protective structures (ROPS) for material handling equipment.
WAC 296-306-26001	Minimum performance criteria for rollover protective structures for designated scrapers, loaders, dozers, graders, and crawler tractors.
WAC 296-306-265	Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in agriculture.
WAC 296-306-270	Overhead protection for operators of agricultural and industrial tractors.
WAC 296-306-27095	Exhibit B—Figures C-17 through C-34.
WAC 296-306-275	Seatbelts.
WAC 296-306-300	Field sanitation—Scope.
WAC 296-306-310	Field sanitation—Definitions.
WAC 296-306-320	Field sanitation—Requirements.
WAC 296-306-40003	General requirements.
WAC 296-306-40005	Pesticides record form.
WAC 296-306-40011	Cholinesterase monitoring for employees mixing, loading, or applying organophosphate pesticides, and/or early reentering of treated areas. Nonmandatory.

Chapter 296-306A WAC
SAFETY STANDARDS FOR AGRICULTURE

FIELD OPERATIONS AND GENERAL REQUIREMENTS

PART A
GENERAL AND EDUCATIONAL REQUIREMENTS

NEW SECTION

WAC 296-306A-003 How is this chapter divided? The first three digits of the WAC (296) are the title. The second three digits are the chapter (306A). The third number group is the section, which may have three or five digits. The fourth and fifth digits are treated as if there were a decimal point after the third digit.

For example: Section 330 of this chapter includes all five-digit sections whose number begins with 330.

Sections may be further divided as indicated below.

Title-Chapter-Section	296-306A-330
	296-306A-33003
Subsection	(1)
	(2)
Subdivision	(a)
	(b)
Item	(i)
	(ii)

Note: The chapter is also divided into "parts" according to subject, to make it easier for you to find the information you need.

NEW SECTION

WAC 296-306A-006 What does this chapter cover? (1) Chapter 296-306A WAC applies to all agricultural operations with one or more employees covered by the Washington Industrial Safety and Health Act (WISHA), chapter 49.17 RCW.

"Agricultural operations" are all operations necessary to farming and ranching, including equipment and machinery maintenance, and planting, cultivating, growing or raising, keeping for sale, harvesting, or transporting on the farm or to the first place of processing any tree, plant, fruit, vegetable, animal, fowl, fish, or insects or products. Agricultural operations include all employers in one or more of the following standard industrial classification (SIC) codes:

0111	Wheat
0115	Corn
0119	Cash grains not elsewhere classified, barley, peas, lentils, oats, etc.
0133	Sugar cane and sugar beets
0134	Irish potatoes—all potatoes except yams
0139	Field crops—hay, hops, mint, etc.
0161	Vegetables and melons, all inclusive
0171	All berry crops
0172	Grapes
0173	Tree nuts
0175	Deciduous tree fruits
0179	Tree fruits or tree nuts not elsewhere classified
0181	Ornamental floriculture and nursery products

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0182 Food crops grown under cover
0191 General farms, primarily crops
0211 Beef cattle feedlots
0212 Beef cattle except feedlots—cattle ranches
0213 Hogs
0214 Sheep and goats
0219 General livestock except dairy and poultry
0241 Dairy farms
0251 Broiler, fryer, and roaster chickens
0252 Chicken eggs
0253 Turkeys and turkey eggs
0254 Poultry hatcheries
0259 Poultry and eggs not elsewhere classified
0271 Fur bearing animals and rabbits
0272 Horses
0273 Animal aquaculture
0279 Animal specialties not elsewhere classified
0291 General farms, primarily livestock and animal specialties
0711 Soil preparation services
0721 Crop planting, cultivating, and protecting
0722 Crop harvesting, primarily by machine
0751 Livestock services, except veterinary
0761 Farm labor contractors
0811 Timber tracts, Christmas tree growing, tree farms
0831 Forest nurseries
0851 Forestry services—reforestation

"In-field" processing operations directly related to agricultural operations are covered under this chapter.

(2) If rules in this chapter conflict with rules in another chapter of Title 296 WAC, this chapter prevails.

(3) When you assign employees to perform tasks other than those directly related to agricultural operations, the proper chapter of Title 296 WAC applies instead of this chapter.

For example: Employees working in fruit and vegetable packing houses are covered by the general safety and health standards in chapter 296-24 WAC. Employees working on logging and sawmill activities are covered by the appropriate chapter of Title 296 WAC.

NEW SECTION

WAC 296-306A-009 What definitions apply to this chapter? "Approved" means approved by the director of the department of labor and industries, or by another organization designated by the department. Also means listed or approved by a nationally recognized testing laboratory.

"Authorized person" means someone you have approved to perform specific duties or to be at a specific location on the job site.

"Department" means the department of labor and industries. When this chapter refers to "we" or "us," it means the department.

"Director" means the director of the department of labor and industries, or a designated representative.

"Employee" means someone providing personal labor in the business of the employer, including anyone providing personal labor under an independent contract.

"Employer" means a business entity having one or more employees. Also, any person, partnership, or business entity with no employees but having industrial insurance coverage is both an employer and an employee. When this chapter refers to "you," it means the employer or a designated representative.

"Hazard" means a condition that can cause injury, death, or occupational disease.

"Listed" means listed by a nationally recognized testing laboratory.

"Must" means mandatory.

"Nationally recognized testing laboratory" See 29 CFR 1910.7 (federal OSHA requirements).

"Pesticide" means:

• Any substance intended to prevent, destroy, control, repel, or mitigate any insect, rodent, snail, slug, fungus, weed, and any other form of plant or animal life or virus, except virus on or in a living person or other animal which is normally considered to be a pest or which the director may declare to be a pest;

• Any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant; and

• Any spray adjuvant, such as a wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own, intended to be used with any pesticide as an aid to its application or effect, and sold in a package or container separate from that of the pesticide with which it is to be used.

"Safety factor" means the ratio of the ultimate breaking strength of a piece of material or equipment to the actual working stress or safe load when in use.

"Should" or "may" means recommended.

"Standard safeguard" means a device designed and constructed to remove a hazard related to the machine, appliance, tool, building, or equipment to which it is attached.

"Working day," for appeals and accident reporting, means a calendar day, except Saturdays, Sundays, and legal holidays as defined by RCW 1.16.050. To compute the time within which an act is to be completed, exclude the first working day and include the last.

NEW SECTION

WAC 296-306A-012 What does it mean when equipment is approved by a nonstate organization? Whenever the department requires that you have equipment or processes approved by an organization such as the Underwriters Laboratories (UL), the Bureau of Mines (MSHA), or the National Institute for Occupational Safety and Health (NIOSH), the approval of that organization is considered evidence of your compliance.

NEW SECTION

WAC 296-306A-015 What must an employer do if a serious injury occurs? (1) You must report to us within eight hours of an incident that:

• Causes a fatal or possibly fatal injury;

• Involves acute injury or illness from exposure to pesticides; or

• Causes injury requiring in-patient hospitalization of any employee.

You may phone us or report in person, or you may use the OSHA toll-free central telephone number, 1-800-321-6742.

Exception: If you do not learn of a reportable incident when it happens, you must report it within eight hours of learning about the incident.

(a) Your report must include:
- Establishment name;
- Location of the incident;
- Time of the incident;
- Number of fatalities, hospitalized employees, or pesticide exposures;
- Contact person;
- Phone number; and
- Brief description of the incident.

(b) Fatalities or hospitalizations that occur within thirty days of an incident must also be reported.

(2) If a department investigator asks for assistance, you must assign the employees that the investigator requests.

(3) Do not move any equipment involved in the incident until we complete an investigation.

Exception: You may move equipment to prevent additional incidents, or to remove the victim.

NEW SECTION

WAC 296-306A-018 What are the employer's responsibilities? You must:

(1) Provide a safe and healthful working environment.

(2) Ensure that employees do not use defective or unsafe tools and equipment, including tools and equipment that may be furnished by the employee.

(3) Implement a written accident prevention program as required by these standards.

(4) Implement a hazard communication program as required by chapter 296-62 WAC, Part C.

(5) Establish a system for reporting and recording accidents on the OSHA 200 log. (See chapter 296-27 WAC.)

(6) Provide safety education and training programs.

(7) Implement the requirements of WAC 296-62-074 through 296-62-07451 to ensure the safety of employees who are exposed to cadmium in the workplace.

NEW SECTION

WAC 296-306A-021 What are the employee's responsibilities? (1) Employees must cooperate with you and other employees in efforts to eliminate accidents.

(2) Employees must be informed of and observe all safe practices.

(3) Employees must notify you of unsafe conditions of equipment or workplaces.

(4) Employees must use all required safety devices and protective equipment.

(5) Employees must not willfully damage personal protective equipment.

(6) Each employee must promptly report any job-related injury or illness to his or her immediate supervisor, regardless of the degree of severity.

(7) Employees must not engage in any activity unrelated to work that may cause injury to other employees during the course of performing work assignments.

(8) Employees must attend any required training and/or orientation programs designed to increase their competency in occupational safety and health.

(9) Employees must not report to work under the influence of alcohol or controlled substances. Alcohol or controlled substances must not be brought on the worksite.

NEW SECTION

WAC 296-306A-024 How does an employer apply for a variance? (1) If you find that it is impractical for you to comply with specific requirements of this standard, we may permit a variation from the requirements. However, you must still provide equal protection by substitute means and comply with the requirements of chapter 49.17 RCW and chapter 296-350 WAC, variances.

(2) On the variance application you must certify that you have posted a copy of the written application in a place reasonably accessible to your employees. You must also mail a copy of the application to any authorized employee representative. The notice must advise employees of their right to request us to conduct a hearing on the variance application. You must notify employees before you apply.

Note: To request a permanent or temporary variance, you may write to: Department of Labor and Industries, Consultation and Compliance Services, PO Box 44620, Olympia, WA 98504-4620. We will mail you an application form and instruction sheet. We will also send a copy of chapter 296-350 WAC, Variances, if you request it.

PART B
ACCIDENT PREVENTION PROGRAM; FIRST-AID REQUIREMENTS; SAFE PLACE STANDARD

NEW SECTION

WAC 296-306A-030 What are the required elements of an accident prevention program? (1) You must instruct all employees in safe working practices at the beginning of employment. Your instruction must be tailored to the types of hazards to which employees are exposed.

(2) You must develop an accident prevention program tailored to the needs of your agricultural operation and to the types of hazards involved.

(3) Your accident prevention program must contain at least the following elements:

(a) How, when, and where to report injuries and illnesses, and the location of first-aid facilities.

(b) How to report unsafe conditions and practices.

(c) The use and care of personal protective equipment.

(d) What to do in emergencies.

(e) Identification of hazardous chemicals or materials and the instruction for their safe use.

(f) An on-the-job review of the practices necessary to perform job assignments in a safe and healthful manner.

(4) Your accident prevention program must be outlined in writing.

(5) At least once a month, you must conduct a walk-around safety inspection of active job sites, the materials and

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equipment involved, and operating procedures. A representative chosen by employees must be invited and allowed to accompany you.

NEW SECTION

WAC 296-306A-033 How often must safety meetings be held? (1) Foreman-crew safety meetings must be held at least monthly or whenever there are significant changes in job assignments. These meetings must be tailored to the particular operation or activity occurring at the time.

(2) The meeting minutes must document subjects discussed and attendance.

(3) Short-term operations that last less than one month, such as harvesting, do not require foreman-crew safety meetings but only require initial safety orientation for the operations.

(4) You must maintain copies of the minutes of each foreman-crew safety meeting at the location where the majority of employees report to work each day.

(5) You must retain minutes of foreman-crew safety meetings for one year and be able to show us copies if we ask to see them.

NEW SECTION

WAC 296-306A-036 What items go on the safety bulletin board? (1) You must provide a bulletin board or posting area large enough to display the required safety and health poster, "Job Safety and Health Protection" (F416-081-000), and other safety education material.

(2) The bulletin board must be readily visible in a place where employees gather during some part of the work day. (For example, at the entrance to a field, a parking area, or in a farm building.)

(3) If for any reason any employee is unable to read the notices posted on the bulletin board, you must ensure that the message of the required poster explaining employee rights is communicated to the employee in terms he or she understands. This same requirement applies to variance applications, denials or grants, and to any other notice affecting the employee's rights under WISHA.

(4) Posting must be in the employees' language.

NEW SECTION

WAC 296-306A-039 How many people at the worksite must be first-aid trained? (1) During working hours, each farm or crew must have at least one person qualified to give first-aid.

"Qualified" means that the person holds a current certificate of first-aid training from the American Red Cross or another course with equivalent content and hours.

"Current certificate" means a first-aid training certificate that has not expired.

Note: The local department of labor and industries service location has a list of first-aid courses.

(2) The above requirement is met if the farm operator or spouse holds a current first-aid certificate and is available during working hours.

(3) Exception: The above requirements do not apply to employees whose duties require them to work alone at isolated work stations. However, employees working alone must be checked at intervals by some method agreed upon by you and the employee.

NEW SECTION

WAC 296-306A-042 Must an employer provide first-aid kits? (1) You must furnish first-aid kits as required by this section.

(2) First-aid supplies must be readily accessible and provided for employees working alone at isolated stations.

(3) First-aid kit sizes and numbers are determined by the number of employees normally dependent upon each kit as outlined in the following table:

Number of employees normally assigned to worksite	Minimum first-aid supplies required at worksite
1-15 employees	1 ten-package kit
16-30 employees	2 ten-package kits or 1 24-package kit
31-50 employees	3 ten-package kits or 1 36-package kit
Over 50 employees (Within 1/2 mile radius of supplies)	First-aid Station or 1 36-package kit plus stretcher and 2 blankets

Note: Kits may be carried in any motor vehicle that is used near the crew. The vehicle may be considered a first-aid station when it is identified as one and when the driver is trained in first aid.

(4) First-aid kits must have at least the following items:
1 package 1-inch adhesive bandages (16 per package)
2 packages 4-inch bandage compress (1 per package)
1 package scissors and tweezers (1 each per package)
2 packages 40-inch triangular bandage (1 per package)
1 package antiseptic soap or pads (3 per package)
2 packages eye dressing (1 per package)
1 package 24" x 72" absorbent gauze (1 per package)

Note: You may add items to first-aid kits.

(5) Items used from first-aid kits must be replaced before the next shift. Kits must be checked at least weekly for unauthorized removal of items.

NEW SECTION

WAC 296-306A-045 What are the requirements of the safe place standard? (1) You must furnish to each employee a place of employment free from recognized controllable hazards likely to cause serious injury or death.

(2) You must furnish and require employees to use any safety devices and safeguards that are needed to control recognized hazards. All agricultural methods, operations, and processes must be designed to promote the safety and health of employees.

(3) You must not require an employee to engage in any duty or enter any place that is not safe.

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(4) The following are prohibited:

(a) Removing, displacing, damaging, destroying or carrying off any safety device, safeguard, notice or warning intended for use in any place of employment.

(b) Interfering in any way with the use of any safety device, method or process adopted for the protection of any employee.

(5) Intoxicating beverages or narcotics in or around worksites. Employees under the influence of alcohol or narcotics are prohibited from the worksite.

Exception: This rule does not apply to anyone taking prescription drugs and/or narcotics as directed by a physician providing such use does not endanger the employee or others.

PART C
HAND TOOLS

NEW SECTION

WAC 296-306A-050 What requirements apply to hand tools? (1) Using hoes with handles less than four feet long or any hand tool used for weeding or thinning crops in a stooped position, is prohibited.

(2) You must ensure that hand tools are in good condition. Using defective hand tools is prohibited.

(3) You must ensure that hand tools are stored safely when not in use.

PART D
LADDERS, BULK STORAGE, PITS, AND TRENCHES

NEW SECTION

WAC 296-306A-055 Ladders.

NEW SECTION

WAC 296-306A-05501 How must ladders be cared for and maintained? (1) Ladders must be checked for defects before use, and thoroughly inspected periodically. Ladders shall be inspected immediately in the following situations:

(a) If a ladder tips over, inspect for side rails dents or bends, or excessively dented rungs; check all rung-to-side-rail connections; check hardware connections; check rivets for shear.

(b) If a ladder is exposed to excessive heat, inspect visually for damage and test for deflection and strength characteristics. If you are unsure about the ladder's condition, seek help from the manufacturer.

(2) Ladders must be maintained in good condition at all times. Joints between steps and side rails must be tight. All hardware and fittings must be securely attached, and the moveable parts must operate freely without binding or with too much play.

(3) Defective ladders must be withdrawn from service for repair or destruction and tagged as "Dangerous—Do not use."

(4) Ladders with broken or missing steps, rungs, or cleats, broken side rails, or other faulty equipment must not be used; improvised repairs must not be made.

(5) Ladders must be handled with care. Avoid unnecessary dropping, jarring, or misuse.

(6) Ladder storage must:

(a) Protect the ladder when not in use;

(b) Provide sufficient support to prevent excessive sagging;

(c) Provide ease of access or inspection; and

(d) Prevent danger of accidents when withdrawing a ladder for use.

NEW SECTION

WAC 296-306A-05503 How must an employer instruct employees to use ladders? (1) At the beginning of employment, you must provide employees with orientation and training on the proper use of ladders, including how to set a ladder and properly dismount with a full load.

(2) To prevent ladder upset, you must instruct employees to avoid overreaching while standing on the ladder.

(3) You must instruct employees that before climbing ladders; rungs, shoes, and boots must be clean of substances that would make them hazardous.

(4) Employees must not climb up or down ladders while carrying tools or materials that interfere with the free use of both hands.

(5) Ladders must not be placed on boxes, barrels, or other unstable bases to obtain additional height.

(6) Stepladders must not be used as single ladders.

(7) When working from a ladder over twenty-five feet from the ground or floor, the ladder must be secured at both top and bottom. When work on a ladder over twenty-five feet from the ground or floor requires the use of both hands, a safety belt must be worn and the safety lanyard secured to the ladder.

(8) Portable ladders must be placed so that the side rails have a secure footing. The top rest for portable rung and cleat ladders must be reasonably rigid and strong enough to support the applied load. The top of the ladder must be placed with the two rails supported, unless equipped with a single support attachment. Such an attachment should be substantial and large enough to support the ladder under load.

(9) Ladders carried on vehicles should be adequately supported to avoid sagging and securely fastened in position to minimize chafing and the effects of road shocks.

NEW SECTION

WAC 296-306A-05505 How must orchard ladders be used? (1) Orchard ladders longer than sixteen feet are prohibited.

(2) Employers must instruct employees to not stand on the top two steps (the top cap and the next step down) of orchard ladders.

(3) Employers must instruct employees to not step off the ladder onto branches of trees except onto the main crotch.

(4) Standing on the top two steps of the orchard ladder is prohibited.

NEW SECTION

WAC 296-306A-05507 What other requirements apply to ladders? (1) Ladders made by fastening cleats across a single rail are prohibited.

(2) Wood ladders, when not in use, should be stored where they will not be exposed to the elements, but where there is good ventilation. They must be stored away from radiators, stoves, steam pipes, or other excessive heat or dampness.

(3) Wooden ladders should be kept coated with a suitable protective material. Painted ladders are acceptable if the ladders are carefully inspected prior to painting by competent and experienced inspectors acting for, and responsible to, the purchaser, and if the ladders are not for resale.

(4) A ladder must have feet that are appropriate for the surface on which it will be used.

For example: A ladder used on a slippery surface must have steel points or other nonslip material on its feet.

(5) Ladders must not be placed in front of doors opening toward the ladder unless the door is blocked open, locked, or guarded.

(6) Ladder safety devices may be used on tower, water tank and chimney ladders over twenty feet long in place of cage protection. No landing platform is required in these cases. All ladder safety devices such as lifebelts, friction brakes, and sliding attachments must meet the design requirements of the ladders that they serve.

(7) See chapter 296-306A WAC Part K for requirements related to working near overhead lines.

NEW SECTION

WAC 296-306A-060 What requirements apply to job-made ladders? A "job-made ladder" is a ladder that you or your employees build.

Job-made ladders must meet the following requirements:

(1) All cleats must be made of one-by-four-inch nominal lumber, or stronger.

(2) Cleats must be inset into the edges of side rails to a depth of one-half inch, or filler blocks must be used on the rails between the cleats.

(3) Each cleat must be fastened to each rail with three 8d common wire nails or other fasteners of equal strength.

(4) Cleats must be uniformly spaced approximately 12 inches from the top of one cleat to the top of the next.

(5) Side rails must be continuous, unless splices develop the full strength of a continuous rail of equal length.

NEW SECTION

WAC 296-306A-061 What requirements apply to working around bins, bunkers, hoppers, tanks, pits, and trenches? (1) Employees must be prohibited from entering any bin, bunker, hopper, or similar area when loose materials (such as chips, sand, grain, gravel, sawdust, etc.) may collapse, unless the employee wears a safety belt with a lifeline attached and is attended by a helper.

Note: Silage pits are exempt from this section.

(2) When employees are required to work in a trench or a pit 4 feet deep or more, the trench or the pit must be shored or sloped according to the following table:

SOIL OR ROCK TYPE	MAXIMUM ALLOWABLE SLOPES (H:V) (1) FOR EXCAVATIONS LESS THAN 20 FEET DEEP (2)
STABLE ROCK	VERTICAL (90°)
TYPE A	3/4:1 (53°)
TYPE B	1:1 (45°)
TYPE C	1 1/2:1 (34°)

1 Numbers in parentheses next to maximum allowable slopes are angles in degrees from the horizontal. Angles have been rounded off.

2 Sloping or benching for excavations greater than 20 feet deep must be designed by a registered professional engineer.

(3) Each soil and rock deposit must be classified by a competent person as Stable Rock, Type A, B, or C according to the definitions in WAC 296-155-66401. "Competent person" means someone who is able to identify working conditions that are hazardous to employees, and has authority to take prompt action to eliminate the hazards.

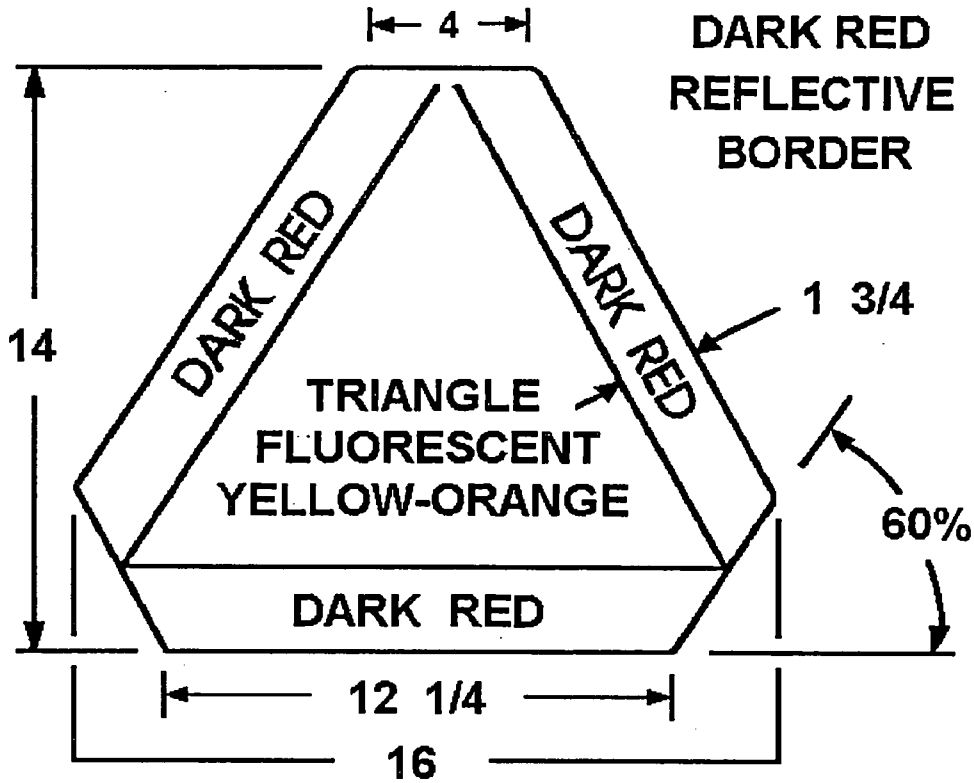
(4) Classification of the deposits must be based on the results of at least one visual and at least one manual analysis. The analyses must be conducted by a competent person using tests in recognized methods of soil classification and testing such as those adopted by the American Society for Testing Materials, or the U.S. Department of Agriculture textural classification system.

PART E
VEHICLES AND FARM FIELD EQUIPMENT

NEW SECTION

WAC 296-306A-065 How must slow-moving vehicles be marked? (1) You must ensure that all farm tractors and other slow-moving farm vehicles and equipment used on public roads have lamps, reflectors, and a slow-moving vehicle emblem. From one-half hour after sunset to one-half hour before sunrise, slow-moving vehicles must have lights and reflectors.

(2) The slow-moving vehicle emblem is a fluorescent yellow-orange triangle with a dark red reflective border. (See figure.) The emblem must be used on public roads only by vehicles designed to move slowly (25 M.P.H. or less).



NEW SECTION

WAC 296-306A-070 Motor vehicles.

NEW SECTION

WAC 296-306A-07001 How must motor vehicles be maintained? (1) You must maintain all motor vehicles and their parts in good repair and safe condition.

(2) You must not use tires that are worn beyond the point of safety.

(3) Employees must report to you any motor vehicle or other farm equipment that is in unsafe operating condition. You must ensure that the vehicle or equipment is removed from service and repaired before use.

(4) Before an employee performs service or repair work under hydraulic or mechanical raised dump truck beds, blades, discs, or other equipment, the raised portion of the equipment must be manually pinned or blocked to prevent falling.

NEW SECTION

WAC 296-306A-07003 How must motor vehicles be operated? (1) Vehicles must be driven at safe operating speed.

(2) Truck drivers must operate equipment at a safe speed for roadway conditions.

(3) When an employee backing a truck has obstructed vision, the employee must be assisted by a signaler. The signaler must have a clear view of the rear of the truck and the operator of the truck.

(4) Truck drivers must sound their horn before starting to back, and intermittently while backing.

(5) Shut off motors before refueling. Take care to prevent fuel from spilling on hot parts.

NEW SECTION

WAC 296-306A-07005 Who may operate motor vehicles? Only qualified drivers may operate motor vehicles and must have a current motor vehicle operator's license.

NEW SECTION

WAC 296-306A-07007 What requirements apply to motor vehicle brakes? (1) You must ensure that motor vehicles have brakes that will safely hold the maximum load on maximum grades.

(2) Trucks parked on an incline must have the steered wheels turned into the curb and must have at least one "driver" wheel chocked on each side, independent of the braking system.

Exception: If the truck has a functioning secondary braking system, the turned wheels and chock are not required.

(3) You must ensure that trailers have working air brakes, or another approved type. Air must be cut into the trailer brake system at the time that the trailer is coupled to the truck.

(4) The driver must test truck and trailer brakes before driving down a steep grade.

PERMANENT

NEW SECTION

WAC 296-306A-07009 How must motor vehicles be loaded and unloaded? (1) You must ensure that employees load and unload motor vehicles safely.

(2) All loads transported on trucks or truck and trailer combinations must be properly secured and distributed. Loads must not exceed the safe operating load for the roadway condition and the capacity of the bridges, trestles, and other structures.

NEW SECTION

WAC 296-306A-07011 What safety equipment must motor vehicles have? All motor vehicles must have standard lights, horn, flags, flares, and other safety equipment that conforms to the state of Washington motor vehicles laws.

NEW SECTION

WAC 296-306A-07013 What rules apply to vehicles used to transport employees? You must ensure that motor vehicles used regularly to transport employees meet the following requirements:

(1) The vehicles are well equipped, covered against the weather, and maintained in good mechanical condition at all times.

(2) A sufficient number of properly secured seats are provided in each vehicle to accommodate the number of employees transported. When emergency conditions make it necessary to transport more employees than the seating capacity can accommodate, all employees must ride within the vehicle. No employee may ride on fenders or running boards of the vehicle.

(3) No employees may ride in or on any vehicle with their legs hanging over the end or sides. All trucks without tail gates should have safety bars.

(4) The vehicles have storage strong enough to retain sharp tools that could present a hazard to employees being transported.

(5) All dump-trucks used to transport employees have an adequate safety chain or locking device to ensure that the body of the truck is not raised while employees are riding in it.

(6) Explosives or highly inflammable materials are not carried in or on the vehicle while it is used to transport employees.

(7) Exhaust systems are installed and maintained in proper condition, and are designed to eliminate the employee exposure to exhaust gases and fumes.

(8) Within the cab, crew trucks must carry only the number of passengers for which they are designed. In any seating arrangement, the driver must be able to maintain full freedom of motion. The driver's normal vision must be free from obstruction by passengers or the seating arrangement.

(9) All enclosed crew trucks have an emergency exit in addition to the regular entrance.

(10) Trucks used for hauling gravel may be used as crew trucks if they meet the following requirements:

(a) Steps in proper places;

(b) Wooden floors;

(c) Securely fastened seats;

(d) Truck is properly covered; and

(e) Compliance with all other general regulations covering crew trucks.

(11) Half-ton vehicles must haul no more than six persons including driver. Three-quarter-ton vehicles must haul no more than eight persons including driver.

(12) A vehicle used as a first-aid station has stretchers and fire extinguishers.

(13) Heating units with open fires are not used in vehicles transporting crews.

NEW SECTION

WAC 296-306A-073 What requirements apply to changing and charging storage batteries? (1) Battery changing installations must be located in areas designated for that purpose.

(2) Facilities must be provided for:

- Flushing and neutralizing spilled electrolyte;
- Fire protection;
- Protecting charging apparatus from damage by trucks; and
- Adequate ventilation of fumes from gassing batteries.

(3) Racks used to support batteries should be made of or covered with materials that will not create sparks.

(4) A conveyor, overhead hoist, or equivalent material handling equipment must be provided for handling batteries.

(5) Reinstalled batteries must be properly positioned and secured in the vehicle.

(6) A carboy tilter or siphon must be provided for handling electrolyte.

(7) When mixing water and acid for charging batteries, pour acid into water; do not pour water into acid.

(8) Vehicles must be properly positioned and the brake applied before attempting to change or charge batteries.

(9) When charging batteries, the vent caps should be kept in place to avoid electrolyte spray. You must ensure that vent caps function. The battery (or compartment) cover(s) must be open for cooling.

(10) Precautions shall be taken to prevent open flames, sparks, or electric arcs in battery charging areas.

(11) Tools and other metallic objects must be kept away from the tops of uncovered batteries.

NEW SECTION

WAC 296-306A-076 How must farm field equipment be guarded? "Farm field equipment" means tractors or implements, including self-propelled implements, used in agricultural operations.

(1) All power transmission components must be guarded according to WAC 296-306A-280.

(2) The manufacturer's instruction manual, if published by the manufacturer and currently available, must be the source of information for the safe operation and maintenance of field equipment.

(3) You must ensure that all power takeoff shafts, including rear, mid-mounted or side-mounted shafts, are guarded by a master shield, as follows:

(a) The rear power takeoff has a master shield. The master shield is strong enough to prevent permanent defor-

mation of the shield when a 250-pound operator mounts or dismounts the tractor using the shield as a step.

(b) Power takeoff driven equipment is guarded to prevent employee contact with rotating members of the power drive system. When the tractor master shield must be removed to use specific power takeoff driven equipment, the equipment must provide protection from the part of the tractor power takeoff shaft that protrudes from the tractor.

(c) Signs are placed at prominent locations on the tractor and on power takeoff driven equipment requiring that safety shields are kept in place.

(4) The following functional components must be shielded to a degree consistent with the intended function and operator's vision of the component.

- Snapping or husking rolls;
- Straw spreaders and choppers;
- Cutterbars;
- Flail rotors;
- Rotary beaters;
- Mixing augers;
- Feed rolls;
- Conveying augers;
- Rotary tillers; and
- Similar units that must be exposed for proper function

(5) Where removing a guard or access door will expose an employee to any component that continues to rotate after the power is disengaged, you must provide, in the immediate area:

(a) A safety sign warning the employee to look and listen for evidence of rotation and to wait until all components have stopped before removing the guard or access door.

(b) A readily visible or audible warning of rotation on equipment manufactured after October 25, 1976.

(6) 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 must be provided on the equipment.

(7) You must ensure that the operator's steps and platform have a slip-resistant covering to minimize the possibility of slipping.

(8) Powered machines not driven by an individual motor must have a clutch or other effective means of stopping.

(9) All friction clutches must have sufficient clearance and be kept adjusted to prevent drag or creeping when disengaged.

PART F
ROLLOVER PROTECTIVE STRUCTURES (ROPS) FOR TRACTORS

NEW SECTION

WAC 296-306A-080 Rollover protective structures (ROPS) for tractors.

NEW SECTION

WAC 296-306A-08003 Which agricultural tractors are covered by this section? All agricultural tractors manufactured after October 25, 1976, must meet the requirements of WAC 296-306A-080. An agricultural tractor manufactured on or before October 25, 1976, must meet the requirements of WAC 296-306A-080 if:

(1) The tractor was built or sold with rollover protective structures (ROPS) as an optional accessory; or

(2) According to the manufacturer, the tractor was designed to accommodate the addition of ROPS.

NEW SECTION

WAC 296-306A-08006 What definitions apply to rollover protective structures (ROPS) for agricultural tractors? "Agricultural tractor" means a two-wheel-drive or four-wheel-drive vehicle, or a track vehicle of more than twenty net engine horsepower, designed to furnish the power to pull, carry, propel, or drive implements that are designed for agriculture. All human-powered implements are excluded.

"Low profile tractor" means a wheel or track-equipped vehicle with the following characteristics:

- The front wheel spacing is equal to the rear wheel spacing, as measured between the centerlines of the wheels;
- The clearance from the bottom of the tractor chassis to the ground is eighteen inches or less;
- The highest point of the hood is sixty inches or less, and
- The tractor is designed so that the operator straddles the transmission when seated.

NEW SECTION

WAC 296-306A-08009 What requirements apply to the testing and performance of ROPS used on agricultural tractors? You must provide a rollover protective structure (ROPS) for each employee-operated tractor that is covered by WAC 296-306A-080. ROPS used on wheel-type tractors must meet the test and performance requirements of OSHA 1928.52 CFR, Protective Frames for Wheel Type Agricultural Tractors, and ROPS used on track-type tractors must meet the test and performance requirements of SAE Standard J334a (July 1970) and the portions of SAE Standard J167 (1971) pertaining to overhead protection requirements.

NEW SECTION

WAC 296-306A-08012 What requirements apply to seatbelts used with ROPS on agricultural tractors? (1) Where ROPS are required by WAC 296-306A-080, you must:

(a) Provide each tractor with a seatbelt;

(b) Require that each employee use the seatbelt while the tractor is moving; and

(c) Require that each employee tighten the seatbelt sufficiently to confine the employee to the ROPS protected area.

(2) Each seatbelt and seatbelt anchorage must meet the requirements of ANSI/SAE J800 April 1986, Motor Vehicle Seat Belt Assemblies.

(a) Where a suspended seat is used, the seatbelt must be fastened to the movable portion of the seat.

(b) The seatbelt webbing material must be at least as resistant to acids, alkalis, mildew, aging, moisture and sunlight as untreated polyester fiber.

PERMANENT

NEW SECTION

WAC 296-306A-08015 When are ROPS not required on agricultural tractors? ROPS are not required on agricultural tractors that are used as follows:

(1) Low profile tractors used in orchards, vineyards or hop yards where the vertical clearance requirements would substantially interfere with normal operations, and for work related to these uses.

(2) Low profile tractors while used inside a farm building or greenhouse in which the vertical clearance is insufficient to allow a ROPS equipped tractor to operate.

(3) Tractors while used with mounted equipment that is incompatible with ROPS (for example, cornpickers, cotton strippers, vegetable pickers, and fruit harvesters).

(4) Track-type agricultural tractors whose overall width (measured between the outside edges of the tracks) is at least three times the height of the rated center of gravity, and whose rated maximum speed in forward or reverse is not greater than seven miles per hour, when used only for tillage or harvesting operations, and which:

(a) Does not involve operating on slopes in excess of forty percent from horizontal; and

(b) Does not involve operating on piled crop products or residue (for example: Silage in stacks or pits); and

(c) Does not involve operating in close proximity to irrigation ditches, streams or other excavations more than two feet deep that contain slopes of more than forty percent from horizontal; and

(d) Does not involve construction-type operation, such as bulldozing, grading, or land clearing.

NEW SECTION

WAC 296-306A-08018 What employee training requirements apply to ROPS used on agricultural tractors? (1) You must ensure that every employee who operates an agricultural tractor is informed of the operating practices listed below and of any other practices dictated by the work environment. You must provide the information at the time of initial assignment and at least annually thereafter.

(2) You must ensure that every employee who operates an agriculture tractor is trained specifically in the operation of the tractor to be used. The training must include an orientation of the operator to the topographical features of the land where the tractor will be operated. Training must emphasize safe operating practices to avoid rollover.

(3) The tractor training program must be described in the written accident prevention program required by WAC 296-306A-030.

NEW SECTION

WAC 296-306A-08021 What other requirements apply to ROPS used on agricultural tractors? (1) You must ensure that batteries, fuel tanks, oil reservoirs, and coolant systems are constructed and located or sealed to ensure that no spillage comes in contact with the operator in the event of an upset.

(2) All sharp edges and corners at the operator's station must be designed to minimize operator injury in the event of an upset.

(3) When ROPS are removed, they must be remounted to meet the requirements of WAC 296-306A-080.

(4) You must ensure that each ROPS has a label, permanently affixed to the structure, that states:

(a) Manufacturer's or fabricator's name and address;

(b) ROPS model number, if any;

(c) Tractor makes, models, or series numbers that the structure is designed to fit; and

(d) That the ROPS model was tested in accordance with the requirements of this section.

NEW SECTION

WAC 296-306A-085 When must ROPS be provided for material handling equipment? (1) This section applies to the following types of material handling equipment: Rubber-tired, self-propelled scrapers; rubber-tired front-end loaders; rubber-tired dozers; wheel-type agricultural and industrial tractors; crawler tractors; crawler-type loaders; and motor graders, with or without attachments, that are used in agricultural work. This section does not apply to side-boom pipelaying tractors.

(2) You must ensure that material handling equipment manufactured on or after October 25, 1976, is equipped with ROPS that meet the minimum performance standards of WAC 296-306A-08009.

(3) ROPS and supporting attachments must meet the minimum performance standards of OSHA 1928.52 CFR, Protective Frames for Wheel Type Agricultural Tractors, or must be designed, fabricated, and installed in a manner that will support, based on the ultimate strength of the metal, at least two times the weight of the prime mover applied at the point of impact.

(a) The ROPS must be designed to minimize the likelihood of a complete overturn and to minimize the possibility of the operator being crushed in a rollover.

(b) The design must provide a vertical clearance of at least fifty-two inches from the work deck to the ROPS at the entrance.

(4) When ROPS are removed, they must be remounted so as to meet the requirements of this section.

(5) Each ROPS must have a label, permanently affixed to the structure, that states:

(a) Manufacturer's or fabricator's name and address;

(b) ROPS model number, if any;

(c) Tractor makes, models, or series numbers that the structure is designed to fit; and

(d) That the ROPS model was tested in accordance with the requirements of this section.

NEW SECTION

WAC 296-306A-090 What requirements apply to overhead protection for operators of agricultural and industrial tractors? This section applies to wheel-type agricultural tractors used in construction work and to wheel-type industrial tractors used in agriculture work.

(1) If grid or mesh is used for overhead protection, the largest permissible opening is 1.5 in. (38 mm.) in diameter. The overhead protection must not be installed in such a way as to become a hazard in the case of upset.

(2) All equipment used in site clearing operations must have rollover guards meeting the requirements of this

PERMANENT

chapter. You must ensure that rider-operated equipment is equipped with an overhead and rear canopy guard meeting the following requirements:

(a) The overhead covering is at least eighth-inch steel plate or quarter-inch woven wire mesh with openings no greater than one inch, or equivalent.

(b) The opening in the rear of the canopy structure is covered with not less than quarter-inch woven wire mesh with openings no greater than one inch.

(3) Overhead protection that meets the provisions of SAE Standard J334 (July 1970) for rubber-tired dozers and rubber-tired loaders also meets the requirements of this standard.

PART G
FIELD SANITATION

NEW SECTION

WAC 296-306A-095 Field sanitation.

NEW SECTION

WAC 296-306A-09503 What does this section cover? WAC 296-306A-095 applies to any agricultural employer with one or more employees engaged in any hand-labor operations in the field.

Exception: WAC 296-306A-09515 (handwashing facilities) and 296-306A-09518 (toilet facilities) do not apply if your employees:

(1) Are engaged in field activities for the production of grains, seeds, livestock, or livestock feed; or

(2) Use vehicles, machinery, or animals as part of their field activities and, when needed, can transport themselves to and from toilet and handwashing facilities.

NEW SECTION

WAC 296-306A-09506 What definitions apply to this section? "Accessible" means a maximum of one-quarter mile or five minutes travel time from the worksite.

"Hand-labor operations" means agricultural operations performed by hand or with hand tools.

For example: The hand cultivation, weeding, planting or harvesting of vegetables, nuts, fruit, seedlings or other crops, including mushrooms, and hand packing into containers.

Exception: Hand-labor does not include logging operations, the care or feeding of livestock, or hand-labor operations in permanent structures (e.g., canning facilities or packing houses).

"Handwashing facility" means a facility that meets the requirements of WAC 296-306A-09515 and is approved by the local health authority.

"Toilet" means a fixed or portable facility designed for the purpose of adequate collection and containment of both defecation and urination. "Toilet" includes biological, chemical, flush, and combustion toilets, or sanitary outhouses.

NEW SECTION

WAC 296-306A-09509 What orientation must employers provide for field sanitation? You must provide each employee with verbal orientation on field sanitation facilities. The orientation must be understandable to each employee and must include:

(1) The location of potable water supplies;

(2) Identification of all nonpotable water at the worksite and prohibition of the use of nonpotable water with an explanation of the hazards associated with using nonpotable water;

(3) The location of handwashing facilities with an explanation of when and how they should be used and the hazards associated with not using them; and

(4) The location of toilet facilities; an explanation that facilities are for employee convenience and health considerations; the necessity to keep them sanitary; and that using the fields, orchards, or forests is not an option.

NEW SECTION

WAC 296-306A-09512 What potable water sources must an employer provide? You must provide potable water for employees engaged in hand-labor operations in the field, without cost to the employee. Potable water must meet the following requirements:

(1) Potable water is in locations that are accessible to all employees.

(2) Potable water containers are refilled daily or more often as necessary.

(3) Potable water dispensers are designed, constructed, and serviced so that sanitary conditions are maintained. They are closeable and equipped with a tap.

(4) Open containers such as barrels, pails, or tanks for drinking water from which water must be dipped or poured, whether or not they are fitted with a cover, are prohibited.

(5) Any container used to distribute drinking water is clearly marked in English and with the appropriate international symbol describing its contents.

(6) Any container used to distribute drinking water is only used for that purpose.

(7) Potable water is suitably cool and provided in sufficient amounts, taking into account the air temperature, humidity, and the nature of the work performed, to meet employees' needs.

Note: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, employees may require up to three gallons of water per day.

(8) The use of common drinking cups or dippers is prohibited. Water is dispensed in single-use drinking cups, personal containers, or by water fountains.

"Single-use drinking cups" means containers of any type or size, disposable or not, and including personal containers if the choice to use a personal container is made by the employee, not the employer.

(9) Employees must be prohibited from drinking from irrigation ditches, creeks or rivers. Potable water must meet the quality standards for drinking purposes of the state or local authority, or must meet quality standards of the United States Environmental Protection Agency's National

PERMANENT

Interim—Primary Drinking Water Regulations, published in 40 CFR Part 141 and 40 CFR 147.2400.

NEW SECTION

WAC 296-306A-09515 What handwashing facilities must an employer provide? You must provide handwashing facilities for employees engaged in hand-labor operations in the field, without cost to the employee. Handwashing facilities must meet the following requirements:

(1) One handwashing facility with a tap and an adequate supply of water, soap, single-use hand towels, and either a basin or other suitable container for washing is provided for each twenty employees or fraction of twenty.

Note: Nonpotable water must not be used for washing any part of a person, except as permitted by the local health authority.

(2) Each facility has running water.

(3) Each facility has a dispenser containing handsoap or a similar cleansing agent.

(4) Each facility has individual single-use hand towels.

(5) Facilities are maintained in a clean and sanitary condition according to appropriate public health sanitation practices.

(6) Waste receptacles are provided. Disposal of wastes from the facilities does not create a hazard nor cause an unsanitary condition.

(7) Employees are allowed reasonable time during the work period to use the facilities.

(8) Handwashing facilities are near toilet facilities and within one-quarter mile of each employee's worksite in the field.

Exception: Where it is not feasible to locate facilities as required above, the facilities must be located at the point of closest vehicular access.

NEW SECTION

WAC 296-306A-09518 What toilet facilities must an employer provide? You must provide toilet facilities for employees engaged in hand-labor operations in the field, without cost to the employee. Toilet facilities must meet the following requirements:

(1) One toilet facility is provided for each twenty employees or fraction of twenty.

(2) You must ensure, at the beginning of each day, that the toilets are inspected. If any toilet facility fails to meet the requirements of this section, immediate corrective action is taken. Inspections are documented and the record maintained at the worksite for at least seventy-two hours.

(3) Toilet facilities are adequately ventilated; appropriately screened, and have self-closing doors that can be closed and latched from the inside. Toilet facilities are constructed to ensure privacy.

(4) Facilities are maintained in a clean, sanitary, and functional condition and according to appropriate public health sanitation practices.

(5) Toilets are supplied with toilet paper.

(6) Disposal of wastes from the facilities does not create a hazard or cause an unsanitary condition.

(7) Employees are allowed reasonable time during the work period to use the facilities.

(8) Facilities are near handwashing facilities and within one-quarter mile of each employee's worksite in the field.

Exception: Where it is not feasible to locate facilities as required above, the facilities must be located at the point of closest vehicular access.

PART H
PERSONAL PROTECTIVE EQUIPMENT

NEW SECTION

WAC 296-306A-100 Personal protective equipment.

NEW SECTION

WAC 296-306A-10005 Who must provide personal protective equipment? (1) You must ensure that employees are protected from injury or impairment of any bodily function that might occur through absorption, inhalation or physical contact of any substance, vapor, radiation, or physical hazard. Wherever appropriate, you must ensure that employees use protective clothing; respiratory devices; shields; barriers; and adequate protective equipment for eyes, face, head, and extremities.

(2) You must provide personal protective equipment at no cost to employees, including replacement due to normal wear and tear. The equipment must be maintained in sanitary and reliable condition.

Exception: You may require employees to provide their own normal work clothing, including long-sleeved shirts, long-legged pants, and socks.

(3) If employees provide their own protective equipment, then you must ensure that the equipment is adequate, properly maintained, and sanitary.

NEW SECTION

WAC 296-306A-10010 What requirements apply to eye protection? You must require eye protection wherever employees are exposed to flying objects, welding or cutting glare, injurious liquids, or injurious radiation. Eye protectors must meet the criteria of the American National Standard for Occupational and Educational Eye and Face Protection.

NEW SECTION

WAC 296-306A-10015 How must personal protective equipment be used? (1) You must ensure that employees use personal protective equipment according to the manufacturer's instructions.

(2) You must ensure that, before each use, employees inspect all personal protective equipment for leaks, holes, tears, or worn places, and any damaged equipment is repaired or discarded.

(3) The employee must use personal protective equipment according to instructions and training received.

(4) The employee shall notify you of any defects in personal protective equipment or when the equipment becomes contaminated.

PERMANENT

NEW SECTION

WAC 296-306A-10020 What must an employer do to prevent heat-related illness? You must take appropriate measures to prevent heat-related illness that may be caused by employees wearing any required personal protective equipment.

NEW SECTION

WAC 296-306A-10025 What instruction on personal protective equipment must an employer give to employees? You must instruct each employee in the proper use of personal protective equipment. The instruction must include any special limitations or precautions indicated by the manufacturer.

PART I
PESTICIDES
(WORKER PROTECTION STANDARD)

PART J
PESTICIDES RECORDKEEPING

NEW SECTION

WAC 296-306A-145 Pesticides recordkeeping.

NEW SECTION

WAC 296-306A-14505 What records must an employer keep for pesticide applications? (1) If you apply pesticides, or have pesticides applied for you, related to the production of an agricultural crop, you must keep records for each application. The records must include the following:

(a) The address or exact location where the pesticide was applied or stored;

Note: If you apply pesticides to one acre or more, the location must be shown on the map on the required form for at least the first application.

(b) The year, month, day, and time the pesticide was applied or stored;

(c) The product name on the registered label and the United States Environmental Protection Agency registration number, if applicable, of the pesticide that was applied or stored;

(d) The crop or site to which the pesticide was applied (application crop or site);

(e) The amount of pesticide applied per acre, or other appropriate measure;

(f) The concentration of pesticide applied;

(g) The total area to which pesticide was applied;

(h) If applicable, the licensed applicator's name, address, and telephone number and the name of the individual(s) making the application;

(i) The direction and estimated velocity of the wind at the time the pesticide was applied;

Exception: Wind information does not have to be recorded for applications of baits in bait stations and pesticide applications within structures.

(j) Any other reasonable information required by the department.

(2) A commercial pesticide applicator must provide a copy of the pesticide application records to the owner or lessee of the lands to which the pesticide is applied. Pesticide application records may be provided on any form that includes all required information.

(3) You must update records on the same day that a pesticide is applied. You may use a copy as the record of the pesticide application. You must maintain the records for at least seven years after the date of the application.

(4) You must ensure that pesticide application records are readily accessible to employees and their designated representatives in a central location in the workplace. The records must be available beginning on the day the application is made and for at least thirty days after. You may view the pesticide application records and make your own record from that information.

(5) New or newly assigned employees must be made aware of the accessibility of the application records before working with pesticides or in an area containing pesticides.

(6) When storing pesticides, you must, at least once a year, perform an inventory of the pesticides stored in any work area.

(7) The pesticide inventory records must include the following information:

(a) The location where the pesticide is stored;

(b) The year, month, day, and time the pesticide was first stored;

(c) The product name used on the registered label and the United States Environmental Protection Agency Registration Number, if applicable, of the pesticide that is stored; and

(d) The amount of pesticide in storage at the time of the inventory.

(8) You must maintain a record of pesticide purchases made between the annual inventory dates.

(a) Instead of this purchase record, you may obtain from distributors from whom you buy pesticides, a statement obligating the distributor to maintain the purchase records on your behalf to meet the requirements of this section.

(b) We may require you to submit all purchase records covering the purchases during a specified period of time or in a specified geographical area.

(9) When you end all pesticide activities, you must file the records with us. Anyone who succeeds or replaces you must retain the records required by this section, but that person is not liable for any violations you commit.

(10) You must ensure that the records required under this section are readily accessible to us for inspection. You must also provide copies of the records on request, to:

(a) An employee or the employee's designated representative in the case of an industrial insurance claim filed under Title 51 RCW with the department of labor and industries;

(b) Treating health care personnel; or

(c) The pesticide incident reporting and tracking review panel.

(11) The designated representative or treating health care personnel are not required to identify the employee represented or treated.

(12) We will keep the name of any affected employee confidential according to RCW 49.17.080(1).

PERMANENT

(13) When treating health care personnel request records under this section, and the record is required to determine treatment, you must provide copies of the record immediately. Information for treating health care personnel must be made immediately available by telephone, if requested, with a copy of the records provided within twenty-four hours. For all other requests, you must provide copies of the records within seventy-two hours.

(14) If requested, you must provide copies of records on a form provided by the department.

(15) If you suspect that an employee is ill or injured because of an exposure to one or more pesticides, you must immediately provide the employee with a copy of the relevant pesticide application records.

(16) If you refuse to provide a copy of a requested record, the requester may notify the department of the request and your refusal.

(a) Within seven working days, we will request that you provide us with all pertinent copies of the records, except that in a medical emergency we will request within two working days.

(b) You must provide copies of the records to us within twenty-four hours after we request.

(17) We inspect for the records required under this section as part of any on-site inspection of a workplace conducted under this chapter or chapter 49.17 RCW. We will determine, during the inspection, whether the records are readily transferable to a form adopted by the department, and readily accessible to employees. However, your records will not be inspected more than once in any calendar year, unless a previous inspection has found recordkeeping violations. If recordkeeping violations are found, we may conduct reasonable multiple inspections, according to department rules. (See WAC 296-27-16018, Compliance inspections, and WAC 296-27-16026, Programmed inspections.) Nothing in this section limits our inspection of records pertaining to pesticide-related injuries, illnesses, fatalities, accidents, or complaints.

(18) If you fail to maintain the records, or provide access to or copies of the records required under this section, you will be subject to penalties authorized under RCW 49.17.180.

(19) The department of labor and industries and the department of agriculture will jointly adopt by rule, forms that satisfy the information requirements of this section and RCW 17.21.100.

NEW SECTION

WAC 296-306A-14510 What do the pesticides forms look like?

WAC 296-306A-14510 Pesticide application record (version 1).

State of Washington
Department of Agriculture
Olympia, Washington 98504

PESTICIDE APPLICATION RECORD (Version 1)

NOTE: This form must be completed same day as the application and it must be retained for 7 years. (Ref. RCW 17.21)

1. Date of Application - Year: ..... Month: ..... Day: ..... Time: .....
2. Name of person for whom the pesticide was applied: .....
   Firm Name (if applicable): .....
   Street Address: ..... City: ..... State: ..... Zip: .....
3. Licensed Applicator's Name (if different from #2 above): ..... License No.: .....
   Firm Name (if applicable): ..... Tel. No.: .....
   Street Address: ..... City: ..... State: ..... Zip: .....
4. Name of person(s) who applied the pesticide (if different than #3 above): .....
   ..... License No(s). if applicable: .....
5. Application Crop or Site: .....
6. Total Area Treated (acre., sq. ft., etc): .....
7. Was this application made as a result of a WSDA Permit? ☐ No ☐ Yes (if yes, give Permit No.) #.....
8. Pesticide information (please list all information for each pesticide in the tank mix):

a) Product Name	b) EPA Reg No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied
			/	
			/	
			/	
			/	
			/	

9. Address *or exact location* of application. NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form.

10. Wind direction and estimated velocity during the application: .....
11. Temperature during the application: .....
12. Apparatus license plate number (if applicable): .....
13. ☐ Air ☐ Ground ☐ Chemigation
14. Miscellaneous Information:

PERMANENT

Location of Application (if the application covers more than one township or range, please indicate the township & range for the top left section of the map only):

Township: .....

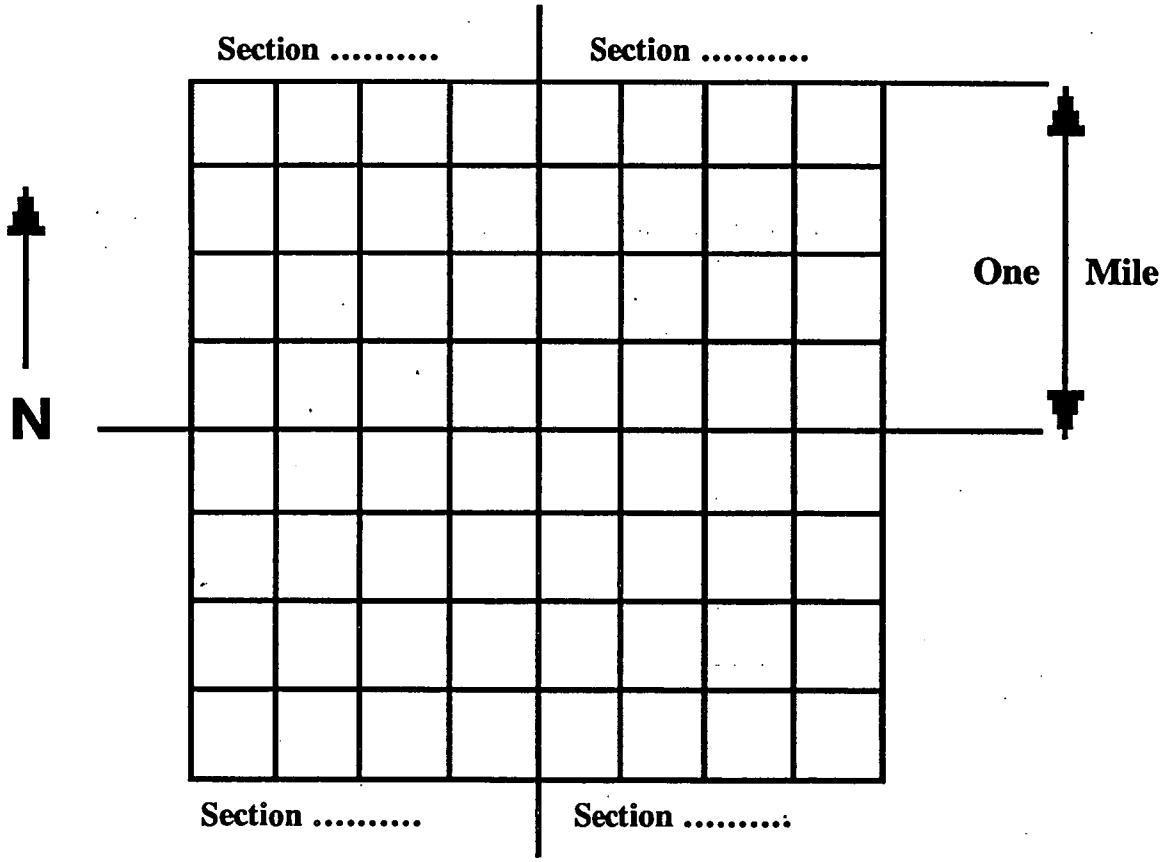
Range: E or W (please indicate) .....

Section(s): .....

County: .....

PLEASE NOTE:

The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treated.



Miscellaneous Information:

WAC 296-306A-14510 Pesticide application record (version 2).

State of Washington
Department of Agriculture
Olympia, Washington 98504

PESTICIDE APPLICATION RECORD (Version 2)

NOTE: Application information must be completed on the same day as the application and must be retained for seven years. (Ref. RCW 17.21)

1. Name & Address of Person for Whom Pesticide was Applied:	2. Applicator Name and Address (if different from (1)):
	Tel. No. _____ Lic. No. _____
3. Address or exact location of application (NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form)	4. Misc. Info.:

5. Date and Time of Application	6. Crop or Site Treated	7. Acres Treated (or other measure)	8. PRODUCT NAME	9. EPA Registration Number	10. Amount of Product Applied		11. Concentration	12. Weather Conditions, Apparatus License Plate No. and Name and License No. of person(s) who applied pesticide
					Rate per acre (or other measure)	Total Product Applied		
	☐ Air ☐ Ground ☐ Chemigation							
	☐ Air ☐ Ground ☐ Chemigation							
	☐ Air ☐ Ground ☐ Chemigation							
	☐ Air ☐ Ground ☐ Chemigation							

PERMANENT

PERMANENT

Location of Application: (If the application covers more than one township or range, please indicate the township & range for the top left section of the map only)

TOWNSHIP: _____ N

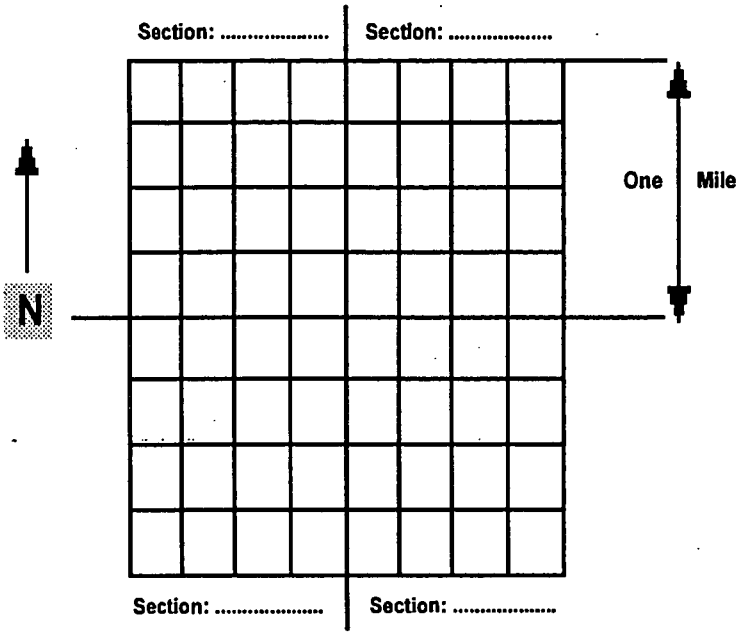
RANGE: _____ E or W
(please indicate)

SECTION(S): _____

COUNTY: _____

PLEASE NOTE:

The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treated.



WAC 296-306A-14510 Pesticide application record (version 3).

State of Washington
Department of Agriculture
Olympia, Washington 98504

PESTICIDE APPLICATION RECORD (Version 3)

NOTE: This form must be completed same day as the application and it must be retained for 7 years. (Ref. RCW 17.21)

1. Date of Application - Year: ..... Month: ..... Day(s): .....

2. Name of person for whom the pesticide was applied: .....
   Firm Name (if applicable): .....
   Street Address: ..... City: ..... State: ..... Zip: .....

3. Licensed Applicator's Name (if different from #2 above): ..... License No.: .....
   Firm Name (if applicable): ..... Tel. No.: .....
   Street Address: ..... City: ..... State: ..... Zip: .....

4. ☐ Air ☐ Ground ☐ Chemigation

5. Application Crop or Site: .....

6. Total Area Treated (acre., sq. ft., etc): .....

7. Was this application made as a result of a WSDA Permit? ☐ No ☐ Yes (if yes, give Permit No.) #.....

8. Pesticide information (please list all information for each pesticide in the tank mix):

a) Product Name	b) EPA Reg No.	c) Total Amount of Pesticide Applied in Area Treated	d) Pesticide Applied/Acre (or other measure)	e) Concentration Applied
			/	
			/	
			/	
			/	
			/	

9. Address *or exact location* of application. NOTE: If the application is made to one acre or more of agricultural land, the field location must be shown on the map on page two of this form.

10. Date	11. Name of person(s) making the application	12. License No.	13. Apparatus Lic. Plate No.	14. Time Start	Stop	15. Acres Completed	16. Wind Dir.	Vel.	17. Temp

Continued on back

PERMANENT

PERMANENT

10. Date	11. Name of person(s) making the application	12. License No.	13. Apparatus Lic. Plate No.	14. Time Start	Stop	15. Acres Completed	16. Wind Dir.	Vel.	17. Temp

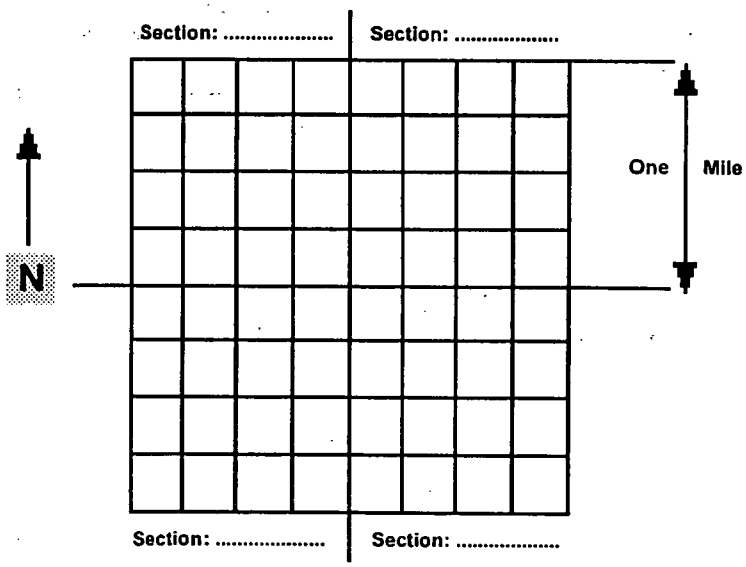
Location of Applicaton (if the application covers more thatn one township or range, please indicate the township & range of the top left section of the map only):

Township: _____ N

Range: E or W (please indicate)_____

Section(s): _____

County: _____



PLEASE NOTE:

The map is divided into 4 sections with each section divided into quarter-quarter sections. Please complete it by marking the appropriate section number(s) on the map and indicate as accurately as possible the location of the area treate

Miscellaneous Information

WAC 296-306A-14510 Pesticide storage record.

Department of Labor & Industries
Consultation & Compliance Services
PO Box 44600
Olympia, WA 98504-4600

PESTICIDE STORAGE RECORD

1. Name of person storing pesticide			
2. Name of pesticide owner		Telephone	
3. Owner's address	City	State	Zip

PERMANENT

4. Pesticide Information

Date	Product Information	Active Ingredients (common name)	EPA Reg. No.	Amount Stored

6. Location Storage:

b) Street address

b) If a street location is not appropriate, pinpoint the location of the storage and describe the location:	
Township	N
Range	E or W
Section(s)	
County	

7. Type or print name of person completing this form	Date	Signature

NEW SECTION

WAC 296-306A-14520 What are the department's recommendations for cholinesterase monitoring? (Nonmandatory) (1) We recommend that you implement a screening program for cholinesterase monitoring for employees handling organophosphate and carbamate pesticides.

(2) Red blood cell and plasma cholinesterase testing of employees who handle toxicity class 1 or 2 carbamate or organophosphate pesticides is an acceptable bioassay method for determining the extent and effects of exposure to these types of pesticides. The schedule of testing should include a preexposure baseline level, followed by periodic monitoring during the period of exposure.

(3) You should provide baseline cholinesterase tests for all employees handling carbamate or organophosphate pesticides for 30 hours or more in any 30-day period.

(4) Employees should be given baseline tests before actual exposure, at the beginning of the growing season, or upon first hire. These baseline tests should be repeated every two years.

(5) Periodic tests should be conducted every 30 days after the initial baseline for the next three months, and every 60 days thereafter until organophosphate or carbamate pesticide exposure ceases.

(6) You should not allow a monitored employee to be further exposed to carbamate or organophosphate pesticides if any cholinesterase test in comparison to the baseline is less than 70% of red blood cell baseline levels or 60% of plasma baseline levels. These employees should not be further exposed to organophosphate pesticides until their cholinesterase levels return to 80% or more of their baseline levels.

(7) Employees should be monitored for plasma or red blood cell cholinesterase levels.

(8) Monitoring programs should include appropriate follow-up and referrals to health care providers as needed, and should include a mechanism for recordkeeping and report tracking.

PART K
WORKING NEAR OVERHEAD LINES

NEW SECTION

WAC 296-306A-150 Employees working near overhead lines.

NEW SECTION

WAC 296-306A-15003 What does this section cover? WAC 296-306A-150 does not apply to the construction, reconstruction, operation, or maintenance of overhead electrical conductors (and their supporting structures and associated equipment) by authorized and qualified electrical employees. It also does not apply 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 296-306A-15006 What clearance and safeguards are required to protect employees working near overhead lines? (1) All exposed overhead conductors must be isolated from accidental contact by employees or equipment.

(2) Irrigation pipe must not be stored within one hundred feet of overhead conductors.

(3) Upending irrigation pipe within one hundred feet of overhead conductors is prohibited.

(4) Water and irrigation systems, and other devices that discharge a conductive liquid, must be set up and operated so that the discharge from the system is directed more than ten feet away from overhead high-voltage lines, and avoids contact with any exposed electrical power conductor.

(5) Employees are prohibited from entering or working in proximity to high-voltage lines, unless there are guards to prevent accidental contact.

Note: Voltage 600V and higher is considered high voltage.

(6) The following are prohibited if it is possible to bring these objects within ten feet of high-voltage lines:

(a) Operating, erecting, or transporting tools, equipment, or a moving part;

(b) Handling, transporting, or storing materials; or

(c) Moving a building near high-voltage lines.

(7) Equipment or machines must be operated near power lines according to the following:

(a) For lines rated 50 kv. or below, minimum clearance between the lines and any part of the object must be ten feet;

(b) For lines rated over 50 kv. minimum clearance between the lines and any part of the object must 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;

(c) In transit, the clearance must 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.;

(d) You must designate someone to observe clearance and give warning for operations where it is difficult for the operator to see well enough to maintain the necessary clearance.

Exception: You are exempt from this requirement if electrical distribution and transmission lines have been deenergized and visibly grounded at point of work; or if insulating barriers, not a part of or an attachment to the equipment or machinery, have been erected to prevent physical contact with the lines.

NEW SECTION

WAC 296-306A-15009 What signs must an employer post to warn employees working near overhead lines? You must post and maintain in plain view of the operator on each derrick, power-shovel, drilling-rig, hay loader, hay stacker, or similar apparatus with parts that are capable of vertical, lateral or swinging motion, a durable warning sign legible at twelve feet that says, "unlawful to operate this equipment within ten feet of high-voltage lines."

NEW SECTION

WAC 296-306A-15012 When must an employer notify the utility of employees working near overhead lines? The employer must notify the operator of high-voltage lines 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. All required safety measures must be completed before proceeding with any work that would reduce the clearance requirements of this section.

PART L
TEMPORARY LABOR CAMPS

NEW SECTION

WAC 296-306A-160 Temporary labor camps.

NEW SECTION

WAC 296-306A-16001 What requirements apply to camp sites? (1) You must ensure that all sites used for temporary labor camps are adequately drained. The site must be free from periodic flooding, and located at least 200 feet from a swamp, pool, sink hole, or other surface collection of water unless the water surface can be subject to mosquito control. Drainage from and through the camp must not endanger any domestic or public water supply. All sites must be free from depressions in which water may become a nuisance.

(2) All sites must be large enough to prevent overcrowding of necessary structures. The principal camp area for sleeping and for food preparation and eating must be at least 500 feet from where livestock are kept.

(3) The grounds and open areas surrounding the shelters must be maintained in a clean and sanitary condition.

(4) Whenever the camp is closed for the season or permanently, all garbage, manure, and other refuse must be collected and disposed of to prevent nuisance. All abandoned toilet pits must be filled with earth, and the grounds and buildings left in a clean and sanitary condition. If outhouse buildings remain, they must be locked or otherwise secured to prevent entrance.

NEW SECTION

WAC 296-306A-16003 How must camp shelters be constructed? (1) You must ensure that every shelter in the camp is constructed to provide protection against the elements.

(2) Each room used for sleeping purposes must have at least 50 square feet of floor space for each occupant. The room must have at least a 7-foot ceiling.

(3) You must provide beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles in every sleeping room.

(a) Beds must be at least 36 inches apart, both laterally and end to end, and the frame must keep mattresses at least 12 inches off the floor.

(b) Double-deck bunks must be spaced at least 48 inches apart, both laterally and end to end.

(c) The minimum clear space between lower and upper bunks must be at least 27 inches.

(d) Triple-deck bunks are prohibited.

(4) The floors of each shelter must be constructed of wood, asphalt, or concrete. Wooden floors must be smooth and tight. The floors must be kept in good repair.

(5) All wooden floors must be elevated at least 1 foot above ground level at all points to prevent dampness and to permit free air circulation.

(6) You may "bank" around outside walls with earth or other suitable material to guard against extreme low temperatures.

(7) All living quarters must have windows covering a total area equal to at least one-tenth of the floor area. You must ensure that at least one-half of each window can be opened for ventilation.

(8) All exterior openings must be screened with 16-mesh material. All screen doors must have self-closing devices.

(9) You must ensure that each dwelling unit has at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant. In a family unit, the husband and wife must have a separate sleeping area whenever living with one or more children over six years old.

(10) In camps with common cooking facilities, you must provide stoves in an enclosed and screened shelter. You must provide one stove for every 10 people or one stove for every two families.

(11) You must provide sanitary facilities for storing and preparing food.

(12) If a camp is used during cold weather, you must provide adequate heating equipment.

Note: All heating, cooking, and water heating equipment must be installed according to state and local ordinances, codes, and regulations governing such installations.

NEW SECTION

WAC 296-306A-16005 What requirements apply to the water supply? (1) In each camp, you must provide an adequate and convenient water supply for drinking, cooking, bathing, and laundry purposes. The water supply must be approved by the appropriate health authority.

"Adequate water supply" means a water supply that is capable of delivering 35 gallons per person per day to the campsite at a peak rate of 2 1/2 times the average hourly demand.

(2) You must ensure that the distribution lines are able to supply water at normal operating pressures to all fixtures for simultaneous operation. If water is not piped to the shelters, water outlets must be distributed throughout the camp so that no shelter is more than 100 feet from a yard hydrant.

(3) Where water under pressure is available, you must provide one or more drinking fountains for each 100 occupants or fraction thereof. The construction of drinking fountains must comply with ANSI Standard Specifications for Drinking Fountains, Z4.2-1942. Common drinking cups are prohibited.

PERMANENT

NEW SECTION

WAC 296-306A-16007 Must an employer provide toilet facilities for the camp? (1) You must provide toilet facilities adequate for the camp capacity.

(2) You must ensure that no one has to pass through a sleeping room to reach a toilet room. Toilet rooms must either have a window of at least 6 square feet opening directly to the outside, or be satisfactorily ventilated. All outside openings must be screened with 16-mesh material. No fixture, water closet, chemical toilet, or urinal must be located in a room used for other than toilet purposes.

(3) A toilet room must be within 200 feet of the door of each sleeping room. An outhouse must be at least 100 feet away from any sleeping room, dining room, lunch area, or kitchen.

(4) Where toilet rooms are shared, such as in multifamily shelters and in barracks type facilities, you must provide separate toilet rooms for each sex. These rooms must be distinctly marked "men" and "women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily understood pictures or symbols. If the facilities for each sex are in the same building, they must be separated by solid walls or partitions extending from the floor to the roof or ceiling.

(5) Where toilet facilities are shared, you must provide water closets or outhouses for each sex, based on the maximum number of persons of that sex that the camp is designed to house at any one time. Water closets or outhouses must be provided in the ratio of one unit for each 15 persons, and a minimum of two units for any shared facility.

(6) You must provide one urinal or 2 linear feet of urinal trough for each 25 men. The floor from the wall and out at least 15 inches from the outer edge of the urinals must be constructed of materials impervious to moisture. Where water under pressure is available, urinals must have an adequate water flush. Urinal troughs in outhouses must drain freely into the pit or vault and the drain must be constructed to exclude flies and rodents from the pit.

(7) Every water closet installed after the effective date of these standards must be located in a toilet room.

(8) Each outhouse, water closet, or chemical toilet compartment must have an adequate supply of toilet paper.

(9) Toilet rooms must be kept in a sanitary condition and be cleaned at least daily.

NEW SECTION

WAC 296-306A-16009 Must sewer lines connect to public sewers? All sewer lines and floor drains from buildings must be connected to public sewers when sewers are available.

NEW SECTION

WAC 296-306A-16011 What facilities must an employer provide for laundry, handwashing, and bathing? (1) Laundry, handwashing, and bathing facilities must be provided in the following ratio:

(a) One handwash basin per family shelter or per six persons in shared facilities.

(b) One shower head for every 10 persons.

(c) One laundry tray or tub for every 30 persons.

(d) One "deepwell" type sink in each building used for laundry, hand washing, and bathing.

(2) Floors must be moisture resistant and smooth but not slippery. All junctions of the curbing and the floor must be coved. The walls and partitions of shower rooms must be smooth and moisture resistant to the height of splash. All shower baths, shower rooms, or laundry rooms must have floor drains to remove waste water and facilitate cleaning.

(3) An adequate supply of hot and cold running water must be provided for bathing and laundry purposes. Facilities for heating water must be provided.

(4) Every service building must be provided with equipment capable of maintaining a temperature of at least 70°F.

(5) Facilities for drying clothes must be provided.

(6) All service buildings must be kept clean.

NEW SECTION

WAC 296-306A-16013 What lighting must an employer provide in camp buildings? Each habitable room in a camp must have at least one ceiling-type light fixture and at least one separate floor-type or wall-type convenience outlet. Laundry and toilet rooms and rooms where people congregate must have at least one ceiling-type or wall-type fixture. Light levels in toilet and storage rooms must be at least 20 foot-candles 30 inches from the floor. Other rooms, including kitchens and living quarters, must be at least 30 foot-candles 30 inches from the floor.

NEW SECTION

WAC 296-306A-16015 What requirements apply to refuse disposal? (1) Cleanable or single service containers that can be securely closed, approved by the state board of health, must be provided for garbage storage. At least one such container must be provided for each family shelter and must be located within 100 feet of each shelter on a wooden, metal, or concrete pad.

(2) Garbage containers must be kept clean.

(3) Garbage containers must be emptied when full, and at least twice a week.

NEW SECTION

WAC 296-306A-16017 How must kitchens, dining halls, and feeding facilities be constructed? (1) In all camps where central dining or multiple family feeding operations are permitted or provided, the food handling facilities must comply with the requirements of the "Food Service Sanitation Ordinance and Code," Part V of the Food Service Sanitation Manual, U.S. Public Health Service Publication 934 (1965).

(2) You must provide a properly constructed kitchen and dining hall, adequate in size, and separate from the sleeping quarters, in connection with all food handling facilities. There must be no direct opening from living or sleeping quarters into a kitchen or dining hall.

(3) No person with any communicable disease may work in food handling, in any kitchen or dining room operated in connection with a camp or regularly used by persons living in a camp.

NEW SECTION

WAC 296-306A-16019 Must an employer provide insect and rodent control? You must take effective measures to prevent and control insect and rodent infestation.

NEW SECTION

WAC 296-306A-16021 What first-aid facilities must be available in the camp? (1) In every camp, you must provide and maintain adequate first-aid facilities, approved by a health authority, for emergency treatment.

(2) A first-aid trained person must be in charge of first-aid facilities.

NEW SECTION

WAC 296-306A-16023 When must an employer report communicable diseases in a camp? (1) You must report immediately to the local health officer the name and address of any individual in the camp known to have or suspected of having a communicable disease.

(2) Whenever suspected food poisoning or an unusual prevalence of fever, diarrhea, sore throat, vomiting, or jaundice occurs, the camp superintendent must report immediately the outbreak to the local health officer or state board of health.

INDOOR OPERATIONS

PART M
GUARDING TOOLS; FARM SHOPS; MATERIALS HANDLING

NEW SECTION

WAC 296-306A-185 Guarding powered saws.

NEW SECTION

WAC 296-306A-18503 What general requirements apply to powered saws? (1) You must ensure that all cracked saw blades are removed from service, except as indicated in WAC 296-306A-18515(6).

(2) Inserting a wedge between a saw disk and its collar to form a "wobble saw" for rabbeting is prohibited.

Exception: This does not apply to properly designed adjustable rabbeting blades.

(3) You must ensure that any saw used for ripping has anti-kick-back fingers on each side and a spreader.

(4) You must ensure that ripping and ploughing are permitted only against the direction in which the saw turns. Mark the direction of saw rotation on the hood, and attach a permanent warning sign to the rear of the guard that prohibits ripping or ploughing from that position.

(5) You must provide push sticks or push blocks in sizes and types suitable for the work to be done.

NEW SECTION

WAC 296-306A-18506 How must band saws be guarded? (1) You must ensure that all band wheels are completely encased or guarded on both sides. Guards must be constructed of not less than No. 14 U.S. gauge metal, nominal two-inch wood material, or mesh or perforated metal of not less than U.S. gauge No. 20 with openings not greater than three-eighths inch.

(2) You must ensure that all portions of the band saw blade are enclosed or guarded except the working side of the blade between the guide and the table.

(3) You must ensure that the guard for the portion of the blade between the sliding guide and the upper-saw-wheel guard protects the saw blade at the front and outer side.

NEW SECTION

WAC 296-306A-18509 How must radial arm saws be guarded? (1) You must ensure that the upper hood completely encloses the upper portion of the blade, including the end of the saw arbor. The upper hood must be constructed to protect the operator from flying material, and to deflect sawdust. The sides of the lower exposed portion of the blade must 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.

(2) You must provide a mechanism to prevent the leading edge of the saw from passing the front edge of the table or roll case.

(3) You must equip radial arm-saws with a mechanism to return the saw and keep it in position at the back of the table.

For example: You may use a counter-weight or a saw retractor device, or tilt the arm sufficiently to maintain the saw at the back when released by the operator.

NEW SECTION

WAC 296-306A-18512 How must table saws be guarded? (1) You must ensure that each circular crosscut table saw is guarded by a standard hood that covers the saw at all times at least to the depth of the teeth. The hood must adjust itself automatically to the thickness of, and must remain in contact with, the material being cut.

Exception: When finished surfaces of stock may be marred by the guard, it may be raised slightly to avoid contact. The hood must be designed to protect the operator from flying material.

(2) 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 must be replaced immediately.

(3) You must ensure that the part of the table saw that is beneath the table is fully guarded.

(4) Power transmission components of table saws must be guarded according to WAC 296-306A-280.

NEW SECTION

WAC 296-306A-18515 How must circular fuel-wood saws be guarded? (1) You must ensure that fuel-wood saws are guarded by a standard guard that completely encloses the blade to the depth of the teeth, except for the area where material is fed into the blade.

(2) You must ensure that the tables of fuel-wood saws is constructed so that material being sawed is supported on both sides of the blade.

PERMANENT

(3) You must provide a mechanism that will prevent the leading edge of the saw from passing the front edge of the table or roll case.

(4) You must provide tilting tables of fuel-wood saws with a backrest for the full length of the table. The backrest must extend upward from the table platform at least to the height of the saw opening. An opening in a backrest must be a maximum of two inches. The backrest frame and filler must be constructed of material strong and rigid enough to prevent distortion under normal use.

(5) Power transmission components of fuel-wood saws must be guarded according to WAC 296-306A-280.

(6) When a circular fuel-wood saw blade develops a crack, you must discontinue its use until properly repaired, according to the following measurements.

Length of crack	Diameter of saw in inches
1/2"	12"
1"	24"
1-1/2"	36"

NEW SECTION

WAC 296-306A-190 Guarding bench grinders and abrasive wheels.

NEW SECTION

WAC 296-306A-19003 What definitions apply to this section? "Abrasive wheel" means a cutting tool consisting of abrasive grains held together by organic or inorganic bonds. This includes diamond and reinforced wheels.

"Flanges" means collars, discs, or plates between which wheels are mounted. Also referred to as adapter, sleeve, or back.

"Mounted wheels" means wheels of various dimensions that are usually 2 inches in diameter or smaller. They can be either organic or inorganic bonded abrasive wheels. They are secured to plain or threaded steel mandrels.

"Off-hand grinding" means grinding material or a part that is held in the operator's hand.

"Portable grinding" means the grinding machine is hand-held and may be easily moved from one location to another.

"Reinforced wheels" means a class of organic wheels that contain strengthening fabric or filament. "Reinforced" does not mean wheels using such mechanical additions as steel rings, steel cup backs, or wire or tape winding.

"Safety guard" means an enclosure designed to restrain the pieces of the grinding wheel and protect the operator in the event that the wheel is broken in operation.

NEW SECTION

WAC 296-306A-19006 What rules apply to guarding abrasive wheels? (1) Abrasive wheels must be used only on machines provided with safety guards.

Exception: This requirement does not apply to the following:

(a) Wheels used for internal work while the wheel is within the work being ground.

(b) Mounted wheels 2 inches and smaller in diameter, used in portable operations.

(c) Types 16, 17, 18, 18R, and 19 cones, plugs, and threaded hole pot balls where the work offers protection.

(d) Specially shaped "sickle grinding" wheels mounted in mandrel-type bench or floor stands.

(2) The safety guard must cover the spindle end, nut, and flange projections.

Exceptions:

(a) When the work provides protection to the operator, the spindle end, nut, and outer flange may be exposed. When the work entirely covers the side of the wheel, the side covers of the guard may be omitted.

(b) The spindle end, nut, and outer flange may be exposed on portable machines designed for, and used with, type 6, 11, 27, and 28 abrasive wheels, cutting off wheels, and tuck pointing wheels.

(c) The spindle end, nut, and outer flange may be exposed on machines designed as portable saws.

(3) The guard must cover the sides and periphery of the wheel.

Exceptions:

(a) Bench and floor stands;

(i) The maximum permissible angle of exposure is 90°. This exposure must 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 must not exceed 125°. This exposure must begin at a point not more than 65° above the horizontal plane of the wheel spindle.

(b) Swing-frame grinders may only be exposed on the bottom half; the top half of the wheel must be enclosed at all times.

(c) Where the work is applied to the top of the wheel, the exposure of the grinding wheel periphery must not exceed 60°.

(d) When the work entirely covers the side of the wheel, the side covers of the guard may be omitted.

(4) The safety guard must be mounted to maintain proper alignment with the wheel, and the strength of the fastenings must exceed the strength of the guard.

(5) Take care to see that the safety guard is properly positioned before starting the mounted wheel.

(6) Abrasive wheel machinery guards must meet the design specifications of ANSI B7.1-1970.

(7) Exception: WAC 296-306A-19006 does not apply to natural sandstone wheels and metal, wooden, cloth, or paper discs, with a layer of abrasive on the surface.

NEW SECTION

WAC 296-306A-19009 What are the use, mounting, and guarding rules for abrasive wheels? (1) Immediately before mounting, the operator must closely inspect and sound (ring test) all wheels to make sure they are not damaged. Before mounting the wheel, the operator must check the spindle speed of the machine to be certain that it does not exceed the maximum operating speed marked on the wheel.

"Ring test" means to tap the wheel gently with a light nonmetallic implement, such as the handle of a screwdriver for light wheels, or a wooden mallet for heavier wheels.

(2) Grinding wheels must fit freely on the spindle and remain free under all grinding conditions. The wheel hole must be made suitably oversized to ensure that heat and pressure do not create a hazard.

(3) All contact surfaces of wheels, blotters, and flanges must be flat and free of foreign matter.

(4) Bushings used in the wheel hole must not exceed the width of the wheel and must not contact the flanges.

(5) On offhand grinding machines, work rests must be used to support the work. The work rest must be rigid and adjustable to compensate for wheel wear. Work rests must be kept adjusted closely to the wheel with a maximum opening of one-eighth inch to prevent the work from jamming between the wheel and the rest. The work rest must be securely clamped after each adjustment and shall not be adjusted with the wheel in motion.

(6) Goggles or face shields must be used when grinding.

(7) Nonportable grinding machines must be securely mounted on substantial floors, benches, foundations, or other adequate structures.

(8) After mounting, abrasive wheels must be run at operating speed with the safety guard in place and properly adjusted, or in a protected enclosure for at least one minute before applying work. During this time, no one may stand in front of or in line with the wheel.

(9) Grinders or abrasive wheels that vibrate or are out of balance must be repaired before use.

(10) Abrasive wheels not designed for the machine or guard must not be mounted on a grinder.

(11) Side grinding must only be performed with wheels designed for this purpose.

Note: Light grinding on the side of straight wheels is permitted only when very delicate pressure is applied.

NEW SECTION

WAC 296-306A-19012 What requirements apply to flanges? (1) Grinding machines must have flanges.

(2) All abrasive wheels must be mounted between flanges that are at least one-third the diameter of the wheel. Regardless of flange type used, the wheel must always be guarded. Blotters must be used according to this section.

(3) Design and material requirements include:

(a) Flanges must be designed to transmit the driving torque from the spindle to the grinding wheel.

(b) Flanges must be made of steel, cast iron, or other material of equal or greater strength and rigidity.

(4) An abrasive wheel that is designed to be held by flanges must not be operated without them. Except for those types requiring flanges of a special design, flanges must be at least one-third the diameter of the wheel.

(5) Facings of compressible material (blotters) must be inserted between the abrasive wheel and flanges to ensure uniform distribution of flange pressure.

(6) All flanges must be maintained in good condition. When the bearing surfaces become damaged, they should be trued or refaced. When refacing or truing, exercise care to make sure that proper relief and rigidity is maintained before starting the wheel.

(7) Where the operator may stand in front of the opening, safety guards must be adjustable to compensate for wheel wear. The distance between the wheel periphery and the adjustable tongue or the guard above the wheel must not exceed one-quarter inch.

NEW SECTION

WAC 296-306A-19015 How must vertical portable grinders be guarded? Safety guards on right angle head or vertical portable grinders must have a maximum exposure angle of 180°, and the guard must be between the operator and the wheel during use. The guard must be adjusted so that pieces of an accidentally broken wheel will be deflected away from the operator.

NEW SECTION

WAC 296-306A-19018 How must other portable grinders be guarded? Other portable grinding machines must be guarded so that only the bottom half of the wheel is exposed. The top half of the wheel must be enclosed at all times.

NEW SECTION

WAC 296-306A-195 What rules apply to grounding and "dead man" controls for hand-held portable power tools? (1) Each hand-held, power-driven tool must have a "dead man" control, such as a spring-actuated switch, valve, or equivalent device, so that the power will be automatically shut off whenever the operator releases the control.

(2) The frames and all exposed, noncurrent-carrying metal parts of portable electric machinery, operated at more than fifty volts to ground, must be grounded. Other hand-held portable motors driving electric tools must be grounded if they operate at more than fifty volts to ground. The ground must use a separate ground wire and polarized plug and receptacle.

Exception: Double insulated tools that are designed and used according to the requirements of Article 250-45 of the National Electrical Code (1971 edition) are exempt from the grounding requirements.

NEW SECTION

WAC 296-306A-200 Compressed air.

NEW SECTION

WAC 296-306A-20005 May compressed air be used for cleaning? Using compressed air for cleaning purposes is prohibited, except where the pressure is reduced to less than 30 psi and then only with effective chip guarding and personal protective equipment.

NEW SECTION

WAC 296-306A-20010 What requirements apply to compressed air tools? (1) When using compressed air tools, use care to prevent the tool from being shot from the gun.

(2) When momentarily out of use, the gun should be laid so that the tool cannot fly out if the pressure is accidentally released. When not in use, all tools should be removed from the gun.

(3) When disconnecting a compressed air tool from the air line, first shut off the pressure and then operate the tool to release the pressure remaining in the hose.

(4) Compressed air hose or guns must not be pointed at or brought into contact with the body of any person.

PERMANENT

NEW SECTION

WAC 296-306A-205 Guarding portable powered tools.

NEW SECTION

WAC 296-306A-20505 What requirements apply to guarding portable powered tools? (1) All portable, power-driven circular saws with a blade diameter greater than 2 inches must have guards above and below the base plate or shoe.

(a) The upper guard must cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts.

(b) The lower guard must cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work.

(c) When the tool is withdrawn from the work, the lower guard must automatically and instantly return to covering position.

(2) Portable belt sanding machines must have guards at each nip point where the sanding belt runs onto a pulley. These guards must prevent the hands or fingers of the operator from coming in contact with the nip points. The unused run of the sanding belt must be guarded against accidental contact.

(3) Portable electric powered tools must meet the electrical requirements of chapter 296-306A WAC Part T.

NEW SECTION

WAC 296-306A-20510 What requirements apply to switches and controls on portable powered tools? (1) The following powered tools must have a constant pressure switch or control that will shut off the power when the pressure is released:

- All hand-held powered circular saws with a blade diameter-greater than 2 inches;
- Electric, hydraulic or pneumatic chain saws; and
- Percussion tools without positive accessory holding means.

All hand-held gasoline powered chain saws must have a constant pressure throttle control that will shut off the power to the saw chain when the pressure is released.

(2) The following powered tools must have a constant pressure switch or control:

- All hand-held powered drills, tappers, fastener drivers, and horizontal, vertical, and angle grinders with wheels greater than 2 inches in diameter;
- Disc sanders with discs greater than 2 inches in diameter;
- Belt sanders;
- Reciprocating saws;
- Saber, scroll, and jig saws with blade shanks greater than a nominal 1/4 inch; and
- Other similarly operating powered tools.

These tools may have a lock-on control if they can be turned off by a single motion of the same finger or fingers that turn it on.

(3) The following powered tools must have either a positive on-off control, or other controls as described above:

- All other hand-held powered tools, including:
- Platen sanders;
- Grinders with wheels 2 inches in diameter or less;
- Disc sanders with discs 2 inches in diameter or less;
- Routers;
- Planers;
- Laminate trimmers;
- Nibblers;
- Shears; and
- Saber, scroll, and jig saws with blade shanks a nominal 1/4 inch wide or less.

(a) Saber, scroll, and jig saws with nonstandard blade holders may use blades with shanks that are nonuniform in width, if the narrowest portion of the blade shank is an integral part in mounting the blade.

(b) Blade shank width must be measured at the narrowest portion of the blade shank when saber, scroll, and jig saws have nonstandard blade holders.

(c) "Nominal" in this section means +0.05 inch.

(4) The operating control on hand-held power tools must be located to minimize the possibility of accidental operation that would constitute a hazard to employees.

Exception: This section does not apply to concrete vibrators, concrete breakers, powered tampers, jack hammers, rock drills, garden appliances, household and kitchen appliances, personal care appliances, or to fixed machinery.

NEW SECTION

WAC 296-306A-20515 What requirements apply to pneumatic powered tools and hose? (1) The operating trigger on portable pneumatic powered tools must be located to minimize the possibility of accidental operation and arranged to close the air inlet valve automatically when the operator removes pressure.

(2) A tool retainer must be installed on each tool that would otherwise be ejected from the hose.

(3) Hose and hose connections used for conducting compressed air to utilization equipment must be designed for the pressure and service to which they are subjected.

NEW SECTION

WAC 296-306A-220 Power lawnmowers.

NEW SECTION

WAC 296-306A-22003 What definitions apply to this section? "Blade tip circle" means the path described by the outermost point of the blade as it rotates about its shaft axis.

"Catcher assembly" means a part that provides a means for collecting grass clippings or debris.

"Deadman control" means a control designed to automatically interrupt power to a drive when the operator releases the control.

"Guard" means a part for shielding a hazardous area of a machine.

"Lowest blade position" means the lowest blade position when the mower is not in use.

"Operator area" (walk-behind mowers) means a circular area behind the mower that is no smaller than 30 inches in diameter, the center of which is 30 inches behind the nearest blade tip circle.

PERMANENT

"Power reel mower" means a lawn-cutting machine with a power source that rotates one or more helically formed blades about a horizontal axis and creates a shearing action with a stationary cutter bar or bed knife.

"Power rotary mower" means a lawn-cutting machine with a power source that rotates one or more cutting blades about a vertical axis.

"Riding mower" means a powered, self-propelled lawn-cutting vehicle on which the operator rides and controls the machine.

"Sulky type mower" means a walk-behind mower that has been converted to a riding mower by the addition of a sulky.

"Walk-behind mower" means a mower either pushed or self-propelled and normally guided by the operator walking behind the unit.

NEW SECTION

WAC 296-306A-22006 What are the general guarding requirements for power lawnmowers? (1) Walk-behind, riding-rotary, and reel power lawnmowers designed for use by employees must meet the design specifications in ANSI B71.1-1968.

Exception: These specifications do not apply to sulky-type mowers, flail mowers, sickle-bar mowers, or mowers designed for commercial use.

(2) All power-driven chains, belts, and gears must be positioned or guarded to prevent accidental contact with the operator during normal starting, mounting, and operation of the machine.

(3) The motor must have a shut-off device that requires manual and intentional reactivation to restart the motor.

(4) All positions of the operating controls must be clearly identified.

(5) The words, "Caution — Be sure the operating control(s) is in neutral before starting the engine," or similar wording must be clearly visible at an engine starting control point on self-propelled mowers.

(6) All power lawn mowers must be used according to the manufacturer's instructions.

NEW SECTION

WAC 296-306A-22009 What rules apply to walk-behind and riding rotary mowers? (1) The mower blade must be enclosed except on the bottom and the enclosure must extend to or below the lowest blade position.

(2) Guards that must be removed to install a catcher assembly must meet the following requirements:

(a) Warning instructions are attached to the mower near the opening stating that the mower must not be used without either the catcher assembly or the guard in place.

(b) The mower is used only with either the catcher assembly or the guard in place.

(c) The catcher assembly is properly and completely installed.

(3) The word "caution" or stronger wording must be placed on the mower at or near each discharge opening.

(4) Blade(s) must stop rotating from the manufacturer's specified maximum speed within 15 seconds after declutching, or shutting off power.

NEW SECTION

WAC 296-306A-22012 What rules apply to walk-behind rotary mowers? (1) The horizontal angle of the grass discharge opening(s) in the blade enclosure must not contact the operator area.

(2) There must be one of the following at all grass discharge openings:

(a) A minimum of 3 inches between the end of the discharge chute and the blade tip circle; or

(b) A rigid bar fastened across the discharge opening, secured to prevent removal without the use of tools. The bottom of the bar must be no higher than the bottom edge of the blade enclosure.

(3) The highest point(s) on the blade enclosure front, except discharge-openings, must be a maximum of 1-1/4 inches above the lowest blade position. Mowers with a swingover handle are considered to have no front in the blade enclosure and therefore must comply with WAC 296-306A-22009(1).

(4) The mower handle must be fastened to the mower to prevent loss of control by unintentional uncoupling while in operation.

(5) Mower handles must be locked in the normal operating position(s) so that they cannot be accidentally disengaged during normal mower operation.

(6) A swingover handle must meet the requirements of this section.

(7) Wheel drive disengaging controls, except deadman controls, must move opposite to the direction of the vehicle motion in order to disengage the drive. Deadman controls may operate in any direction to disengage the drive.

NEW SECTION

WAC 296-306A-22015 What rules apply to riding rotary mowers? (1) The highest point(s) of all openings in the blade enclosure front must be a maximum of 1 1/4 inches above the lowest blade position.

(2) Opening(s) must not allow grass or debris to discharge directly toward the operator seated in normal operator position.

(3) There must be one of the following at all grass discharge openings:

(a) A minimum of 6 inches between the end of the discharge chute and the blade tip circle; or

(b) A rigid bar fastened across the discharge opening secured to prevent removal without the use of tools. The bottom of the bar must be no higher than the bottom edge of the blade enclosure.

(4) Mowers must have stops to prevent jackknifing or locking of the steering mechanism.

(5) The mower must have brakes.

(6) Hand-operated wheel drive disengaging controls must move opposite to the direction of vehicle motion in order to disengage the drive. Foot-operated wheel drive disengaging controls must be depressed to disengage the drive. Deadman controls, both hand and foot operated, may operate in any direction to disengage the drive.

PERMANENT

NEW SECTION

WAC 296-306A-225 Jacks.

NEW SECTION

WAC 296-306A-22503 What definitions apply to this section? "Jack" means an appliance for lifting and lowering or moving horizontally a load using a pushing force.

Note: Jack types include lever and ratchet, screw, and hydraulic.

"Rating" means the maximum working load for which a jack is designed to lift the load safely throughout its travel.

NEW SECTION

WAC 296-306A-22506 How shall the rated load be marked on a jack? (1) The operator must make sure that the jack used has a load rating sufficient to lift and sustain the load.

(2) The rated load must be legibly and permanently marked in a prominent location on the jack by casting, stamping, or other suitable means.

Note: You should follow the manufacturer's specifications to raise the rated load of a jack.

NEW SECTION

WAC 296-306A-22509 What rules apply to the operation and maintenance of jacks? (1) If the foundation is not firm, you must block the base of the jack. If the cap might slip, you must place a block in between the cap and the load.

(2) The operator must watch the stop indicator, which must be kept clean, in order to determine the limit of travel. The indicated limit must not be overrun.

(3) After the load has been raised, it must immediately be cribbed, blocked, or otherwise secured.

(4) Hydraulic jacks exposed to freezing temperatures must be supplied with an adequate antifreeze liquid.

(5) All jacks must be properly lubricated at regular intervals. The lubricating instructions of the manufacturer should be followed, and only lubricants recommended by the manufacturer should be used.

(6) You must ensure that each jack is thoroughly inspected according to the service conditions and at least:

(a) For constant or intermittent use at one locality, once every 6 months;

(b) For jacks sent out of shop for special work, when sent out and when returned;

(c) For a jack subjected to abnormal load or shock, immediately before and immediately thereafter.

(7) Repair or replacement parts must be examined for possible defects.

(8) Jacks that are out of order must be tagged, and not be used until repaired.

NEW SECTION

WAC 296-306A-230 What are the general requirements for materials handling and storage? (1) Safe clearances of three feet must be allowed for aisles, loading docks, doorways, and wherever turns or passage must be made. Passageways must be kept clear and in good repair, with no obstructions.

(2) Bags, bales, boxes, and other containers stored in tiers must be made secure against sliding or collapse.

(3) Storage areas must be kept free from any accumulation of materials that could cause tripping, fire, or explosion.

(4) Employees must be instructed in proper lifting or moving techniques and methods. Mechanical devices or assistance in lifting must be used when moving heavy objects.

(5) When removing material stored in piles, employees must remove material in a manner that maintains the stability of the pile and prevents collapse.

(6) Storage areas must have proper drainage.

(7) You must provide clearance signs to warn of clearance limits.

(8) For powered industrial truck (forklift) requirements, see WAC 296-306A-520.

NEW SECTION

WAC 296-306A-232 What requirements apply to conveyors? Conveyors must be constructed, operated, and maintained according to ANSI B 20.1-1957.

(1) When the return strand of a conveyor operates within seven feet of the floor, there must also be a trough strong enough to carry the weight resulting from a broken chain.

(2) If the strands are over a passageway, a means must be provided to catch and support the ends of the chain in the event of a break.

(3) When the working strand of a conveyor crosses within three feet of the floor level in passageways, a bridge must be provided for employees to cross over the conveyor.

(4) Whenever conveyors pass adjacent to or over working areas or passageways, protective guards must be installed. These guards must be designed to catch and hold any load or materials that may fall off or dislodge and injure an employee.

(5) Employees must be prohibited from walking on the rolls of roller-type conveyors, except in an emergency.

(6) Guards, screens, or barricades that are strong enough to prevent material from falling must be installed on all sides of the shaftway of elevator-type conveyors except at openings where material is loaded or unloaded. Automatic shaftway gates or suitable barriers must be installed at each floor level where material is loaded or unloaded from the platform.

(7) Conveyors must have an emergency stopping device that can be reached from the conveyor. The device must be located near the material entrance to each chopper, mulcher, saw, or similar equipment.

Exception: The emergency stopping device is not required where the conveyor leading into the equipment is under constant control of an operator with full view of the material entrance and the conveyor is located where the operator cannot fall onto it.

(8) Where conveyors are over seven feet high, means must be provided to safely permit essential inspection and maintenance operations.

(9) Any part showing signs of significant wear must be inspected carefully and replaced before it creates a hazard.

PERMANENT

(10) Replacement parts must be equal to or exceed the manufacturer's specifications.

PART N
SANITATION FOR INDOOR WORKPLACES

NEW SECTION

WAC 296-306A-240 Sanitation for fixed, indoor workplaces.

NEW SECTION

WAC 296-306A-24001 Must an employer comply with state health regulations? You must comply with the rules and regulations of the state board of health governing sanitation in the workplace. We enforce these regulations according to RCW 43.20.050.

NEW SECTION

WAC 296-306A-24003 What does this section cover? WAC 296-306A-240 covers sanitation for employees who normally work in fixed, indoor places of agricultural employment.

A "fixed, indoor workplace" is one where the employees perform a majority of their duties at that site.

This does not cover field employees who only occasionally enter a shop or other farm building as part of their normal duties. Field employees are covered by the field sanitation requirements of WAC 296-306A-095.

This section does not cover measures for the control of toxic materials.

NEW SECTION

WAC 296-306A-24006 What definitions apply to this section? "Lavatory" means a basin used exclusively for washing hands, arms, face, and head.

"Personal service room" means a room used for activities not directly connected with the business function of the employer. Such activities include but are not limited to, first aid, medical services, dressing, showering, toilet use, washing, and eating.

"Potable water" means water that meets state or local quality standards for drinking water, or water that meets the quality standards of the Environmental Protection Agency's "National Interim Primary Drinking Water Regulations," published in 40 CFR, Part 141, and 40 CFR 147.2400.

"Toilet facility" means a fixture maintained within a toilet room for the purpose of defecation or urination, or both.

"Toilet room" means a room maintained within or on the premises of any place of employment, containing toilet facilities for employee use.

"Toxic material" means a material that exceeds a regulatory limit (such as in chapter 296-62 WAC), or toxicity that causes or is likely to cause death or serious physical harm.

"Urinal" means a toilet facility maintained within a toilet room for the sole purpose of urination.

"Water closet" means a toilet facility maintained within a toilet room for the purpose of both defecation and urination and which is flushed with water.

"Wet process" means any process or operation in a workroom that normally results in walking or standing surfaces becoming wet.

NEW SECTION

WAC 296-306A-24009 What housekeeping requirements apply to fixed, indoor workplaces? (1) You must ensure that all places of employment are kept clean to the extent that the work allows.

(2) You must ensure that the floor of every workroom is kept as dry as possible. Where wet processes are used, you must maintain drainage. You must provide false floors, platforms, mats, or other dry standing places where practical, or provide appropriate waterproof footgear.

(3) To facilitate cleaning, every floor, working place, and passageway must be kept free from protruding nails, splinters, loose boards and unnecessary holes and openings.

(4) Cleaning and sweeping must be done to minimize dust in the air and when practical, done outside of working hours.

NEW SECTION

WAC 296-306A-24012 How must the potable water supply be maintained? (1) You must provide potable water in all places of employment, for drinking, washing of the person, cooking, washing food, washing cooking or eating utensils, washing food preparation or processing premises, and for personal service rooms.

(2) Potable drinking water dispensers must be maintained in sanitary condition, be closeable, and have a tap.

(3) Open containers for drinking water from which the water must be dipped or poured, even if fitted with a cover, are prohibited.

(4) A common drinking cup and other common utensils are prohibited.

NEW SECTION

WAC 296-306A-24015 How must the nonpotable water supply be maintained? (1) You must ensure that nonpotable water is marked as unsafe and is not used for drinking, washing of the person, cooking, washing food, washing cooking or eating utensils, washing food preparation or processing premises, or personal service rooms, or for washing clothes.

(2) Nonpotable water used for cleaning any other work premises must be free of concentrations of chemicals, fecal coliform, or other substances that could create unsanitary conditions or be harmful to employees.

(3) Nonpotable water systems or systems carrying any other nonpotable substance must be constructed to prevent backflow or backsiphonage into a potable water system.

NEW SECTION

WAC 296-306A-24018 What toilet facilities must an employer provide? (1) You must provide toilet facilities, with separate toilet rooms for each sex, according to the requirements in the table below. You must provide facilities for each sex based on the number of employees of that sex for whom facilities are furnished.

PERMANENT

(2) Where single-occupancy rooms have more than one toilet facility, only one facility in each toilet room counts toward these requirements.

In this table, "number of employees" means the maximum number of employees present at any one time on a regular shift.

Number of employees	Minimum number of water closets
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
Over 150	One additional fixture for each additional 40 employees

(3) Where toilet rooms are occupied by one person at a time, can be locked from the inside, and contain at least one water closet, separate toilet rooms for each sex need not be provided.

(4) Where toilet facilities will not be used by women, urinals may be provided instead of water closets, except that the number of water closets must not be less than 2/3 of the minimum specified.

(5) The sewage disposal method must not endanger the health of employees.

(6) Toilet paper with holder must be provided for every water closet.

(7) Each water closet must occupy a separate compartment with a door and walls or partitions between fixtures high enough to ensure privacy.

NEW SECTION

WAC 296-306A-24021 What washing facilities must an employer provide? You must provide facilities for maintaining personal cleanliness in the workplace. The facilities must be convenient for employees and maintained in a sanitary condition.

NEW SECTION

WAC 296-306A-24024 What requirements apply to lavatories? (1) You must ensure that lavatories are available in all workplaces.

(2) Each lavatory must have hot and cold running water, or tepid running water.

(3) You must provide hand soap or similar cleansing agent.

(4) You must provide individual hand towels, warm air blowers, or clean individual sections of continuous cloth toweling convenient to the lavatories.

NEW SECTION

WAC 296-306A-24027 When must an employer provide change rooms? (1) Whenever employees are required by a WISHA standard to wear protective clothing because of the possibility of contamination with toxic materials, you must provide change rooms with separate storage facilities for street clothes and for the protective clothing.

(2) If you provide work clothes for employees, they must be dry.

NEW SECTION

WAC 296-306A-24030 What requirements apply to consumption of food and beverages in the workplace? (1) This section applies to workplaces where employees may consume food, beverages, or both on the premises.

(2) No employee may consume food or beverages in a toilet room nor in any area exposed to a toxic material.

(3) If your workplace exposes employees to injurious dusts or other toxic materials, you must provide a separate lunchroom unless it is convenient for employees to lunch away from the premises. The size of the lunchroom must be based on the maximum number of persons using the room at one time, according to the following table.

Number of persons	Square feet per person
25 and less	13
26 - 74	12
75 - 149	11
150 and over	10

(4) You must provide receptacles of smooth, corrosion resistant, easily cleanable, or disposable materials for the disposal of waste food. You must provide enough receptacles to encourage their use and to prevent overfilling. Receptacles must be emptied at least once a working day and maintained in sanitary condition. Receptacles must have a solid tight-fitting cover unless sanitary condition can be maintained without a cover.

(5) No food or beverages may be stored in toilet rooms or in an area exposed to toxic material.

(6) All employee food service facilities and operations must follow sound hygienic principles. If all or part of the food service is provided, the food dispensed must be wholesome and free from spoilage. Food must be processed, prepared, handled, and stored so as to prevent contamination.

NEW SECTION

WAC 296-306A-24033 How must waste be stored and removed? (1) You must ensure that any receptacle used for waste or garbage that may rot is constructed so that it does not leak and can be thoroughly cleaned and maintained in a sanitary condition. A receptacle must have a solid tight-fitting cover, unless it can be maintained in a sanitary condition without a cover. Receptacles designed to maintain sanitary condition may be used in place of this requirement.

(2) All sweepings, solid or liquid wastes, refuse, and garbage must be removed to avoid creating a health menace, and as often as necessary to maintain the workplace in a sanitary condition.

PERMANENT

NEW SECTION

WAC 296-306A-24036 When must an employer have a vermin control program? Every building with personal service, food preparation, or eating rooms must be constructed, equipped, and maintained to restrict infestation by rodents, insects, and other vermin. You must have a continuing and effective extermination program where vermin are present.

PART O
WALKING WORKING SURFACES; FIXED INDUSTRIAL STAIRS; AERIAL MANLIFTS

NEW SECTION

WAC 296-306A-250 Walking working surfaces, elevated walkways, and platforms.

NEW SECTION

WAC 296-306A-25003 What definitions apply to this section? "Floor hole" means an opening with the smallest dimension between one and 12 inches, in any floor, platform, pavement, or yard, through which materials may fall but not people. Examples are a belt hole, pipe opening, or slot opening.

"Floor opening" means an opening with the smallest dimension of 12 inches or more, in any floor, platform, pavement, or yard, through which people may fall. Examples are a hatchway, stair or ladder opening, pit, or large manhole. Floor openings occupied by elevators, dumb waiters, conveyors, machinery, or containers are excluded from this definition.

"Handrail" means a single bar or pipe supported on brackets from a wall or partition to furnish persons with a handhold in case of tripping.

"Platform" means a working space for people that is elevated above the surrounding floor or ground, such as a balcony or platform for the operation of machinery and equipment.

"Runway" means a passageway used by people that is elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.

"Standard railing" means a vertical barrier along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent people from falling.

"Standard strength and construction" means any construction of railings, covers, or other guards that meets the requirements of this section.

"Stair railing" means a vertical barrier along exposed sides of a stairway to prevent people from falling.

"Toeboard" means a vertical barrier at floor level along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent materials from falling.

"Wall hole" means an opening between one and 30 inches high, of any width, in any wall or partition, such as a ventilation hole or drainage scupper.

"Wall opening" means an opening at least 30 inches high and 18 inches wide, in any wall or partition, through which people may fall, such as a yard-arm doorway or chute opening.

NEW SECTION

WAC 296-306A-25006 When may railings be omitted? Railings may be omitted from sections of open-sided floors, platforms, or walkways where guard rails impair operations, if railings are replaced when they no longer impair operations.

NEW SECTION

WAC 296-306A-25009 What protection must an employer provide for floor openings? (1) Every stairway floor opening must be guarded by a standard railing constructed according to this section. The railing must guard all exposed sides (except the entrance to the stairway). Infrequently used stairways where traffic across the opening prevents using a fixed standard railing (as when located in aisle spaces, etc.), may use an alternate guarding method. In these cases, the guard must have a hinged floor opening cover of standard strength and construction and removable standard railings on all exposed sides (except at the entrance to the stairway).

(2) Every ladderway floor opening or platform must be guarded by a standard railing with standard toeboard on all exposed sides (except at the entrance to the opening). The passage through the railing must have either a swinging gate or offset so that a person cannot walk directly into the opening.

(3) Every hatchway and chute floor opening must be guarded by one of the following:

(a) A hinged floor opening cover of standard strength and construction with standard railings, or a permanent cover with only one side exposed. When the opening is not in use, the cover must be closed or the exposed side must be guarded at both the top and middle by removable standard railings.

(b) A removable railing with toeboard on a maximum of two sides of the opening and with fixed standard railings and toeboards on all other exposed sides. The removable railings must be kept in place when the opening is not in use and should be hinged or mounted to be easily replaced.

(4) When employees must feed material into any hatchway or chute opening, you must provide protection to prevent people from falling through the opening.

(5) When practical, the area under floor openings must be fenced off. Otherwise, the area must be plainly marked with yellow lines and telltales hanging within 5-1/2 feet of the ground or floor level.

(6) Where floor openings are used to drop materials from one level to another, audible warning systems must be installed and used to indicate to employees on the lower level when material is dropped.

(7) Every skylight opening and hole must be guarded by a standard skylight screen or a fixed standard railing on all exposed sides.

(8) Every infrequently used pit and trapdoor floor opening must be guarded by a floor opening cover of standard strength and construction that should be hinged in place. When the cover is not in place, the pit or trap opening must be constantly attended or protected on all exposed sides by removable standard railings.

(9) Every manhole floor opening must be guarded by a standard manhole cover. The manhole cover may be left

PERMANENT

unhinged. When the cover is removed, the manhole opening must be constantly attended or protected by removable standard railings.

(10) Every temporary floor opening must have standard railings or must be constantly attended.

(11) Every floor hole that people can accidentally walk into must be guarded by either:

(a) A standard railing with standard toeboard on all exposed sides; or

(b) A floor hole cover of standard strength and construction that should be hinged in place. While the cover is not in place, the floor hole must be constantly attended or protected by a removable standard railing.

(12) Every floor hole surrounded by fixed machinery, equipment, or walls that prevent people from walking into it, must be protected by a cover that leaves openings a maximum of one inch wide. The cover must be securely held in place to prevent tools or materials from falling through.

(13) Where doors or gates open directly on a stairway, a platform must be provided so that the swing of the door does not reduce the platform width to less than 20 inches.

PERMANENT

NEW SECTION

WAC 296-306A-25012 What protection must an employer provide for wall openings and holes? (1) Every wall opening from which there is a drop of more than 4 feet must be guarded by one of the following:

(a) A rail, roller, picket fence, half door, or equivalent barrier.

The guard may be removable but should be hinged or mounted so it can be easily replaced. When employees working below the opening are exposed to falling materials, a removable toeboard or the equivalent must also be provided. When the opening is unused, the guard must be kept in position even with a door on the opening. In addition, a grab handle must be provided on each side of the opening with its center approximately 4 feet above floor level and of standard strength and mounting.

(b) An extension platform onto which materials can be hoisted for handling, and that has side rails or equivalent guards of standard specifications.

(2) Every chute wall opening from which there is a drop of more than 4 feet must be guarded according to subsection (1) of this section or as required by the conditions.

(3) Every window wall opening at a stairway landing, floor, platform, or balcony, from which there is a drop of more than 4 feet, and where the bottom of the opening is less than 3 feet above the platform or landing, must be guarded by standard slats, standard grillwork according to WAC 296-306A-25042(3), or a standard railing.

Where the window opening is below the landing, or platform, a standard toeboard must be provided.

(4) Every temporary wall opening must have adequate guards that may be of less than standard construction.

(5) Where there is a hazard of materials falling through a wall hole, and the lower edge of the near side of the hole is less than 4 inches above the floor, and the far side of the hole is more than 5 feet above the next lower level, the hole must be protected by a standard toeboard or a solid enclosing screen, or according to WAC 296-306A-25042(3).

NEW SECTION

WAC 296-306A-25015 What protection must an employer provide for open-sided floors, platforms, and runways? (1) Every open-sided floor or platform 4 feet or more above an adjacent floor or ground level must be guarded by a standard railing (or the equivalent according to WAC 296-306A-10003(3)) on all open sides, except where there is an entrance to a ramp, stairway, or fixed ladder. The railing must have a toeboard wherever, beneath the open sides:

(a) A person can pass; or

(b) There is moving machinery; or

(c) Materials falling onto equipment would create a hazard.

(2) Every runway must be guarded by a standard railing (or the equivalent according to WAC 296-306A-25027) on all open sides that are 4 feet or more above floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toeboard must also be provided on each exposed side.

Runways used exclusively for special purposes (such as oiling, shafting, or filling tank cars) may have the railing on one side omitted when operating conditions require, if the hazard is minimized by using a runway at least 18 inches wide. Where people entering runways become exposed to machinery, electrical equipment, or hazards other than from falling, additional guarding may be necessary.

(3) Regardless of height, all open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, or similar hazardous equipment, must be guarded with a standard railing and toeboard.

(4) Tools and loose materials must not be left on overhead platforms and scaffolds.

NEW SECTION

WAC 296-306A-25018 What requirements apply to stairway railings and guards? (1) Every flight of stairs having four or more risers must have standard stair railings or standard handrails as follows (stairway widths measured clear of all obstructions except handrails):

(a) Stairways less than 44 inches wide with both sides enclosed must have at least one handrail, preferably on the right side descending.

(b) Stairways less than 44 inches wide with one side open must have at least one stair railing on the open side.

(c) Stairways less than 44 inches wide with both sides open must have one stair railing on each side.

(d) Stairways more than 44 inches wide but less than 88 inches wide must have one handrail on each enclosed side and one stair railing on each open side.

(e) Stairways 88 or more inches wide must have one handrail on each enclosed side, one stair railing on each open side, and one intermediate stair railing at the approximate middle.

Exception: Vehicle service pit stairways are exempt from this requirement if hand or stair rails would prevent vehicle movement into position over the pit.

(2) Winding stairs must have a handrail that prevents walking on all portions of the treads that are less than 6 inches wide.

(3) Nonindustrial and "monumental" steps are exempt from the requirements of this section. However, public and private building steps at loading or receiving docks, in maintenance areas, etc., and stairs used exclusively by employees, must meet the requirements of this section.

NEW SECTION

WAC 296-306A-25021 How must a standard railing be constructed? A standard railing must meet the following requirements:

(1) The railing has a top rail, intermediate rail, and posts.

(2) The railing height is between thirty-six and forty-two inches nominal from the upper surface of the top rail to the floor, platform, runway, or ramp level.

(3) The top rail is smooth.

(4) The intermediate rail is approximately halfway between the top rail and the floor, platform, runway, or ramp.

(5) The ends of the rails do not overhang the terminal posts except where the overhang does not create a hazard.

(6) Guardrails taller than 42 inches are constructed so they do not create a hazard. Additional mid-rails are installed so that openings beneath the top rail prevent a spherical object with a 19-inch or larger diameter from falling through.

NEW SECTION

WAC 296-306A-25024 How must a stair railing be constructed? A stair railing must be constructed similar to a standard railing. The stair railing must be between 34 and 30 inches tall measured from the top of the top rail to the tread surface meeting the face of the riser at the forward edge of the tread.

NEW SECTION

WAC 296-306A-25027 What are the requirements for railing dimensions? Standard railings must meet the following requirements:

(1) For wood railings:

(a) The posts are of at least two inch by four inch nominal stock spaced six feet apart or less; and

(b) The top and intermediate rails are of at least two inch by four inch nominal stock.

(c) If the top rail is made of two right-angle pieces of 1-inch by 4-inch stock, posts are spaced on 8-foot centers, with 2-inch by 4-inch intermediate rail.

(2) For pipe railings:

(a) The posts and top and intermediate railings are at least 1-1/2 inches nominal diameter (outside diameter); and

(b) The posts are spaced on centers of eight feet or less.

(3) For structural steel railings:

(a) The posts and top and intermediate rails are of 2-inch by 2-inch by 3/8-inch angles or other metal shapes of equivalent bending strength; and

(b) The posts are spaced on centers of eight feet or less.

(4) Post anchors and framing parts for all railings are constructed so that the completed structure can withstand a load of at least two hundred pounds applied in any direction at any point on the top rail.

(5) Other types, sizes, and arrangements of railing construction that meet the following requirements are acceptable:

(a) The top rail is smooth;

(b) The top rail is between thirty-six and forty-two inches nominal above the floor, platform, runway, or ramp level;

(c) The railing is strong enough to withstand two hundred pounds of pressure on the top rail;

(d) The railing provides protection between the top rail and the floor, platform, runway, ramp, or stair treads, equivalent to that of a standard intermediate rail;

(e) There are no overhanging rail ends unless the overhang does not create a hazard; such as baluster railings, scrollwork railings, or paneled railings.

Note: The dimensions specified are based on the U.S. Department of Agriculture Wood Handbook, No. 72, 1955 (No. 1 (S4S) Southern Yellow Pine (Modulus of Rupture 7,400 psi)) for wood; ANSI G 41.5-1970, American National Standard Specifications for Structural Steel, for structural steel; and ANSI B 125.1-1970, American National Standard Specifications for Welded and Steamless Steel Pipe, for pipe.

PERMANENT

NEW SECTION

WAC 296-306A-25030 What requirements apply to toeboards? (1) Standard toeboard height is at least four inches nominal from its top edge to the level of the floor, platform, runway, or ramp. The toeboard must be securely fastened in place and with a maximum of 1/4 inch clearance above floor level. It must be made of any substantial material that is either solid or with openings that are a maximum of one inch in diameter.

(2) Where material is piled high enough that a standard toeboard does not provide protection, paneling from the floor to the intermediate rail, or to the top rail, must be provided.

NEW SECTION

WAC 296-306A-25033 How must handrails and railings be constructed? (1) A handrail must have a horizontal part mounted directly on a wall or partition by brackets attached to the lower side of the handrail. The brackets must be attached to ensure that there is a smooth surface along the top and both sides of the handrail. The handrail must be rounded or otherwise provide an adequate handhold for anyone grasping it to avoid falling. The ends of the handrail should be turned in to the supporting wall or arranged to prevent a projection hazard.

(2) Handrails must be a maximum of thirty-four inches high and at least thirty inches from the upper surface of the handrail to the surface of the tread in line with the face of the riser or to the surface of the ramp.

(3) The size of handrails must be:

(a) For hardwood, at least two inches in diameter.

(b) For metal pipe, at least 1-1/2 inches in diameter.

(4) Brackets must be spaced a maximum of eight feet apart.

(5) Handrail mounting must be strong enough to withstand a load of at least two hundred pounds applied in any direction at any point on the rail.

(6) All handrails and railings shall have a clearance of at least 1-1/2 inches between the handrail or railing and the wall or any other object.

NEW SECTION

WAC 296-306A-25036 What materials may be used for floor opening covers? Floor opening covers must be made of any material that meets the following strength requirements:

(1) Trench or conduit covers and their supports, when located in plant roadways, must be designed to carry a truck rear-axle load of at least 20,000 pounds.

(2) Manhole covers and their supports, when located in plant roadways, must meet local standard highway requirements if any; otherwise, they must be designed to carry a truck rear-axle of at least 20,000 pounds.

(3) Other floor opening covers must be made of any material that can carry a truck rear-axle load of at least 20,000 pounds. Covers may project a maximum of one inch above the floor level if all edges are chamfered to a maximum angle with the horizontal of thirty degrees. All hinges, handles, bolts, or other parts must set flush with the floor or cover surface.

NEW SECTION

WAC 296-306A-25039 How must skylight screens be constructed and mounted? Skylight screens must be constructed and mounted to withstand a load of at least two hundred pounds applied perpendicularly anywhere on the screen. Skylight screen must be constructed and mounted so that, under ordinary loads or impacts, they will not deflect downward enough to break the glass below them. They must be constructed of grillwork with openings a maximum of four inches long or of slatwork with openings a maximum of two inches wide and any length.

NEW SECTION

WAC 296-306A-25042 What protection must an employer provide for wall openings? (1) Wall opening barriers (rails, rollers, picket fences, and half doors) must be constructed and mounted, to withstand a load of at least two hundred pounds applied in any direction (except upward) at any point on the top rail.

(2) Wall opening grab handles must be at least twelve inches long and must be mounted to give 1-1/2 inches clearance from the side framing of the wall opening. The size, material, and anchoring of the grab handle must form a structure that can withstand a load of at least two hundred pounds applied in any direction at any point of the handle.

(3) Wall opening screens must be constructed and mounted to withstand a load of at least two hundred pounds applied horizontally anywhere on the near side of the screen. They must be of solid construction, of grillwork with openings a maximum of four inches long, or of slatwork with openings a maximum of two inches wide and any length.

NEW SECTION

WAC 296-306A-260 Fixed industrial stairs.

NEW SECTION

WAC 296-306A-26003 What does this section cover? WAC 296-306A-260 covers the safe design and construction of fixed general industrial stairs. Fixed general industrial stairs includes interior and exterior stairs around machinery, tanks, and other equipment, and stairs leading to or from floors, platforms, or pits.

This section does not apply to stairs used for fire exits, to construction operations, to private buildings or residences, or to articulated stairs that are installed on floating roof tanks or on dock facilities, where the angle changes with the rise and fall of the base support.

Stairs of public and private buildings at loading or receiving docks, in maintenance areas, etc., or stairs that are used exclusively by employees, are considered "fixed industrial steps" and must meet these requirements.

NEW SECTION

WAC 296-306A-26006 What definitions apply to this section? "Nose or nosing" means the part of a tread projecting beyond the face of the riser immediately below.

"Open riser" means the air space between the treads of stairways without risers.

"Platform" means an extended step or landing breaking a continuous run of stairs.

"Railing" means a vertical barrier erected along exposed sides of stairways and platforms to prevent people from falling. The top part of the railing usually serves as a handrail.

"Rise" means the vertical distance from the top of a tread to the top of the next higher tread.

"Riser" means the upright part of a step at the back of a lower tread and near the leading edge of the next higher tread.

"Stairs or stairway" means a series of steps. A series of steps and landings having three or more risers constitutes stairs or a stairway.

"Tread" means the horizontal part of a step.

"Tread run" means the horizontal distance from the leading edge of a tread to the leading edge of an adjacent tread.

"Tread width" means the horizontal distance from front to back of tread, including nosing.

NEW SECTION

WAC 296-306A-26009 Where are fixed stairs required? Fixed stairs must be provided for:

(1) Employee access from one structure level to another where operations require regular travel between levels.

(2) Employee access to operating platforms on any equipment that requires regular attention during operations.

(3) Employees that need daily access to elevations, or access at each shift, for purposes such as gauging, inspection, regular maintenance, etc., where:

(a) The work may expose employees to acids, caustics, gases, or other harmful substances; or

(b) Employees must normally carry tools or equipment by hand.

Note: This section does not prohibit the use of fixed ladders for access to elevated tanks, towers, and similar structures, overhead traveling cranes, etc., where the use of fixed ladders is common practice.

NEW SECTION

WAC 296-306A-26012 Where are spiral stairs prohibited? Spiral stairways are prohibited except for special limited use and secondary access when a conventional stairway is not practical. Winding stairways may be installed on tanks and similar round structures where the diameter of the structure is a minimum of five feet.

NEW SECTION

WAC 296-306A-26015 How strong must fixed stairs be? Fixed stairways must be designed and constructed to carry a load of five times the normal live load anticipated, and must be at least strong enough to carry safely a moving concentrated load of 1,000 pounds.

NEW SECTION

WAC 296-306A-26018 How wide must fixed stairs be? Fixed stairways must be at least 22 inches wide.

NEW SECTION

WAC 296-306A-26021 What angles may stairways be installed at? (1) Fixed stairs must be installed at angles to the horizontal of between thirty and fifty degrees. Any uniform combination of rise/tread dimensions may be used that will provide a stairway at an angle within the permissible range.

The following table lists examples of rise/tread dimensions that will produce a stairway within the permissible range. Rise/tread combinations are not limited to those in the table.

Angle to horizontal	Rise (in inches)	Tread run (in inches)
30°35'	6-1/2	11
32°08'	6-3/4	10-3/4
33°41'	7	10-1/2
35°16'	7-1/4	10-1/4
36°52'	7-1/2	10
38°29'	7-3/4	9-3/4
40°08'	8	9-1/2
41°44'	8-1/4	9-1/4
43°22'	8-1/2	9
45°00'	8-3/4	8-3/4
46°38'	9	8-1/2
48°16'	9-1/4	8-1/4
49°54'	9-1/2	8

(2) A permanent stairway may be installed at an angle above the fifty degree critical angle when space limitations require. Such installations (commonly called inclined ladders or ship's ladders) must have handrails on both sides and open risers. They must be capable of sustaining a live load of one hundred pounds per square foot with a safety factor of four. The following preferred and critical angles from the horizontal are recommended for inclined ladders and ship's ladders:

(a) 35 to 60 degrees—Preferred angle from horizontal.

(b) 60 to 70 degrees—Critical angle from horizontal.

NEW SECTION

WAC 296-306A-26024 What requirements apply to stair treads? (1) When risers are used, each tread and the top landing of a stairway should have a nose extending 1/2 to one inch beyond the face of the lower riser.

(2) Noses should have an even leading edge.

(3) All treads must be reasonably slip-resistant and the nosings must be of nonslip finish. Welded bar grating treads without nosings are acceptable if the leading edge can easily be identified by employees descending the stairway and the tread is serrated or is nonslip.

(4) Rise height and tread width must be uniform throughout any flight of stairs including any foundation structure used as one or more treads of the stairs.

NEW SECTION

WAC 296-306A-26027 What requirements apply to the length of stairways? Long flights of stairs, unbroken by landings or intermediate platforms, should be avoided. You should consider providing intermediate platforms where practical and for frequently used stairways. Stairway platforms must be at least as wide as the stairway and at least 30 inches long, measured in the direction of travel.

NEW SECTION

WAC 296-306A-26030 What requirements apply to railings and handrails on fixed stairs? Standard railings must be provided on the open sides of all exposed stairways and stair platforms. Handrails must be provided on at least one side of closed stairways, preferably on the right side descending. Stair railings and handrails must be installed according to WAC 296-360A-250.

NEW SECTION

WAC 296-306A-26033 What requirements apply to alternating tread-type stairs? "Alternating tread-type stairs" means stairs with a series of steps between 50 and 70 degrees from horizontal, attached to a center support rail in an alternating manner so that a user of the stairs never has both feet at the same level at the same time.

(1) Alternating tread-type stairs must be designed, installed, used, and maintained according to the manufacturer's specifications, and must have the following:

(a) Stair rails on all open sides;

(b) Handrails on both sides of enclosed stairs;

(c) Stair rails and handrails that provide an adequate handhold for a user grasping it to avoid a fall;

(d) A minimum of 17 inches between handrails;

(e) A minimum width of 22 inches overall;

(f) A minimum tread depth of 8 inches;

(g) A minimum tread width of 7 inches; and

(h) A maximum rise of 9 1/2 inches to the tread surface of the next alternating tread.

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(2) Alternating tread-type stairs must have a maximum 20-foot continuous rise. Where more than a 20-foot rise is necessary to reach the top of a required stair, one or more intermediate platforms must be provided according to WAC 296-306A-26027.

(3) Stairs and platforms must be installed so the top landing of the alternating tread stair is flush with the top of the landing platform.

(4) Stair design and construction must sustain a load of at least five times the normal live load, and be at least strong enough to carry safely a moving concentrated load of 1,000 pounds.

(5) Treads must have slip-resistant surfaces.

(6) Where a platform or landing is used, the width must be at least as wide as the stair and at least 30-inches deep in the direction of travel. Stairs must be flush with the top of the landing platform.

NEW SECTION

WAC 296-306A-26036 What other requirements apply to fixed stairs? (1) Vertical clearance above any stair tread to an overhead obstruction must be at least 7 feet measured from the leading edge of the tread.

(2) Stairs with treads less than 9 inches wide should have open risers.

(3) Open grating type treads are desirable for outside stairs.

NEW SECTION

WAC 296-306A-270 Aerial manlift equipment.

NEW SECTION

WAC 296-306A-27005 What requirements apply to aerial manlift equipment? (1) We will accept safety factor test data on working or structural components from one of the following as evidence that a manlift meets minimum safety requirements:

(a) The manufacturer;

(b) A competent testing laboratory;

(c) A registered engineering firm; or

(d) A registered engineer.

If, after use, it appears doubtful whether this equipment will meet the above requirements, we may require that tests be conducted, and we may order that you make corrections.

(2) All aerial manlifts must have working brake systems.

(3) Automatic apertures must be installed in the hydraulic systems of aerial manlifts to maintain the boom in position in case any part of the hydraulic pressure system fails.

(4) Controls must be guarded by partial enclosures to minimize accidental contact.

(5) The manufacturer's recommended maximum load limit must be posted conspicuously near the controls and must be kept in a legible condition.

(6) All critical hydraulic and pneumatic components must meet the provisions of ANSI A92.2-1969, Section 4.9 Bursting Safety Factor. Critical components are those which, in case of failure, would cause a free fall or free rotation of the boom. All noncritical components must have a bursting safety factor of at least two to one.

NEW SECTION

WAC 296-306A-27010 What requirements apply to using aerial manlift equipment? (1) The manufacturer's instructional manual, if any, must be used to establish the proper operational sequences and maintenance procedures. If there is no manual, you must develop instructions. The instructions must be available for reference by operators.

(2) The assigned operator must make a daily visual inspection and perform the tests recommended by the manufacturer.

(3) Only employees qualified by training or experience may operate aerial manlifts.

(4) Employees must report defective aerial manlift equipment to you as soon as identified. Using defective equipment is prohibited when the defect may cause an accident.

(5) When moving to and from the job site, the basket of the manlift must be in the low position.

(6) Unsafe practices are prohibited, such as, sitting or standing on the basket edge, standing on material placed across the basket, or working from a ladder set inside the basket.

(7) The basket must not be rested on a fixed object so that the weight of the boom is supported by the basket.

(8) The employee and the aerial manlift equipment must maintain distance from high voltage lines according to WAC 296-306A-150.

PART P
GUARDING POWER TRANSMISSION MACHINERY

NEW SECTION

WAC 296-306A-280 Guarding power transmission machinery.

NEW SECTION

WAC 296-306A-28002 What power transmission belts are covered by this section? WAC 296-306A-280 covers all types and shapes of power transmission belts.

Exception: The following power transmission belts are exempt from WAC 296-306A-280 when operating at 250 feet per minute or less:

(1) Flat belts that are one inch wide or less.

(2) Flat belts that are 2" wide or less and are free from metal lacings or fasteners.

(3) Round belts that are 1/2" in diameter or less.

(4) Single strand V-belts that are 13/32" wide or less.

NEW SECTION

WAC 296-306A-28004 What does "guarded by location" mean? "Guarded by location" means that the location of a component eliminates potential hazards. A component seven feet or more above a working surface is considered guarded by location.

NEW SECTION

WAC 296-306A-28006 What general requirements apply to machine guarding? (1) All power transmission components must be guarded according to the requirements of this section.

(2) You must protect employees from coming into contact with moving machinery parts by:

(a) A guard or shield or guarding by location; or

(b) A guardrail or fence whenever a guard or shield or guarding by location is infeasible.

(3) Strength and design of guards.

(a) Guards must be designed and located to prevent inadvertent contact with the hazard.

(b) Unless otherwise specified, each guard and its supports must be strong enough to withstand the force that a 250 pound person would exert leaning on or falling against the guard.

(c) Guards must be securely fastened to the equipment or building.

(4) Shields, guards, and access doors that will prevent accidental contact with rotating machine parts on constant-running drives must be in place when the machine is running.

Exception: This requirement does not apply to combines when guards could create fire hazards.

"Constant-running drives" means drives that continue to rotate when the engine is running and all clutches are disengaged.

(5) A guard or shield on stationary equipment must be provided at the mesh point or pinch point where the chain or belt contacts the sprocket or pulley.

(6) Machines that will throw stock, material, or objects must be covered or provided with a device designed and constructed to minimize this action. (Machines such as rip saws, rotary mowers and beaters, rotary tillers are included in this classification.)

(7) When the periphery of the blades of a fan is less than 7 feet above the floor or working level, the blades must be guarded. The guard must have openings no larger than 1/2 inch.

(8) For requirements relating to the control of hazardous energy (lockout-tagout) see WAC 296-306A-320.

NEW SECTION

WAC 296-306A-28008 What training must an employer provide for employees who use agricultural equipment? At the time of initial assignment and at least annually thereafter, you must instruct every employee in the safe operation and servicing of all equipment that the employee will use, including at least the following:

(1) Keep all guards in place when the machine is in operation.

(2) Only persons required for instruction or machine operation may ride on equipment, unless a passenger seat or other protective device is provided.

(3) Stop engine, disconnect the power source, and wait for all machine movement to stop before servicing, adjusting, cleaning, or unclogging the equipment.

Exception: When the machine must be running to be properly serviced or maintained, you must instruct employees in the steps and procedures necessary to safely service or maintain the equipment.

(4) Make sure everyone is clear of machinery before starting the engine, engaging power, or operating the machine.

(5) Lock out electrical power before performing maintenance or service on farmstead equipment.

NEW SECTION

WAC 296-306A-28010 What requirements apply to machine controls? (1) If machine operation requires the presence of an operator on the machine, a "stop button" must be provided on the machine within reach of the operator.

(2) Power control devices must be marked to indicate the function and machine they control. "On" and "off" must be marked.

(3) "Stop" buttons must be red or orange. Each machine must have one or more stop buttons according to the working position of the operators.

(4) Power control devices must be located or guarded to prevent unexpected or accidental movement of the control. "Start" buttons must be recessed.

NEW SECTION

WAC 296-306A-28012 What requirements apply to guarding steam pipes? (1) All steam pipes or pipes hot enough to burn a person (other than coil pipes, radiators for heating rooms or buildings, or pipes on portable steam engines and boilers) must be guarded with a standard safeguard, unless guarded by location.

(2) All exposed hot pipes within seven feet of the floor or working platform, or within 15 inches measured horizontally from stairways, ramps or fixed ladders, must be covered with insulating material or be guarded to prevent contact.

NEW SECTION

WAC 296-306A-28014 What requirements apply to prime-mover guards? "Flywheels" include flywheels, balance wheels, and flywheel pulleys mounted and revolving on crankshaft of engine or other shafting.

"Prime movers" include steam, gas, oil, and air engines, motors, steam and hydraulic turbines, and other equipment used as a source of power.

(1) Unless guarded by location, flywheels must be guarded according to the following requirements:

(a) Guard enclosures are made of sheet, perforated, or expanded metal, or woven wire.

(b) Guard rails are between 15 and 20 inches from the rim. When a flywheel extends into a pit or is within 12 inches of the floor, a standard toeboard is provided.

(c) When the upper rim of a flywheel extends through a working floor, it is surrounded by a guardrail and toeboard.

(d) Exception: When a flywheel with a smooth rim 5 feet or less in diameter cannot be guarded by the above methods, you must guard by meeting the following requirements:

On the exposed side, cover the flywheel spokes with a disk that makes a smooth surface and edge, and provides for inspection. You may leave an open space, less than 4 inches

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wide, between the outside edge of the disk and the rim of the wheel, to turn the wheel over. If you use a disk, keys or other projections left uncovered by the projections shall be cut off or covered.

Note: This exception does not apply to flywheels with solid web centers.

(e) At the flywheel of a gas or oil engine, you may provide an adjustable guard for starting the engine or for running adjustment. A slot opening for a jack bar is permitted.

(f) For flywheels above working areas, you must install guards that are strong enough to hold the weight of the flywheel if the shaft or wheel mounting fails.

(2) Cranks and connecting rods, when exposed to contact, must be guarded according to WAC 296-306A-28046 and 296-306A-28048, or by a guardrail according to WAC 296-306A-28060.

(3) Tail rods or extension piston rods must be guarded according to WAC 296-306A-28046 and 296-306A-28048, or by a guardrail on the sides and end, with a clearance of between 15 and 20 inches when rod is fully extended.

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NEW SECTION

WAC 296-306A-28016 What requirements apply to guarding shafting? Revolving shafts must be guarded by a standard safeguard unless guarded by location.

(1) All shafting must be secured against excessive end movement.

(2) Guarding horizontal shafting.

(a) Unless guarded by location, all exposed parts of horizontal shafting, must be enclosed in a guard that covers the shafting completely or by a trough that covers the sides and top or sides and bottom of the shafting as location requires.

(b) Shafting under bench machines must be enclosed by a guard that covers the shafting completely or by a trough that covers the sides and top or sides and bottom of the shafting as location requires. The sides of the trough must extend to at least 6 inches from the underside of table. If shafting is near the floor, the trough must extend to at least 6 inches from the floor. In every case, the sides of trough must extend at least 2 inches beyond the shafting or projection.

Exception: Maintenance runways are exempt from this requirement. "Maintenance runway" means any permanent runway or platform used for oiling, maintenance, running adjustment, or repair work, but not for passageway.

(3) Unless guarded by location, vertical and inclined shafting must be enclosed according to WAC 296-306A-28046 and 296-306A-28050 through WAC 296-306A-28060.

Exception: Maintenance runways are exempt from this requirement.

(4) Projecting shaft ends.

(a) Projecting shaft ends must have a smooth edge and end and must not project more than one-half the diameter of the shaft unless guarded by nonrotating caps or safety sleeves.

(b) Unused keyways must be filled up or covered.

NEW SECTION

WAC 296-306A-28018 What requirements apply to guarding pulleys? (1) Unless guarded by location, pulleys must be guarded according to WAC 296-306A-28046 and 296-306A-28050 through WAC 296-306A-28060. Pulleys serving as balance wheels (e.g., punch presses) on which the point of contact between belt and pulley is more than 6 feet 6 inches from the floor or platform may be guarded with a disk covering the spokes.

(2) If the distance to the nearest fixed pulley, clutch, or hanger is equal to or less than the width of the belt, then you must provide a guide to prevent the belt from leaving the pulley on the side where insufficient clearance exists.

(3) Where there are overhanging pulleys on line, jack, or countershafts with no bearing between the pulley and the outer end of the shaft, you should provide a guide to prevent the belt from running off the pulley.

(4) Pulleys with cracks, or pieces broken out of rims are prohibited.

(5) Pulleys must be designed and balanced for the operating speed.

(6) Composition or laminated wood pulleys must not be installed where they are likely to deteriorate.

NEW SECTION

WAC 296-306A-28020 What requirements apply to guarding horizontal belt, rope, and chain drives? "Belts" include all power transmission belts, such as flat belts, round belts, V-belts, etc., unless otherwise specified.

(1) Where both runs of horizontal belts are 7 feet or less from the floor level, the guard must extend to at least 15 inches above the belt or to a standard height. (See Table P-1.)

Exception: Where both runs of a horizontal belt are 42 inches or less from the floor, the belt must be fully enclosed according to WAC 296-306A-28046 and 296-306A-28050 through WAC 296-306A-28060.

(2) In power development rooms, a guardrail may be used instead of the guard.

NEW SECTION

WAC 296-306A-28022 What requirements apply to guarding overhead horizontal belt, rope, and chain drives? (1) Unless guarded by location, overhead horizontal belts must be guarded on the sides and bottom according to WAC 296-306A-28054.

(2) Unless guarded by location, horizontal overhead belts must be guarded for their entire length when:

(a) Located over passageways or work places and traveling 1,800 feet or more per minute.

(b) The center to center distance between pulleys is 10 feet or more.

(c) The belt is 8 inches wide or more.

(3) Where the upper and lower runs of horizontal belts are located so that employees can pass between them, the passage must be either:

(a) Completely barred according to WAC 296-306A-28046 and 296-306A-28050 through WAC 296-306A-28060; or

(b) In a passage that employees must use, there must be a platform over the lower run guarded on either side by a railing that is completely filled in with wire mesh or other filler, or by a solid barrier. The upper run must be guarded to prevent contact by the employee or by objects carried by the employee.

(4) Overhead chain and link belt drives must be guarded according to the same requirements as overhead horizontal belts.

(5) American or continuous system rope drives located where the condition of the rope (particularly the splice) cannot be constantly and conveniently observed, must have an alarm (preferably electric-bell type) that will warn when the rope begins to fray.

NEW SECTION

WAC 296-306A-28024 What requirements apply to guarding vertical and inclined belts? (1) Vertical and inclined belts must be guarded according to WAC 296-306A-28044 and 296-306A-28050 through WAC 296-306A-28060.

(2) All guards for inclined belts must provide a minimum clearance of 7 feet between belt and floor at any point outside of the guard.

(3) A vertical or inclined belt may be guarded with a nip-point belt and pulley guard, if it is:

(a) 2-1/2 inches wide or less;

(b) Running at a speed of less than one thousand feet per minute; and

(c) Free from metal lacings or fastenings.

"Nip-point belt and pulley guard" means a device that encloses the pulley and has rounded or rolled edge slots through which the belt passes.

(4) Vertical belts running over a lower pulley more than seven feet above floor or platform must be guarded according to the same requirements as horizontal overhead belts, if the belt is:

(a) Located over passageways or work places and traveling 1,800 feet or more per minute;

(b) Eight inches wider or more.

NEW SECTION

WAC 296-306A-28026 What requirements apply to guarding cone-pulley belts? (1) The cone belt and pulley must have a belt shifter that adequately guards the nip point of the belt and pulley. If the frame of the belt shifter does not adequately guard the nip point of the belt and pulley, the nip point must be protected by a vertical guard in front of the pulley that extends at least to the top of the largest step of the cone.

"Belt shifter" means a device for mechanically shifting belts from tight to loose pulleys or vice versa, or for shifting belts on cones of speed pulleys.

(2) If the belt is endless or laced with rawhide laces, and no belt shifter is used, the belt may be guarded according to the following:

(a) The nip point of the belt and pulley is protected by a nip point guard in front of the cone;

(b) The guard extends at least to the top of the largest step of the cone; and

(c) The guard is formed to show the contour of the cone.

(3) If the cone is less than 3 feet from the floor or working platform, the cone pulley and belt must be guarded to a height of 3 feet regardless of whether the belt is endless or laced with rawhide.

NEW SECTION

WAC 296-306A-28028 What requirements apply to guarding belt tighteners? (1) Suspended counterbalanced belt tighteners and all components must be substantially constructed and securely fastened. The bearings must be securely capped. You must provide a mechanism to prevent the tightener from falling in case the belt breaks.

(2) Unless guarded by location, suspended counterweights must be encased to prevent accident.

(3) Belt tighteners used for starting and stopping machinery, unless held by gravity in the "off" or "out of service" position, must have a mechanism that will hold the belt tightener away from the belt when not in use. The mechanism must automatically grip, latch or otherwise fasten itself to and hold the belt tightener in "off" or "out of service" position until released by hand.

NEW SECTION

WAC 296-306A-28030 What requirements apply to guarding gears, sprockets, and chains? (1) Gears must be guarded by one of the following methods:

(a) A complete enclosure; or

(b) A standard guard according to WAC 296-306A-28050 through 296-306A-28060, at least 7 feet high extending 6 inches above the mesh point of the gears; or

(c) A band guard covering the face of gear. The guard must have flanges extended inward beyond the root of the teeth on the exposed side or sides. If a part of the train of gears guarded by a band guard is less than 6 feet from the floor, the gear must be guarded by a disk guard or by a complete enclosure at least 6 feet tall.

(2) Hand-operated gears used only to adjust hand-powered machine parts may be unguarded. However, we recommend guarding these gears.

(3) Unless guarded by location, all sprocket wheels and chains must be enclosed. Where the drive extends over other machine or working areas, you must provided protection against falling parts.

Exception: This section does not apply to manually operated sprockets.

(4) When gears require frequent oiling, you must provide openings with hinged or sliding self-closing covers. All points not readily accessible must have oil feed tubes if lubricant is added while machinery is in motion.

NEW SECTION

WAC 296-306A-28032 What requirements apply to guarding friction drives? When exposed to contact, the driving point of all friction drives must be guarded. All arm or spoke friction drives and all web friction drives with holes in the web must be entirely enclosed. When exposed to

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contact, all projecting belts on friction drives must be guarded.

NEW SECTION

WAC 296-306A-28034 What requirements apply to guarding keys, set screws, and other projections? (1) All projecting keys, set screws, and other projections in revolving parts must be removed, or made flush, or guarded by metal covers.

(2) Projections, such as exposed bolts, keys, or set screws that are part of sprockets, grooved pulleys or pulleys on stationary equipment must be shielded unless guarded by location.

Exception: This section does not apply to keys or set screws within gear or sprocket casings or other enclosures, nor to keys, set screws, or oilcups in hubs of pulleys less than 20 inches in diameter where they are within the plane of the rim of the pulley.

Note: We recommend that you not use projecting set screws or oilcups in any revolving pulley or part of machinery.

NEW SECTION

WAC 296-306A-28036 What requirements apply to guarding collars and couplings? (1) All revolving collars, including split collars, must be cylindrical. Screws or bolts used in collars must not project beyond the largest periphery of the collar.

(2) Shaft couplings must be constructed to prevent hazard from bolts, nuts, set screws, or revolving surfaces. Bolts, nuts, and set screws are permitted where they are covered with safety sleeves or where they are used parallel with the shafting and are countersunk or where they do not extend beyond the flange of the coupling.

NEW SECTION

WAC 296-306A-28038 Must self-lubricating bearings be used? We recommend that you use self-lubricating bearings. All drip cups and pans must be securely fastened.

NEW SECTION

WAC 296-306A-28040 What requirements apply to guarding clutches, cutoff couplings, and clutch pulleys? (1) Unless guarded by location, clutches, cutoff couplings, or clutch pulleys with projecting parts must be enclosed by a stationary guard constructed according to WAC 296-306A-28046. You may use a "U" type guard.

(2) In enginerooms, a guardrail, preferably with toeboard, may be used instead of the guard if the room is only occupied by engineroom attendants.

(3) A bearing support next to a friction clutch or cutoff coupling must have self-lubricating bearings that require infrequent maintenance.

NEW SECTION

WAC 296-306A-28042 What requirements apply to guarding belt shifters, clutches, shippers, poles, perches, and fasteners? "Belt pole" (sometimes called a "belt shipper" or "shipper pole") means a device used in shifting belts on and off fixed pulleys on line or countershaft where there are no loose pulleys.

(1) Tight and loose pulleys must have a permanent belt shifter with a mechanical means to prevent the belt from creeping from loose to tight pulley.

(2) Belt shifter and clutch handles must be rounded. They must be as far as possible from danger of accidental contact, but within easy reach of the operator. Where belt shifters are not directly over a machine or bench, the handles must be cut off 6 feet 6 inches above floor level.

(3) All belt and clutch shifters of the same type in each shop should move in the same direction to stop machines, i.e., either all right or all left.

Exception: This requirement does not apply to a friction clutch on a countershaft carrying two clutch pulleys with open and crossed belts. In this case the shifter handle has three positions and the machine is at a standstill when the clutch handle is in the neutral or center position.

(4) When belt poles must be used as a substitute for mechanical shifters, they must be big enough for employees to grasp them securely. Poles must be smooth and preferably of straight grain hardwood, such as ash or hickory. The edges of rectangular poles should be rounded. Poles should extend from the top of the pulley to within approximately 40 inches of the floor or working platform.

(5) Where loose pulleys or idlers are not practical, belt perches such as brackets, rollers, etc., must be used to keep idle belts away from the shafts. Perches should be substantial and designed for safe belt shifting.

(6) Belts that must be shifted by hand and belts within seven feet of the floor or working platform that are not guarded according to WAC 296-306A-28046 must not be fastened with metal, nor with any other fastening that creates a hazard.

NEW SECTION

WAC 296-306A-28044 What materials must be used for standard guards? (1) Standard guards must be made of the following materials:

(a) Expanded metal;

(b) Perforated or solid sheet metal;

(c) Wire mesh on a frame of angle iron; or

(d) Iron pipe securely fastened to the floor or the frame of the machine.

(2) Wire mesh should have wires that are securely fastened at every cross point either by welding, soldering, or galvanizing.

Exception: Diamond or square wire mesh made of No. 14 gauge wire, 3/4-inch mesh or heavier is exempt from this requirement.

NEW SECTION

WAC 296-306A-28046 How must standard guards be manufactured? (1) Guards must be free from burrs, sharp edges, and sharp corners.

(2) Expanded metal, sheet or perforated metal, and wire mesh must be securely fastened to the frame by one of the following methods:

(a) Rivets or bolts spaced not more than five inches center to center. In case of expanded metal or wire mesh,

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metal strips or clips must be used to form a washer for rivets or bolts.

(b) Welding to frame every four inches.

(c) Weaving through channel or angle frame, or, if No. 14 gauge 3/4-inch mesh or heavier is used, by bending entirely around rod frames.

(d) To fill openings in pipe railing with expanded metal, wire mesh, or sheet metal, make the filler material into panels with rolled edges or edges bound with "V" or "U" edging. The edging must be of at least No. 24 gauge sheet metal fastened to the panels with bolts or rivets spaced a maximum of 5 inches center to center. The bound panels must be fastened to the railing by sheet-metal clips spaced a maximum of 5 inches center to center.

(e) Diamond or square mesh made of crimped wire fastened into channels, angle iron, or round-iron frames may also be used as a filler in guards. Size of mesh must correspond to Table P-1.

(3) Where guard design requires filler material greater than 12 square feet, additional frame members must be provided to ensure that the panel area is a maximum of 12 square feet.

(4) All joints of framework must be as strong as the material of the frame.

NEW SECTION

WAC 296-306A-28048 What requirements apply to disk, shield, and U-guards? (1) A disk guard must have a sheet-metal disk of at least No. 22 gauge fastened by U-bolts or rivets to the spokes of pulleys, flywheels, or gears. To prevent contact with sharp edges of the disk, the edge must be rolled or wired. In all cases, the nuts must have locknuts on the unexposed side of the wheel.

(2) A shield guard must have a frame filled in with wire mesh or expanded, perforated, or solid sheet metal.

(3) If the shield area is less than six square feet, the wire mesh or expanded metal may be fastened in a framework of 3/8-inch solid rod, 3/4-inch by 3/4-inch by 1/8-inch angle iron, or a metal construction of equivalent strength. Metal shields may have edges entirely rolled around a 3/8-inch solid iron rod.

(4) A U-guard consisting of a flat surface with edge members must cover the under surface and lower edge of a belt, multiple chain, or rope drive. It must be constructed of materials specified in Table P-1, and must meet the requirements of WAC 296-306A-28054 through 296-306A-28058. Edges must be smooth and, if the size of the guard requires, be reinforced by rolling, wiring, or by binding with angle or flat iron.

NEW SECTION

WAC 296-306A-28050 What materials must be used for guards? The materials and dimensions specified in this section apply to all guards. The materials and dimensions specified are minimum requirements. You may choose to provide stronger guards.

Exception: Horizontal overhead belts, rope, cable, or chain guards more than 7 feet above floor, or platform must meet the requirements outlined in Table P-2.

(1) The framework of all guards must have minimum dimensions of 1-inch by 1-inch by 1/8-inch for angle iron, 3/4-inch inside diameter for metal pipe, or metal construction of equivalent strength.

Exception: Guards thirty inches tall or less with a total surface area of ten square feet or less may have a framework of 3/8-inch solid rod, 3/4-inch by 3/4-inch by 1/8-inch angle iron, or metal construction of equivalent strength. The filling material must correspond to the requirements of Table 1.

(a) All guards must be rigidly braced every 3 feet of their height to some fixed part of machinery or building structure. Where a guard is exposed to contact with moving equipment additional strength may be necessary.

(b) The framework for all guards fastened to the floor or working platform and without other support or bracing must consist of 1-1/2-inch by 1-1/2-inch by 1/8-inch angle iron, metal pipe of 1-1/2-inch inside diameter, or metal construction of equivalent strength. All rectangular guards must have at least four upright frame members that extend to the floor and are securely fastened. Cylindrical guards must have at least three supporting members that extend to the floor.

(2) Where guards are exposed to unusual wear, deterioration, or impact, heavier material and construction should be used to protect against the specific hazards involved.

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NEW SECTION

WAC 296-306A-28052 When may wood guards be used? Wood guards may be used where fumes would cause rapid deterioration of metal guards and outdoors where extreme cold or extreme heat make metal guards and railings undesirable.

(1) Wood must be sound, tough, and without loose knots.

(2) Guards must be made of planed lumber not less than 1-inch rough board measure, with rounded edges and corners.

(3) Wood guards must be securely fastened together with wood screws, hardwood dowel pins, bolts, or rivets.

(4) Wood guards must be equal in strength and rigidity to metal guards specified in WAC 296-306A-28050 and Table P-1.

Note: Requirements for the construction of standard wood railings are in WAC 296-306A-28060.

NEW SECTION

WAC 296-306A-28054 What materials may be used for guarding horizontal overhead belts? (1) Guards for horizontal overhead belts must run the entire length of the belt and follow the line of the pulley to the ceiling or extend to the nearest wall.

Exception: Where belts are located so that it is impractical to extend the guard to wall or ceiling, the guard must completely enclose the top and bottom runs of the belt and the face of pulleys.

(2) The guard and its supporting parts must be securely fastened to the wall or ceiling by gimlet-point lag screws or through bolts. In masonry, expansion bolts must be used. We recommend using bolts placed horizontally through floor beams or ceiling rafters.

(3) When necessary, suitable reinforcement must be provided for the ceiling rafters or overhead floor beams to sustain safely the weight and stress imposed by the guard.

(4) The interior surface of all guards must be smooth and free from projections.

Exception: Where construction demands it, protruding shallow roundhead rivets may be used.

NEW SECTION

WAC 296-306A-28056 What clearance must be maintained between guards and power transmission machinery? (1) Overhead belt guards must be at least one-quarter wider than the belt they protect, with a maximum clearance of 6 inches on each side. Overhead rope-drive and block and roller-chain-drive guards must be at least six inches wider than the drive on each side.

(2) Overhead silent chain-drive guards with the chain held on sprockets must have side clearance of:

(a) On drives of 20-inch centers or less, at least 1/4-inch from the nearest moving chain part, and

(b) On drives of over 20-inch centers, a minimum of 1/2-inch from the nearest moving chain part.

(3) Table 2 gives the sizes of materials and construction specifications for guards for belts that are 10 inches wide or more. All materials for overhead belt guards must be at least the size specified in Table 2 for belts 10 to 14 inches wide, even if the overhead belt is less than 10 inches wide. However, No. 20 gauge sheet metal may be used as a filler on guards for belts less than 10 inches wide. Expanded metal, because of the sharp edges, should not be used as a filler in horizontal belt guards.

(4) For clearance between guards and belts, ropes, or chains see Table P-2.

NEW SECTION

WAC 296-306A-28058 How must overhead rope and chain-dive guards be constructed? (1) Overhead-rope and chain-drive guard construction must meet the requirements for overhead-belt guard construction of similar width.

Exception: The filler material must be solid, according to Table P-2, unless fire hazard demands the use of open construction.

(2) A side guard member of the same solid filling material should extend 2 inches above the level of the lower run of the rope or chain drive and 2 inches within the periphery of the pulleys that the guard encloses, forming a trough.

(3) The side filler members should be reinforced on the edges with 1-1/2-inch by 1/4-inch flat steel, riveted to the filling material at 8 inch centers or less. The reinforcing strip should be fastened or bolted to all guard supporting members with at least one 3/8-inch rivet or bolt at each intersection, and the ends should be secured to the ceiling with lag screws or bolts.

(4) The filling material must be fastened to the framework of the guard and the filler supports by 3/16-inch rivets spaced on 4-inch centers. Measure the width of a multiple drive from the outside of the first to the outside of the last rope or chain in the group accommodated by the pulley.

NEW SECTION

WAC 296-306A-28060 What materials must be used for guardrails and toeboards? (1) A guardrail must be 42 inches tall, with a midrail between the top rail and the floor.

(2) Posts must be 8 feet apart or less. They must be permanent and substantial, smooth, and free from protruding nails, bolts, and splinters. If made of pipe, the post must be at least 1-1/4 inches inside diameter. If posts are made of metal shapes or bars, the section must be as strong as posts made of 1-1/2 by 1-1/2 by 3/16-inch angle iron. If posts are made of wood, the posts must be at least 2 by 4 inches. The upper rail must be 2 by 4 inches, or two 1 by 4 inch strips, one at the top and one at the side of the posts. The midrail must be at least 1 by 4 inches.

(3) The rails (metal shapes, metal bars, or wood), should be on the side of the posts that gives the best protection and support. Where panels are fitted with expanded metal or wire mesh (as noted in Table 1) the middle rails may be omitted. Where guard is exposed to contact with moving equipment, additional strength may be necessary.

(4) Toeboards must be at least 4 inches tall, of wood, metal, or metal grill of a maximum 1-inch mesh. Toeboards at flywheel pits should be placed as close to edge of the pit as possible.

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Table P-1
TABLE OF STANDARD MATERIALS AND DIMENSIONS

Material	Clearance from moving part at all points (inches)	Largest mesh or opening allowable (inches)	Minimum gauge (U.S. Standard) or thickness (inches)	Minimum height of guard from floor or platform level (feet)
Woven wire	Under 2	3/8	No. 16	7
	2-4	1/2	No. 16	7
	Under 4	1/2	No. 16	7
	4-15	2	No. 12	7
Expanded metal	Under 4	1/2	No. 18	7
	4-15	2	No. 13	7
Perforated metal	Under 4	1/2	No. 20	7
	4-15	2	No. 14	7
Sheet metal	Under 4		No. 22	7
	4-15		No. 22	7
Wood or metal strip crossed	Under 4	3/8	Wood 3/4 Metal No. 16	7
	4-15	2	Wood 3/4 Metal No. 16	7
Wood or metal strip not crossed	Under 4	1/2 width	Wood 3/4 Metal No. 16	7
	4-15	1 width	Wood 3/4 Metal No. 16	7
Standard rail	Min. 15 Max. 20			

Table P-2
HORIZONTAL OVERHEAD BELTS, ROPES, AND CHAINS
7 FEET OR MORE ABOVE FLOOR OR PLATFORM

	Width 0"-14" inclusive	Material
MEMBERS		
Framework	1 1/2"x1 1/2"x1/4"	Angle iron
Filler (belt guards)	1 1/2"x3/16"	Flat iron
Filler and vertical side member	No. 20 A.W.G.	Solid sheet metal
Filler supports	2"x5/16" flat iron	Flat and angle
Guard supports	2"x5/16"	Flat iron
FASTENINGS		
Filler supports to framework	(2) 3/16"	Rivets
Filler flats to supports (belt guards)	(1) 5/16"	Flush rivets
Filler to frame and supports (chain guards)	3/16"	Rivets spaced
Guard supports to framework	(2) 3/6"	Rivets or bolts
Guard and supports to overhead ceiling	1/4"x3 1/2" lag screws or 1/2" bolts	Lag screws or bolts

DETAILS–SPACING, ETC.		
Width of guards	One-quarter wider than belt, rope, or chain drive	
Spacing between filler supports	20" center to center	
Spacing between filler flats (belt guards)	2" apart	
Spacing between guard supports	36" center to center	
OTHER BELT GUARD FILLING PERMITTED		
Sheet metal fastened as in chain guards	No. 20 A.W.G.	Solid or perforated
Woven wire, 2" mesh	No. 12 A.W.G.	
CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD		
Distance center to center of shafts	Up to 15' inclusive	Over 40'
Clearance from belt, or chain to guard	16"	120"

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	Width over 14" to 24" inclusive	Material
MEMBERS		
Framework	2"x2"x5/16"	Angle iron
Filler (belt guards)	2"x3/16"	Flat iron
Filler and vertical side member	No. 18 A.W.G.	Solid sheet metal
Filler supports	2"x3/8" flat iron	Flat and angle
Guard supports	2"x3/8"	Flat iron
FASTENINGS		
Filler supports to framework	(2) 3/6"	Rivets
Filler flats to supports (belt guards)	(1) 5/16"	Flush rivets
Filler to frame and supports (chain guards)	8" centers on sides and 4" centers on bottom	
Guard supports to framework	(2) 7/16"	Rivets or bolts
Guard and supports to overhead ceiling	5/8"x4" lag screws or 5/8" bolts	Lag screws or bolts
DETAILS--SPACING, ETC.		
Width of guards		(NEED INFO HERE)
Spacing between filler supports		16" C. to C
Spacing between filler flats (belt guards)		2 1/2" apart
Spacing between guard supports		36" C. to C
OTHER BELT GUARD FILLING PERMITTED		
Sheet metal fastened as in chain guards	No. 18 A.W.G.	Solid or perforated
Woven wire, 2" mesh	No. 10 A.W.G.	
CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD		
Distance center to center of shafts	Over 15' to 25'	Over 40' inclusive
Clearance from belt, or chain to guard	10"	20"

	Width over 24"	Material
MEMBERS		
Framework	3"x3"x3/8"	Angle iron
Filler (belt guards)	2"x5/16"	Flat iron
Filler and vertical side member	No. A.W.G.	Solid sheet metal
Filler supports	2 1/2"x2 1/2"x1/4" angle	Flat and angle
Guard supports	2 1/2"x3/8"	Flat iron
FASTENINGS		
Filler supports to framework	(3) 1/2"	Rivets
Filler flats to supports (belt guards)	(2) 3/8"	Flush rivets
Filler to frame and supports (chain guards)	(NEED INFO HERE)	(NEED INFO HERE)
Guard supports to frame work	(2) 5/8"	Rivets or bolts
Guard and supports to overhead ceiling	3/4" x 6" lag screws or 3/4" bolts	Lag screws or bolts
DETAILS--SPACING, ETC.		
Width of guards		(NEED INFO HERE)
Spacing between filler supports		16" C. to C.
Spacing between filler flats (belt guards)		4" apart
Spacing between guard supports		36" C. to C.
OTHER BELT GUARD FILLING PERMITTED		
Sheet metal fastened as in chain guards	No. 18 A.W.G.	Solid or perforated
Woven wire, 2" mesh	No. 8 A.W.G.	
CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD		
Distance center to center of shafts	Over 25' to 40' inclusive	Over 40'
Clearance from belt, or chain to guard	15"	20"

NEW SECTION

WAC 296-306A-28062 How must shafting be maintained? (1) Shafting must be kept in alignment, and free from rust and excess oil or grease.

(2) Where explosives, explosive dusts, flammable vapors or flammable liquids exist, guards must take into account the hazard of static sparks from shafting.

NEW SECTION

WAC 296-306A-28064 How must pulleys be maintained? (1) Pulleys must be kept in proper alignment to prevent belts from running off.

(2) Any pulley carrying a nonshifting belt should have a crowned face.

(3) Cast-iron pulleys should be tested frequently with a hammer to detect cracks in rim or spokes. The sound is different depending on whether the belt is or is not on the pulley.

(4) Split pulleys should be inspected to be sure that all bolts holding together the sections of the pulley are tight.

NEW SECTION

WAC 296-306A-28066 How must belts be maintained? (1) Quarter-twist belts without an idler can be used on drives running in one direction only. They will run off a pulley when direction is reversed.

(2) You must inspect belts, lacings, and fasteners to be sure they are kept in good repair.

(3) Dressing should not be applied when the belt or rope is in motion; but, when necessary, it should be applied where belts or rope leave the pulley, not where they approach. The same precautions apply to lubricating chains. In the case of V-belts, belt dressing is neither necessary nor advisable.

NEW SECTION

WAC 296-306A-28068 How must other equipment be maintained? (1) You must inspect all power-transmission equipment at least every 60 days and ensure that it is kept in good working condition at all times.

(2) Bearings must be kept in alignment and properly adjusted.

(3) Hangers must be inspected to ensure that all supporting bolts and screws are tight and that supports of hanger boxes are adjusted properly.

(4) The oilers must wear tightfitting clothing and should use cans with long spouts to keep their hands out of danger. Machinery must be oiled when not in motion, wherever possible.

NEW SECTION

WAC 296-306A-290 Auger conveying equipment.

NEW SECTION

WAC 296-306A-29005 What requirements apply to auger conveying equipment? "Augers" means screw conveyors and related accessories designed primarily for conveying agricultural materials on farms.

(1) Power take-off shafts must be guarded according to WAC 296-306A-28046.

(2) All augers must be covered or guarded when exposed to contact.

(3) You must ensure that each sweep auger has its top half shielded by a guard. All guard openings must be no larger than 4 3/4 inches across.

(4) You must ensure that the exposed auger at the hopper and the intake is guarded or designed to prevent accidental contact with the rotating inlet area. The guard must extend at least 2 1/2 inches above and below the exposed auger. Openings in the guard, for the free flow of material, must be no larger than 4 3/4 inches across and must be strong enough to support 250 pounds at mid span.

(5) The hand raising winch must have a control that will hold the auger at any angle, and that will only respond to the control. You must ensure that the operator is able to lower the auger without disengaging the control. The maximum force required on the handle to raise or lower the auger manually must be 50 pounds.

(6) The wire rope lifting pulleys must be grooved to fit the wire rope used.

(7) In order to avoid separation, you must provide a positive restraint between the auger tube and the undercarriage lifting arm. You must provide stops that restrict the maximum raised angle and minimum lowered angle.

(8) Wire ropes (cables) must be rust resistant and selected for the design load and service intended.

(9) You must provide the auger operator with service and operation instructions that include safe operation and servicing practices.

NEW SECTION

WAC 296-306A-29010 What other requirements apply to auger conveying equipment manufactured after October 25, 1976? You must ensure that auger conveying equipment manufactured after October 25, 1976, is guarded as follows:

(1) Sweep-arm material-gathering mechanisms used on the top surface of materials within silo structures are guarded. The lower or leading edge of the guard is no more than 12 inches above the material surface and no less than 6 inches in front of the leading edge of the rotating member of the gathering mechanism. The guard is parallel to and extends the fullest practical length of the material gathering mechanism.

(2) Exposed auger flighting on portable grain augers is guarded with either grating type guards or solid baffle style covers as follows:

(a) The largest dimensions or openings in grating type guards through which materials flow is 4-3/4 inches. The opening area is a maximum of 10 square inches. The opening is least 2-1/2 inches from the rotating flighting.

(b) Slotted openings in solid baffle style covers are a maximum of 1-1/2 inches wide, or less than 3-1/2 inches from the exposed flighting.

PERMANENT

NEW SECTION

WAC 296-306A-300 Guarding farmstead equipment.

NEW SECTION

WAC 296-306A-30003 What does this section cover? WAC 296-306A-300 applies to the guarding and care of farmstead equipment.

"Farmstead equipment" means agricultural equipment normally used in a stationary manner. This includes, but is not limited to, materials handling equipment and accessories for such equipment whether or not the equipment is an integral part of a building.

NEW SECTION

WAC 296-306A-30006 How must power takeoff shafts of farmstead equipment be guarded? (1) You must ensure that all power takeoff shafts, including rear-mounted, mid-mounted or side-mounted shafts, are guarded either by a master shield or by other protective guarding. The master shield must be strong enough to prevent damaging the shield when a 250-pound operator mounts or dismounts the tractor using the shield as a step.

(2) Power takeoff driven equipment must be guarded to prevent employee contact with rotating parts of the power drive system. Where power takeoff driven equipment requires removal of the tractor master shield, the equipment must also include protection from any portion of the tractor power takeoff shaft that protrudes from the tractor.

(3) Signs must be placed at prominent locations on power takeoff driven equipment specifying that power drive system safety shields must be kept in place.

NEW SECTION

WAC 296-306A-30009 How must other power transmission components of farmstead equipment be guarded? (1) The mesh or nip-points of all power driven gears, belts, chains, sheaves, pulleys, sprockets, and idlers must be guarded.

(2) All revolving shafts, including projections such as bolts, keys, or set screws, must be guarded.

Exception: The following may be unguarded:

(a) 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.

(b) Smooth shaft ends protruding less than one-half the outside diameter of the shaft and its locking means.

NEW SECTION

WAC 296-306A-30012 How must functional components of farmstead equipment be guarded? The following functional components must be shielded to a degree consistent with the intended function and operator's vision of the component:

- Snapping or husking rolls;
- Straw spreaders and choppers;
- Cutterbars;
- Flail rotors;
- Rotary beaters;
- Mixing augers;
- Feed rolls;
- Rotary tillers; and
- Similar units that must be exposed for proper function.

NEW SECTION

WAC 296-306A-30015 When may guards be removed on farmstead equipment? (1) Guards, shields and access doors must be in place when the equipment is in operation.

(2) Where removal of a guard or access door will expose an employee to any component that continues to rotate after the power is disengaged, you must provide in the immediate area, a safety sign warning the employee:

(a) To look and listen for evidence of rotation; and

(b) To refrain from removing the guard or access door until all components have stopped.

(3) On equipment manufactured after October 25, 1976, a readily visible or audible warning of rotation is required.

NEW SECTION

WAC 296-306A-30018 What requirements apply to electrical control for maintaining and servicing farmstead equipment? (1) You must ensure that only the employee maintaining or servicing equipment has control of the electrical power source by:

(a) Providing an exclusive, positive locking means on the main switch that can be operated only by the employee performing the maintenance or service; or

(b) For material handling equipment in a bulk storage structure, by providing on the equipment an electrical or mechanical means to disconnect the power. Minimum lockout means must meet the requirements of WAC 296-306A-320.

(2) All circuit protection devices, including those that are an integral part of a motor, must have a manual reset, except where:

(a) A manual reset is infeasible 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;

(b) An electrical disconnect switch is available to the employee within fifteen feet of the equipment being maintained or serviced; and

(c) A sign, prominently posted near each hazardous component, 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.

NEW SECTION

WAC 296-306A-30021 What additional guarding requirements apply to farmstead equipment? (1) You must ensure that carton or bag stitching machines are properly safeguarded to prevent anyone from coming in contact with the stitching head and other pinch or nip points.

(2) The point of operation of all machines must be guarded. The guard must be designed and constructed to prevent the operator from having any part of the body in the danger zone during the operating cycle.

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Note: The distance from the point-of-operation guards to the danger line depends on the size of the opening. The required distances are outlined in the table below:

Guarding line or distance of opening from point of operation hazard (inches)	Maximum width of opening (inches)
1/2 to 1 1/2	1/4
1 1/2 to 2 1/2	3/8
2 1/2 to 3 1/2	1/2
3 1/2 to 5 1/2	5/8
5 1/2 to 6 1/2	3/4
6 1/2 to 7 1/2	7/8
7 1/2 to 12 1/2	1 1/4
12 1/2 to 15 1/2	1 1/2
15 1/2 to 17 1/2	1 7/8
17 1/2 to 31 1/2	2 1/8

PART Q
CONTROL OF HAZARDOUS ENERGY (LOCKOUT-TAGOUT)

NEW SECTION

WAC 296-306A-320 Control of hazardous energy (lockout-tagout).

NEW SECTION

WAC 296-306A-32001 What does this section cover? (1) WAC 296-306A-320 covers the servicing and maintenance of machines and equipment in which the start up of the machine or equipment or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

(2) Normal production operations are not covered by this standard. Servicing and/or maintenance that takes place during normal production operations is covered by this standard only if:

(a) An employee is required to remove or bypass a guard or other safety device; or

(b) An employee is required to place a body part into a point of operation or where an associated danger zone exists during a machine operating cycle.

Exception: Minor servicing activities, that take place during normal production operations, are not covered by this standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternative measures that provide effective protection.

NEW SECTION

WAC 296-306A-32003 When does this section not apply? (1) WAC 296-306A-320 does not apply to work on cord and plug connected electric equipment when:

(a) Unexpected energization or start up of the equipment is controlled by unplugging the equipment from the energy source; and

(b) The plug is under the exclusive control of the employee performing the servicing or maintenance.

(2) WAC 296-306A-320 does not apply to hot tap operations involving transmission and distribution systems for substances such as gas, steam, water, or petroleum products when they are performed on pressurized pipelines, when:

(a) Continuity of service is essential;

(b) Shutdown of the system is impractical; and

(c) Documented procedures are followed, and special equipment is used that will provide proven effective protection for employees.

(3) WAC 296-306A-320 does not cover exposure to electrical hazards from work on, near, or with conductors or equipment in electric utilization installations. These hazards are covered in chapter 296-306A WAC Part T.

NEW SECTION

WAC 296-306A-32005 What definitions apply to this section? "Affected employee" means an employee who uses a machine or equipment while it is serviced or maintained under lockout or tagout, or who works where such servicing or maintenance is being performed.

"Authorized employee" means a person who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment. An affected employee becomes an authorized employee when that employee's duties include performing servicing or maintenance covered under this part.

"Capable of being locked out" means an energy isolating device that has a hasp or other means for a lock to be affixed, or has a locking mechanism built into it. It also means that the device can be locked out without dismantling, rebuilding, or replacing the energy isolating device or permanently altering its energy control capability.

"Energized" means connected to an energy source or containing residual or stored energy.

"Energy isolating device" means a mechanical device that physically prevents the transmission or release of energy, including but not limited to the following:

- A manually operated electrical circuit breaker;
- A disconnect switch;
- A manually operated switch with conductors of circuit that can be disconnected from all ungrounded supply conductors and allows no pole to operate independently;
- A line valve;
- A block; and
- Any similar device used to block or isolate energy.

Push buttons, selector switches, and other control circuit devices are not energy isolating devices.

"Energy source" means any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or other energy, including gravity.

"Hot tap" means a procedure used in repair, maintenance, and service activities that involves welding on a piece of equipment (pipelines, vessels, or tanks) under pressure, in order to install connections or accessories. It is commonly used to replace or add sections of pipeline without the interruption of service for air, gas, water, steam, and petrochemical distribution systems.

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"Lockout" means placing a lockout device on an energy isolating device, in accordance with an established procedure, to ensure that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

"Lockout device" means a device with a positive means such as a lock (key or combination type) to hold an energy isolating device in the safe position and prevents the energizing of a machine or equipment. Blank flanges and bolted slip blinds are included.

"Normal production operations" means using a machine or equipment for its intended production function.

"Servicing and/or maintenance" means workplace activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment. These activities include lubrication, cleaning, or unjamming of machines or equipment and making adjustments or tool changes, where the employee may be exposed to the unexpected energization or start up of the equipment or release of hazardous energy.

"Setting up" means any work performed to prepare a machine or equipment to perform its normal production operation.

"Tagout" means placing a tagout device on an energy isolating device, according to an established procedure, to indicate that the energy isolating device and the equipment being controlled must not be operated until the tagout device is removed.

"Tagout device" means a prominent warning device, such as a tag and attachment, that can be securely fastened to an energy isolating device according to an established procedure, to indicate that the energy isolating device and the equipment being controlled must not be operated until the tagout device is removed.

NEW SECTION

WAC 296-306A-32007 What are the required elements of an energy control program? You must establish a written energy control program consisting of:

- An energy control procedure;
- Employee training; and
- Periodic inspections.

The purpose of the program is to ensure that before any employee services or maintains a machine or equipment where the unexpected energizing, start up, or release of stored energy could occur and cause injury, the machine or equipment is isolated from the energy source, and rendered inoperative.

NEW SECTION

WAC 296-306A-32009 How does an employer determine when to use lockout vs. tagout? (1) If an energy isolating device is not capable of being locked out, your energy control program must use a tagout system.

(2) If an energy isolating device is capable of being locked out, your energy control program must use lockout unless a tagout system will provide full employee protection according to WAC 296-306A-32011.

(3) Whenever major replacement or major repair, renovation, or modification of a machine or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment must be designed to accept a lockout device.

NEW SECTION

WAC 296-306A-32011 What requirements must be met to substitute tagout for lockout? (1) You must ensure that when a tagout device is used on an energy isolating device that is capable of being locked out, the tagout device is attached at the same location that the lockout device would have been attached. You must also ensure that the tagout program will provide safety that is equivalent to a lockout program.

(2) To demonstrate that a tagout program provides safety that is equivalent to a lockout program, you must demonstrate full compliance with all tagout requirements and any other measures necessary to provide equivalent safety. Other measures include:

(a) Implementing additional safety measures such as the removal of an isolating circuit element;

(b) Blocking a controlling switch;

(c) Opening an extra disconnecting device; or

(d) Removing a valve handle to reduce the likelihood of inadvertent energization.

NEW SECTION

WAC 296-306A-32013 What are the required elements of energy control procedures? (1) You must develop, document, and use procedures to control potentially hazardous energy when employees are engaged in activities covered by this section.

Exception: You are exempt from documenting procedures for a particular machine or equipment only when all of the following elements exist:

(a) The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down that could endanger employees;

(b) The machine or equipment has a single energy source that can be readily identified and isolated;

(c) The isolation and locking out of that energy source will completely deenergize and deactivate the machine or equipment;

(d) The machine or equipment is isolated from that energy source and locked out during servicing or maintenance;

(e) A single lockout device will achieve lockout;

(f) The lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance;

(g) The servicing or maintenance does not create hazards for other employees; and

(h) The worksite has experienced no accidents involving the unexpected activation or reenergization of the machine or equipment during servicing or maintenance.

(2) The procedures must clearly and specifically outline the scope, purpose, authorization, rules, and techniques for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

(a) A specific statement of the intended use of the procedure;

(b) Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;

(c) Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and

PERMANENT

(d) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

NEW SECTION

WAC 296-306A-32015 What requirements apply to lockout and tagout devices and materials? (1) You must provide locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware for isolating, securing, or blocking machines or equipment from energy sources.

(2) Lockout and tagout devices must be singularly identified; must be the only device(s) used for controlling energy; must not be used for other purposes.

(3) Lockout and tagout devices must be durable and meet the following requirements:

(a) Lockout and tagout devices must be able to withstand the environment to which they are exposed for the maximum period of time that exposure is expected.

(b) Tagout devices must be constructed and printed so that exposure to weather conditions or wet and damp locations will not deteriorate the tag or make the tag's message illegible.

(c) Tags must not deteriorate when used in corrosive environments such as areas where acid and alkali chemicals are handled and stored.

(4) Lockout and tagout devices must be the same within the facility in at least color, shape, or size. Also, tagout devices must have the same print and format.

(5) Lockout and tagout devices must be substantial and meet the following requirements:

(a) Lockout devices must be substantial enough to prevent removal without the use of excessive force or unusual techniques, such as with the use of bolt cutters or other metal cutting tools.

(b) Tagout devices and their means of attachment must be substantial enough to prevent accidental removal. Tagout device attachment means must be single-use, attachable by hand, self-locking, releasable with an unlocking strength of at least 50 pounds, and having the general design and basic characteristics of being at least equivalent to a one-piece, all-environment-tolerant nylon cable tie.

(c) Lockout and tagout devices must indicate the name of employee applying the device(s).

(6) Tagout devices must warn against hazardous conditions if the machine or equipment is energized and must include a message such as: "Do not start," "do not open," "do not close," "do not energize," "do not operate."

NEW SECTION

WAC 296-306A-32017 How often must the energy control procedure be inspected? (1) You must conduct an inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are followed.

(a) An authorized employee, other than the one(s) using the energy control procedure, must perform the inspection.

(b) The inspection must be conducted to correct any deviations or inadequacies identified.

(c) Where lockout is used for energy control, the inspection must include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure.

(d) Where tagout is used for energy control, the inspection must include a review, between the inspector and each authorized and affected employee, of that employee's responsibilities under the energy control procedure, and the elements of WAC 296-306A-32021.

(2) You must certify that the inspections have been performed. The certification must identify the machine or equipment on which the energy control procedure was being used, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

NEW SECTION

WAC 296-306A-32019 What general requirements apply to energy control program training and communication? You must provide training to ensure that employees understand the purpose and function of the energy control program, and that employees have the knowledge and skills required for the safe application, use, and removal of the energy controls. The training must include the following:

(1) Each authorized employee must receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

(2) Each affected employee must be instructed in the purpose and use of the energy control procedure.

(3) All other employees who work in an area where energy control procedures must be used, must be instructed about the procedure and the prohibition against attempting to restart or reenergize machines or equipment that are locked out or tagged out.

NEW SECTION

WAC 296-306A-32021 What additional requirements apply to tagout training and communication? When tagout systems are used, employees must also be trained in the following limitations of tags:

(1) Tags are warning devices affixed to energy isolating devices, and do not provide the physical restraint on those devices that is provided by a lock.

(2) When a tag is attached to an energy isolating means, it is not to be removed without approval of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise defeated.

(3) Tags must be legible and understandable by all authorized, affected, and other employees working in the area.

(4) Tags and their means of attachment must be made of materials that will withstand the environmental conditions encountered in the workplace.

(5) Tags may create a false sense of security, and their meaning needs to be understood as part of the overall energy control program.

(6) Tags must be securely attached to energy isolating devices so that they cannot be accidentally detached during use.

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NEW SECTION

WAC 296-306A-32023 What requirements apply to employee retraining? (1) Authorized and affected employees must be retrained whenever there is a change in job assignments, machines, equipment, or processes that present a new hazard, or when there is a change in the energy control procedures.

(2) Additional retraining must also be provided whenever an inspection reveals, or whenever you believe, that the employee's knowledge or use of the energy control procedures is inadequate.

(3) Retraining must reestablish employee proficiency and introduce new or revised control methods and procedures, as necessary.

NEW SECTION

WAC 296-306A-32025 What training records must an employer keep? You must keep records that certify that employee training has been completed and is up to date. The records must contain each employee's name and dates of training.

NEW SECTION

WAC 296-306A-32027 Who may perform lockout or tagout? Lockout or tagout must be performed only by authorized employees performing the service or maintenance.

NEW SECTION

WAC 296-306A-32029 Who must be notified of lockout and tagout? Affected employees must be notified of the application and removal of lockout or tagout devices. Notification must be given before controls are applied and after they are removed.

NEW SECTION

WAC 296-306A-32031 What order of events must lockout or tagout procedures follow? The established lockout or tagout procedures must cover the following elements in the following sequence:

Machinery or equipment shutdown before lockout or tagout:

(1) Before an authorized or affected employee turns off a machine or equipment, the authorized employee must have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.

(2) The machine or equipment must be turned off or shut down using the procedures established for the machine or equipment. The shutdown must be done in the prescribed order to avoid increased hazards to employees.

(3) All necessary energy isolating devices must be physically located and operated in such a manner as to isolate the machine or equipment from the energy source.

Application of the lockout or tagout device:

(4) Lockout or tagout devices must be affixed to each energy isolating device by authorized employees.

(5) Lockout devices, where used, must be affixed in a manner that will hold the energy isolating devices in a "safe" or "off" position.

(6) Tagout devices, where used, must be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited.

(a) Where tagout devices are used with energy isolating devices designed with the capability of being locked, the tag attachment must be fastened at the same point at which the lock would have been attached.

(b) Where a tag cannot be affixed directly to the energy isolating device, the tag must be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.

Eliminating the hazards of stored energy:

(7) After applying lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy must be relieved, disconnected, restrained, and otherwise rendered safe.

(8) If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation must be continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.

Before beginning service or maintenance:

(9) Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee must verify that the machine or equipment has been isolated and deenergized.

NEW SECTION

WAC 296-306A-32033 What order of events must be followed to remove lockout or tagout devices? (1) Before removing lockout or tagout devices, the authorized employee must complete the following procedures:

(a) Inspect the work area to ensure that nonessential items have been removed and to ensure that machine or equipment components are operationally intact.

(b) Check the work area to ensure that all employees have been safely positioned or removed.

(2) After lockout or tagout devices have been removed and before a machine or equipment is started, affected employees must be notified that the lockout or tagout device(s) have been removed.

(3) Each lockout or tagout device must be removed from each energy isolating device by the authorized employee who applied the device.

Exception: When the authorized employee who applied the lockout or tagout device is not available to remove it, that device may be removed under your direction, if specific procedures and training for such removal have been developed, documented, and incorporated into the energy control program.

You must ensure that the specific procedure provides equivalent safety to the removal of the device by the authorized employee who applied it. The specific procedure must include at least the following elements:

(a) Verification by the employer that the authorized employee who applied the device is not at the facility;

(b) Making all reasonable efforts to inform the authorized employee that the lockout or tagout device has been removed; and

(c) Ensuring that the authorized employee has this knowledge before resuming work at that facility.

NEW SECTION

WAC 296-306A-32035 What requirements apply to testing and positioning machines and equipment? When lockout or tagout devices must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine or equipment, the following sequence of actions must be followed:

(1) Clear the machine or equipment of tools and materials according to WAC 296-306A-32033 (1)(a).

(2) Remove employees from the machine or equipment area according to WAC 296-306A-32033 (1)(b).

(3) Remove the lockout or tagout devices as specified in WAC 296-306A-32033(3).

(4) Energize and proceed with testing or positioning.

(5) Deenergize all systems and reapply energy control measures in accordance with WAC 296-306A-32031 to continue the servicing and/or maintenance.

NEW SECTION

WAC 296-306A-32037 What requirements apply to outside servicing contractors? (1) Whenever outside servicing contractors are to be engaged in activities covered by this standard, you and the outside employer must inform each other of your respective lockout or tagout procedures.

(2) The outside employer must ensure that employees understand and comply with the restrictions and prohibitions of your energy control program.

NEW SECTION

WAC 296-306A-32039 What requirements apply to group lockout or tagout? (1) When servicing and/or maintenance is performed by a crew or other group, they must use a procedure that provides a level of protection equivalent to that provided by the implementation of a personal lockout or tagout device.

(2) Group lockout or tagout devices must be used according to the procedures required by WAC 296-306A-32013 including, but not limited to, the following:

(a) An authorized employee has primary responsibility for a set number of employees working under the protection of a group lockout or tagout device (such as an operations lock); and

(b) A method for the authorized employee to determine if individual group members are exposed to release of stored energy hazards; and

(c) When more than one crew or group is involved, assignment of overall lockout or tagout control responsibility to an authorized employee designated to coordinate individual group members and ensure continuity of protection; and

(d) Each authorized employee must affix a personal lockout or tagout device to the group lockout device when beginning work, and must remove those devices when the work is complete.

NEW SECTION

WAC 296-306A-32041 What requirements apply to lockout/tagout during shift changes? During shift or personnel changes, you must ensure that employees follow specific procedures to ensure the continuity of lockout or tagout protection. The procedures must include orderly transfer of lockout or tagout protection between off-going and oncoming employees, to minimize exposure to hazards from the unexpected energization or start-up of the machine or equipment, or release of stored energy.

PART R
SAFETY COLOR CODING; ACCIDENT PREVENTION SIGNS AND TAGS

NEW SECTION

WAC 296-306A-330 Safety color coding; accident prevention signs and tags.

NEW SECTION

WAC 296-306A-33001 What definitions apply to this section? "Accident prevention sign" ("sign") means a surface with text or pictographs, meant to warn or instruct employees who may be exposed to hazards. Safety posters and education bulletins are not included in this definition.

"Accident prevention tag" ("tag") means a card that identifies a hazardous condition, generally related to unsafe equipment.

"Major message" means the sign's or tag's text that is more specific than the signal word and that identifies the specific hazardous condition or safety instruction. Examples include: "High Voltage," "Close Clearance," "Do Not Start," or "Do Not Use" or a corresponding pictograph.

"Pictograph" means a pictorial representation that identifies a specific hazardous condition or safety instruction.

"Signal word" means the sign's or tag's text that contains the word, usually "danger" or "caution" that is intended to capture the employee's immediate attention.

NEW SECTION

WAC 296-306A-33003 What does red identify in safety color coding? Use red to identify:

(1) Fire protection equipment;

(2) Safety cans or other portable containers of flammable liquids;

(3) Danger signs and tags;

(4) Emergency stop bars on hazardous machines; and

(5) Stop buttons or electrical switches used to stop machinery in an emergency;

Red lights must be provided at barricades and at temporary obstructions, as specified in ANSI Safety Code for Building Construction, A10.2-1944.

NEW SECTION

WAC 296-306A-33005 What does yellow identify in safety color coding? Use yellow to identify:

(1) Caution signs and tags; and

(2) Physical hazards.

NEW SECTION

WAC 296-306A-33007 When should signs and tags use "danger" versus "caution"? (1) Danger signs and tags.

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(a) Use danger signs and tags when an immediate hazard presents a threat of death or serious injury to employees.

(b) Instruct all employees that danger signs and tags indicate immediate danger and that special precautions are necessary.

(2) Caution signs and tags.

(a) Use caution signs and tags to warn against potential hazards or to caution against unsafe practices.

(b) Instruct all employees that caution signs and tags indicate a possible hazard against which proper precaution should be taken.

NEW SECTION

WAC 296-306A-33009 What are the design and color specifications for accident prevention signs? (1) All signs must have rounded or blunt corners and be free from sharp edges. The ends or heads of bolts or other fastening devices must be located so that they do not constitute a hazard.

(2) Danger, caution, directional, informational, exit, and safety instruction signs must comply with the specification of safety colors of the ANSI Z53.1-1971.

NEW SECTION

WAC 296-306A-33011 What are the proper uses of accident prevention tags? (1) Use tags as a temporary means of warning employees of a hazardous condition, especially defective equipment. Tags are not a complete warning method, but should be used until the hazard can be eliminated.

For example: You may use a "do not start" tag on power equipment for a short time until the switch in the system can be locked out; you may use a "defective equipment" tag on a damaged ladder while arrangements are made for the ladder to be taken out of service and repaired.

(2) Use of accident prevention tags.

(a) Use tags as a warning to prevent accidental injury or illness to employees who are exposed to hazardous or potentially hazardous conditions, equipment or operations that are out of the ordinary, unexpected or not readily apparent.

(b) Use tags until the identified hazard is eliminated or the hazardous operation is completed. Tags are not necessary if signs, guarding, or other protection is used.

(c) Place "do not start" tags in a conspicuous location and, if possible, so that they block the starting mechanism that would cause hazardous conditions if the equipment was energized.

(3) General accident prevention tag specifications.

(a) Tags must contain a signal word and a major message. The signal word must be either "danger" or "caution."

(b) The signal word must be readable at least five feet from the hazard.

(c) The signal word and the major message must be understandable to all employees who may be exposed to the identified hazard.

(d) Inform all employees of the meaning of the tags used throughout the workplace and what special precautions are necessary.

(e) Attach tags as closely as is safely possible to the hazard. Attach the tags so as to prevent loss or unintentional removal.

(f) The tag and attachment method must be constructed of material that is not likely to deteriorate.

(4) You may use warning tags to represent a hazard level between "caution" and "danger," instead of the required "caution" tag, if they have a signal word of "warning" and an appropriate major message.

(5) Use "out of order" tags only to indicate that a piece of equipment, machinery, etc., is out of order and that it might present a hazard if used.

PART S
FIRE PROTECTION AND IGNITION SOURCES; EXIT ROUTES

NEW SECTION

WAC 296-306A-340 Portable fire extinguishers.

NEW SECTION

WAC 296-306A-34003 What does this section cover? (1) WAC 296-306A-340 applies to the placement, use, maintenance, and testing of portable fire extinguishers provided for employee use. WAC 296-306A-34012 does not apply to extinguishers provided for employee use on the outside of workplace buildings or structures. If you do not intend for employees to use extinguishers, and your emergency action plan and fire prevention plan meet the requirements of WAC 296-306A-35018, then only the requirements of WAC 296-306A-34015 and 296-306A-34018 apply.

(2) All standpipe and hose systems, automatic sprinkler systems, fixed extinguishing systems, dry-chemical fixed extinguishing systems, water-spray and foam, and fire detection systems, must be installed according to state and local ordinances, codes, and regulations governing such installations.

NEW SECTION

WAC 296-306A-34006 Who is exempt from the requirements of this section? (1) You are exempt from all requirements of this section, if:

(a) You have implemented a written fire safety policy that requires all employees to evacuate immediately when the fire alarm sounds; and

(b) You have an emergency action plan and a fire prevention plan meeting the requirements of WAC 296-306A-35015 and 296-306A-35018; and

(c) Extinguishers are not available for employee use in the workplace.

Note: If a specific section of this chapter requires you to provide a portable fire extinguisher, this exemption does not apply.

(2) You are exempt from the distribution requirements in WAC 296-306A-34012, if:

(a) You have an emergency action plan meeting the requirements of WAC 296-306A-35015 that authorizes only certain employees to use the available portable fire extinguishers; and

PERMANENT

(b) The plan requires all other employees to evacuate immediately when the fire alarm sounds.

NEW SECTION

WAC 296-306A-34009 What general requirements apply to portable fire extinguishers? (1) You must provide portable fire extinguishers that are readily accessible to employees without subjecting the employees to possible injury.

(2) You must only use approved portable fire extinguishers.

(3) Portable fire extinguishers using carbon tetrachloride or chlorobromomethane extinguishing agents are prohibited.

(4) Water type fire extinguishers with a soldered or riveted shell that use self-generating soda acid or self-generating foam or gas cartridges are prohibited.

(5) You must ensure that all portable fire extinguishers are fully charged, operable, and kept in their designated places at all times except during use.

(6) You must ensure that all portable fire extinguishers are tested, constructed, and used according to the National Fire Protection Association's pamphlet No. 10A-1970.

Note: The supplier of the extinguisher or local fire official can furnish this information.

(7) You must post "no smoking" signs in areas where fire or explosion hazards exist. You must prohibit smoking within fifty feet of all refueling operations. Take precautions to prevent open flames, sparks, or electric arcs in refueling areas.

(8) You must keep a portable fire extinguisher with a rating of at least 12-B units outside the door of any room used to store flammables or combustibles. This extinguisher must not be more than ten feet from the door.

NEW SECTION

WAC 296-306A-34012 How should portable fire extinguishers be selected and distributed? (1) You must select and distribute portable fire extinguishers based on the classes of anticipated workplace fires and on the size and degree of hazard that would affect their use.

(2) Distribution of portable fire extinguishers.

(a) For Class A fires: You must distribute portable fire extinguishers so that no employee must travel more than 75 feet (22.9 m) to a fire extinguisher.

Exception: You may use uniformly spaced standpipe systems or hose stations connected to a sprinkler system for emergency use by employees instead of Class A portable fire extinguishers, if:

- The system meets all regulatory requirements governing total coverage of the area to be protected; and
- Employees are trained at least annually in their use.

(b) For Class B fires: You must distribute portable fire extinguishers so that no employee must travel more than 50 feet (15.2 m) to a fire extinguisher.

(c) For Class C fires: You must distribute portable fire extinguishers on the basis of the appropriate pattern for the existing Class A or Class B hazards.

(d) For Class D fires: You must distribute portable fire extinguishers or other containers of Class D extinguishing agent so no employee must travel more than 75 feet (22.9 m) from the combustible metal working area to any extinguishing agent. Portable fire extinguishers for Class D hazards are required in those combustible metal working areas where combustible metal powders, flakes, shavings, or similarly sized products are generated at least once every two weeks.

NEW SECTION

WAC 296-306A-34015 What are the requirements for inspection, maintenance and testing of portable fire extinguishers? (1) You are responsible for the inspection, maintenance, and testing of all portable fire extinguishers in the workplace.

(2) You must visually inspect portable extinguishers or hose at least once a month.

(3) You must ensure that portable fire extinguishers receive an annual maintenance check. You must keep records of the maintenance dates for one year after the previous entry or the life of the shell, whichever comes first. You must provide us with a copy of the record if we ask for it.

(4) You must ensure that stored-pressure dry chemical extinguishers that require a twelve-year hydrostatic test are emptied and undergo applicable maintenance procedures every six years.

Exception: Dry chemical extinguishers with nonrefillable disposable containers are exempt from this requirement.

The six years begins when recharging or hydrostatic testing is performed.

(5) You must ensure that alternate equivalent protection is provided when portable fire extinguishers are removed from service for maintenance and recharging.

NEW SECTION

WAC 296-306A-34018 What requirements apply to hydrostatic testing? (1) You must ensure that a trained person performs hydrostatic testing with suitable testing equipment and facilities.

(2) You must ensure that portable extinguishers are hydrostatically tested at the intervals listed in the table below.

Type of Extinguishers	Test interval (years)
Soda acid (stainless steel shell)	5
Cartridge operated water and/or antifreeze	5
Stored pressure water and/or antifreeze	5
Wetting agent	5
Foam (stainless steel shell)	5
Aqueous film forming form (AFFF)	5
Loaded stream	5
Dry chemical with stainless steel	5
Carbon dioxide	5
Dry chemical, stored pressure, with mild steel, brazed brass or aluminum shells	12
Dry chemical, cartridge or cylinder operated, with mild steel shells	12

PERMANENT

Halon 1211	12
Halon 1301	12
Dry powder, cartridge or cylinder operated, with mild steel shell	12

Exception: Extinguishers must not be hydrostatically tested if the following conditions exist:
(a) When the unit has been repaired by soldering, welding, brazing, or use of patching compounds;
(b) When the cylinder or shell threads are damaged;
(c) When there is corrosion that has caused pitting, including corrosion under removable name plate assemblies;
(d) When the extinguisher has been burned in a fire; or
(e) When a calcium chloride extinguishing agent has been used in a stainless steel shell.

(3) In addition to an external visual examination, you must ensure that the cylinders and shells are examined internally before the hydrostatic testing.

(4) You must ensure that portable fire extinguishers are hydrostatically tested whenever they show new evidence of corrosion or mechanical injury.

(5) You must ensure that hydrostatic tests are performed on extinguisher hose assemblies that are equipped with a shut-off nozzle at the discharge end of the hose. The test interval must be the same as specified for the extinguisher on which the hose is installed.

(6) Carbon dioxide hose assemblies with a shut-off nozzle must be hydrostatically tested at 1,250 psi (8,620 kPa).

(7) Dry chemical and dry powder hose assemblies with a shut-off nozzle must be hydrostatically tested at 300 psi (2,070 kPa).

(8) Hose assemblies passing a hydrostatic test do not require any type of recording or stamping.

(9) You must ensure that hose assemblies for carbon dioxide extinguishers that require a hydrostatic test are tested within a protective cage device.

(10) You must ensure that carbon dioxide extinguishers and nitrogen or carbon dioxide cylinders used with wheeled extinguishers are tested every five years at 5/3 of the service pressure as stamped into the cylinder. Nitrogen cylinders that comply with 29 CFR 173.34(e)(15) may be hydrostatically tested every ten years.

(11) You must ensure that all stored pressure and Halon 1211 types of extinguishers are hydrostatically tested at the factory test pressure not to exceed two times the service pressure.

(12) You must ensure that self-generating type soda acid and foam extinguishers are tested at 350 psi (2,410 kPa).

(13) Air or gas pressure used for hydrostatic testing is prohibited.

(14) You must remove from the workplace all extinguisher shells, cylinders, or cartridges that fail a hydrostatic pressure test, or that are not fit for testing.

(15)(a) Water-jacket equipment must be used for testing compressed gas type cylinders. The equipment must have an expansion indicator that operates with an accuracy within one percent of the total expansion or 0.1 cc (.1 mL) of liquid.

(b) The following equipment must be used to test noncompressed gas type cylinders:

(i) A hydrostatic test pump, hand or power operated, capable of producing not less than one hundred fifty percent of the test pressure, which must include appropriate check valves and fittings;

(ii) A flexible connection for attachment to fittings to test through the extinguisher nozzle, test bonnet, or hose outlet, as is applicable; and

(iii) A protective cage or barrier for personal protection of the tester, designed to provide visual observation of the extinguisher under test.

(16) You must maintain records of the hydrostatic testing. Your records must include:

- The date of test;
- The test pressure used;
- The serial number, or other identifier of the fire extinguisher that was tested; and
- The person or agency performing the test.

You must keep the records until the next testing, or until the extinguisher is taken out of service, whichever comes first. You must provide us with copies of the records if we ask for them.

NEW SECTION

WAC 296-306A-34021 What are the training requirements for portable fire extinguishers? (1) If you provide portable fire extinguishers for employee use, then you must also provide training to familiarize employees with the general principles of fire extinguisher use and the hazards involved in fighting fires when they first appear.

You must provide the training when the employee is first hired and at least annually thereafter.

(2) For employees who have been designated to use fire fighting equipment as part of an emergency action plan, you must provide training in the use of the appropriate equipment.

You must provide the training upon initial assignment to the designated group of employees and at least annually thereafter.

NEW SECTION

WAC 296-306A-345 Employee alarm systems.

NEW SECTION

WAC 296-306A-34503 What does this section cover? (1) WAC 296-306A-345 applies to all emergency employee alarms required by a specific WAC chapter. This section does not apply to discharge or supervisory alarms required on various fixed extinguishing systems or to supervisory alarms on fire suppression, alarm or detection systems unless they are intended to be employee alarm systems.

(2) The maintenance, testing, and inspection requirements of this section apply to all local fire alarm signaling systems used for alerting employees regardless of the other functions of the system.

(3) All predischarge employee alarms required by this chapter must meet the requirements of WAC 296-306A-34506 and 296-306A-34512.

NEW SECTION

WAC 296-306A-34506 What general requirements apply to employee alarm systems? (1) Your employee alarm system must provide warning for necessary emergency action called for in the emergency action plan, or safe escape of employees from the workplace.

(2) You must ensure that all employees can see or hear your employee alarm above normal noise or light levels in the workplace. You may use tactile devices to alert employees who can not see or hear the alarm.

(3) You must ensure that your employee alarm is recognizable as an evacuation signal or signal to perform actions designated under the emergency action plan.

(4) You must explain to each employee how to report emergencies. For example: They may use manual pull box alarms, public address systems, radio or telephones. You must post emergency telephone numbers near telephones, or employee notice boards when telephones serve as a means of reporting emergencies. When your communication system also serves as the employee alarm system, you must ensure that all emergency messages have priority over all nonemergency messages.

(5) You must establish procedures for sounding emergency alarms in the workplace. If you have ten or fewer employees in a workplace, direct voice communication is an acceptable procedure for sounding the alarm if all employees can hear it. In this case, you do not need a back-up system.

NEW SECTION

WAC 296-306A-34509 What are the installation and restoration requirements for employee alarm systems? (1) You must ensure that all systems installed to comply with this standard are approved. Steam whistles, air horns, strobe lights or similar lighting devices, or tactile devices meeting the requirements of this section must also be approved.

(2) After each test or alarm, you must ensure that all employee alarm systems are restored to normal operating condition as soon as possible. You must ensure that you have spare alarm components available in sufficient quantities and locations for prompt restoration of the system.

NEW SECTION

WAC 296-306A-34512 How must employee alarm systems be maintained and tested? (1) You must ensure that all employee alarm systems are maintained in operating condition except when undergoing repairs or maintenance.

(2) You must ensure that a test of the reliability and adequacy of nonsupervised employee alarm systems is made every two months. You must use a different actuation device in each test of a multiactuation device system so that no individual device is used for two consecutive tests.

(3) You must maintain or replace power supplies as often as necessary to ensure fully operational condition. You must provide back-up alarms, such as employee runners or telephones, when systems are out of service.

(4) You must ensure that supervised employee alarm circuitry is supervised and that it will provide positive notification to assigned personnel whenever a deficiency exists in the system. You must ensure that all supervised employee alarm systems are tested at least annually for reliability and adequacy.

(5) You must ensure that employee alarms are serviced, maintained, and tested by someone trained in the operation and functions necessary for reliable and safe operation of the system.

NEW SECTION

WAC 296-306A-34515 Where must manually operated devices be located? You must ensure that manually operated actuation devices used with employee alarms are easy to find and accessible.

NEW SECTION

WAC 296-306A-350 Exit routes.

NEW SECTION

WAC 296-306A-35003 What does this section cover? WAC 296-306A-350 requires you to provide exit routes for employees to leave the workplace safely during emergencies. This section does not apply to mobile workplaces, such as vehicles or vessels.

NEW SECTION

WAC 296-306A-35006 What definitions apply to this section? "Exit" means the portion of an exit route that is generally separated from other areas to provide a protected way of travel out of the workplace.

"Exit route" means a continuous and unobstructed path of exit travel from any point within a workplace to safety outside. An exit route generally consists of three parts: Access to an exit; the area which provides a way of travel out of the workplace; and the way from the exit to the outside. An exit route includes all vertical and horizontal areas.

NEW SECTION

WAC 296-306A-35009 What are the design requirements for exit routes? You must ensure that each workplace meets each of the following requirements:

(1) Each exit is a permanent part of the workplace.

(2) Two exit routes, remote from one another, are available to provide alternate means for employees to safely leave the workplace during an emergency.

(a) A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace indicate that a single exit will allow all employees to exit safely during an emergency. Other means of escape, such as fire exits or accessible windows, should be available where fewer than two exit routes are provided.

(b) More than two exit routes are available to allow employees to safely leave the workplace during an emergency where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace reasonably suggest that reliance on two exit routes could endanger employees.

(3) An exit has only those openings necessary to permit access to, or exit from, occupied areas of the workplace. An

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opening into an exit is protected by a self-closing fire door that remains closed. Each fire door, its frame, and hardware are listed or approved by a nationally recognized testing laboratory.

(4) Construction materials used to separate an exit have a 1-hour fire resistance rating if the exit connects three or fewer stories. Construction materials used to separate an exit have a 2-hour fire resistance rating if the exit connects 4 or more stories.

(5) Free and unobstructed access to each exit route is provided to ensure safe exit during an emergency.

(a) The exit route is free of material or equipment.

(b) Employees are not required to travel through a room that can be locked, such as a bathroom, or toward a dead end to reach an exit.

(c) Stairs or a ramp are used if the exit route is not substantially level.

(6) An exit leads directly outside or to a street, walkway, refuge area, or to an open space with access to the outside.

(a) The street, walkway, refuge area, or open space to which an exit leads is large enough to accommodate all building occupants likely to use that exit.

(b) A refuge area is:

(i) A space along an exit route protected from the effects of fire either by separation from other spaces within the building or by its location; or

(ii) A floor with at least two spaces separated by smoke-resistant partitions, in a building where each floor is protected by an automatic sprinkler system. An automatic sprinkler system complies with NFPA No. 13, Automatic Sprinkler Systems.

(c) Exit stairs that continue beyond the floor of exit discharge are interrupted by doors, partitions, or other effective means.

(7) Where a doorway or corner of a building is located near a railroad or trolley track so that an employee is liable to walk upon the track in front of an approaching engine or cars, a standard safeguard must be installed with a warning sign.

(8) An exit door can be readily opened from the inside without keys, tools, or special knowledge. A device, such as a panic bar, that locks only from the outside is permitted. An exit door is free of any device or alarm that, if it fails, can restrict emergency use of an exit.

Note: An exit door may be locked or blocked from the inside in a mental, penal, or correctional institution, if supervisory personnel are continually on duty and a plan exists to remove occupants during an emergency.

(9) The opening device on all doors of walk-in refrigerated or freezer rooms must be the type, when locked from the outside with a lock, can be opened from inside.

(10) A side-hinged exit door is used to connect any room to an exit route. A door that connects any room to an exit route swings out if the room may be occupied by more than 50 persons or highly flammable or explosive materials may be used inside.

(11) Each exit route supports the maximum-permitted occupant load for each floor served by the exit route. The capacity of an exit does not decrease with the direction of exit travel.

(12) Minimum height and width requirements:

(a) The ceiling for an exit route is at least 7 feet 6 inches high and the exit route is at least 6 feet 8 inches high at all points.

(b) The width of an exit route is at least 28 inches wide at all points between handrails. An exit route is wider than 28 inches if necessary to accommodate the expected occupant load.

(c) Objects that project into the exit route do not reduce the minimum height and width of an exit route.

(13) An outdoor exit route is permitted if it meets the requirements for an indoor exit route and the following additional requirements.

(a) The exit has guardrails to protect exposed sides.

(b) The exit route is covered if accumulation of snow or ice is likely and is not removed regularly.

(c) The exit route is reasonably straight with smooth, solid, substantially level floors.

(d) The exit route has no dead ends longer than 20 feet.

NEW SECTION

WAC 296-306A-35012 What are the operation and maintenance requirements for exit routes? You must ensure that each workplace meets the following requirements:

(1) The workplace exit route is maintained to minimize danger to employees during an emergency.

(a) The workplace exit route is free of explosive or highly flammable furnishings or decorations.

(b) Accumulations of flammable or combustible waste materials are controlled.

(c) An exit route does not require employees to travel toward materials that burn very quickly, emit poisonous fumes, or are explosive, unless those materials are effectively shielded from the exit route.

(2) Each exit route is adequately lit.

(3) Each exit is clearly visible and is marked by a distinctive sign reading "exit."

(a) An exit door is free of signs or decorations that obscure its visibility.

(b) Signs are posted along the exit route indicating the direction of travel to the nearest exit.

(c) The line-of-sight to an exit sign is uninterrupted.

(d) Any doorway or passage that might be mistaken for an exit is marked "not an exit" or with an indication of its actual use.

(e) An exit sign is illuminated to a surface value of at least 5 foot candles by a reliable light source and shows a designated color. Self-luminous or electroluminescent signs have a minimum luminance surface value of .06 footlamberts.

(4) Fire retardant paints or other coatings used in the workplace are maintained.

(5) Each safeguard to protect employees during an emergency is maintained in proper working order.

(6) Employees do not occupy a workplace under construction until an exit route that meets these requirements is available for the portion of the workplace to be occupied.

(a) Employees do not occupy a workplace during repair or alteration unless either all exits and existing fire protec-

tion are maintained or alternate fire protection is provided that ensures an equivalent level of safety.

(b) Flammable or explosive materials used during construction or repair do not expose employees to hazards not otherwise present in the workplace or impede emergency escape from the workplace.

(7) An operable employee alarm system with a distinctive signal to warn employees of fire or other emergencies is installed and maintained. No employee alarm system is required if employees can see or smell a fire or other hazard so that it would provide adequate warning to them. The employee alarm system complies with the requirements of WAC 296-306A-345.

NEW SECTION

WAC 296-306A-35015 What are the requirements for an emergency action plan? (1) You must develop an emergency action plan for each part of the workplace whenever a WISHA standard requires one.

(a) The plan must be in writing, kept in the workplace, and made available to employees on request.

(b) An employer of 10 or fewer employees may communicate the plan orally to employees rather than develop a written plan.

(2) An emergency action plan must include:

(a) Procedures for emergency evacuation, including exit route assignments;

(b) Procedures to account for all employees after evacuation;

(c) Procedures for reporting a fire or other emergency;

(d) Procedures to follow for emergency operation or shut down of critical equipment before evacuation;

(e) Procedures to follow for rescue and medical duties;

(f) Procedures for operating and maintaining an emergency alarm system; and

(g) Names or job titles of employees to be contacted to get more information about what to do in an emergency.

(3) You must designate employees to assist in the safe emergency evacuation of other employees. You must ensure that the designated employees receive training in emergency evacuation procedures.

(4) You must review the emergency action plan with each employee covered by the plan:

(a) When the plan is developed or the employee is assigned initially to the job;

(b) When the employee's responsibilities under the plan change; and

(c) When the plan is changed.

NEW SECTION

WAC 296-306A-35018 What are the requirements for a fire prevention plan? (1) You must develop a fire prevention plan for each part of the workplace whenever another WISHA standard requires one.

(a) The plan must be in writing, kept in the workplace, and made available to employees on request.

(b) An employer of 10 or fewer employees may communicate the plan orally to employees rather than develop a written plan.

(2) A fire prevention plan must include:

(a) A list of all major fire hazards, including proper handling and storage procedures for hazardous materials, potential ignition sources and their control, and the type of fire protection equipment necessary to control each major hazard;

(b) Procedures to control accumulations of flammable and combustible waste materials;

(c) Procedures for regular maintenance of safeguards installed on heat producing equipment to prevent accidental ignition of combustible materials;

(d) Names or job titles of employees responsible for maintaining equipment to prevent or control sources of ignition or fires;

(e) Names or job titles of employees responsible for control of fuel source hazards.

(3) You must:

(a) Inform employees of the fire hazards to which they are exposed; and

(b) Review with each employee those parts of the fire prevention plan necessary for self-protection upon initial assignment to a job.

PART T
ELECTRICAL

NEW SECTION

WAC 296-306A-360 Electrical.

NEW SECTION

WAC 296-306A-36005 What does this part cover? (1) Chapter 296-306A WAC Part T covers methods to protect against electrical hazards in agricultural workplaces.

(2) Chapter 296-306A WAC Part T does not cover:

- Installations in watercraft, or automotive vehicles; or
- Electric welding. (See chapter 296-306A WAC Part V.)

(3) Unless otherwise provided in this chapter all electrical work, installation, and wire capacities must be according to the National Electrical Code, NFPA 70-1973; ANSI C1-1971, and all other applicable standards administered by the department of labor and industries.

NEW SECTION

WAC 296-306A-36010 What definitions apply to this part? The following definitions apply to this part:

"Acceptable" means an installation or equipment that is acceptable to the department and meets the requirements of this section. An installation or equipment is acceptable if:

(1) It is accepted, certified, listed, labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

(2) For installations or equipment that no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, 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 complies with the provisions of the National Electrical Code, and complies with the provisions of the National Electrical Code as applied in this section; or

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(3) For custom-made equipment or related installations that are designed, fabricated for, and intended for use by a particular customer, it is determined to be safe for its intended use by its manufacturer on the basis of test data that you keep and make available for our inspection.

"Accepted" means an installation that has been inspected and certified by a nationally recognized testing laboratory to meet specified plans or procedures of applicable codes.

"Bonding jumper" means a reliable conductor that provides the correct electrical conductivity between metal parts that are required to be electrically connected.

"Branch circuits" means the part 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.

"Certified" means equipment that:

• 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

• Is a kind whose production is periodically inspected by a nationally recognized testing laboratory; and

• Bears a label, tag, or other record of certification.

"Exposed" means a live part that can be accidentally touched or approached nearer than a safe distance. This term applies to parts that are not suitably guarded, isolated, or insulated.

"Fixed equipment" means equipment fastened or connected by permanent wiring methods.

"Ground" means a conducting connection, whether intentional or accidental, between an electrical circuit or equipment and earth, or to some conducting body that serves in place of the earth.

"Grounded" means connected to earth or to some conducting body that serves in place of the earth.

"Isolated" means equipment that is not readily accessible except through special means of access.

"Labeled" means equipment that has an attached label, symbol, or other identifying mark of a nationally recognized testing laboratory that:

• Makes periodic inspections of the production of such equipment; and

• Whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

"Qualified person" means a person who is familiar with the construction and operation of the equipment and the hazards involved.

Note 1: Whether an employee is considered a "qualified person" depends on various circumstances in the workplace. It is possible and likely for an individual to be considered "qualified" with regard to certain equipment in the workplace, but "unqualified" as to other equipment.

Note 2: An employee undergoing on-the-job training and who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a qualified person is considered a qualified person for the performance of those duties.

"Shock hazard" exists 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.

"Weatherproof" means constructed or protected so that exposure to the weather does not interfere with successful operation. Rainproof, raintight, or watertight equipment may be considered weatherproof where weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

NEW SECTION

WAC 296-306A-362 General electrical requirements.

NEW SECTION

WAC 296-306A-36203 What electrical equipment must be approved? The conductors and equipment required or permitted by this section must be approved.

NEW SECTION

WAC 296-306A-36206 How must electrical equipment safety be determined? (1) Electrical equipment must be free from hazards to employees. Safety of equipment must be determined using the following considerations:

(a) Suitability for installation and use according to the requirements of this part. Suitability of equipment for a specific purpose may be shown by listing or labeling for that purpose.

(b) Mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection provided.

(c) Electrical insulation.

(d) Heating effects under conditions of use.

(e) Arcing effects.

(f) Classification by type, size, voltage, current capacity, specific use.

(g) Other factors that contribute to the practical safeguarding of employees using or likely to come in contact with the equipment.

(2) Listed or labeled equipment must be used or installed according to any instructions included in the listing or labeling.

NEW SECTION

WAC 296-306A-36209 What requirements apply to guarding live parts? (1) Unless otherwise indicated, live parts of electric equipment operating at 50 volts or more must be guarded against accidental contact by an approved cabinet or other form of approved enclosure, or by any of the following:

(a) Location in a room, vault, or similar enclosure that is accessible only to qualified persons.

(b) Suitable permanent substantial partitions or screens arranged so that only qualified persons have access to the area within reach of the live parts. Any openings in such partitions or screens must be small enough and located so that employees are not likely to come into accidental contact with live parts or to bring conducting objects into contact with them.

(c) Location on a suitable balcony, gallery, or platform elevated and accessible only to qualified persons.

(d) 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 must be arranged and be strong enough to prevent damage.

(3) Entrances to rooms and other guarded locations containing exposed live parts must be marked with conspicuous warning signs forbidding unqualified persons to enter.

(4) Electrical repairs must be made only by qualified persons that you authorize.

(5) Fuse handling equipment, insulated for the circuit voltage, must be used to remove or install fuses when the fuse terminals are energized.

(6) Employees must be prohibited from working closely enough to an electric power circuit to contact it unless the employee is protected against electric shock.

Note: The circuit must be protected 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, employees using jack-hammers, bars or other hand tools that may contact a line must have insulated protective gloves.

NEW SECTION

WAC 296-306A-36212 What workspace must be provided? (1) When parts are exposed, the minimum clearance for the workspace must be at least six feet six inches high, or at least a radius of three feet wide.

(2) There must be enough clearance to permit at least a 90° opening of all doors or hinged panels.

NEW SECTION

WAC 296-306A-36215 What general requirements apply to splices? Conductors must be spliced or joined with splicing devices suitable for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices must first be spliced or joined so they are mechanically and electrically secure without solder and then soldered. (Rosin-core solder should be used instead of acid core solder when joining electrical conductors.) All splices and joints and the free ends of conductors must be covered with an insulation equivalent to that of the conductors or with an insulating device suitable for the purpose.

NEW SECTION

WAC 296-306A-36218 What protection must be provided against combustible materials? Parts of electric equipment that in ordinary operation produce arcs, sparks, flames, or molten metal must be enclosed or separated and isolated from all combustible material.

NEW SECTION

WAC 296-306A-36221 How must electrical equipment be marked? All electrical equipment in use must have the manufacturer's name, trademark, or other descriptive marking of the organization responsible for the product on the equipment. Other markings must be provided giving voltage, current, wattage, or other ratings as necessary. The marking must be durable enough to withstand the environment.

NEW SECTION

WAC 296-306A-36224 How must disconnecting means be marked? Each disconnecting means required by this part for motors and appliances must be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, must be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. These markings must be durable enough to withstand the environment involved.

NEW SECTION

WAC 296-306A-36227 What access and working space must be provided for electrical equipment of 600 volts, nominal, or less? Sufficient access and working space must be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

(1) Unless otherwise indicated, the dimension of the working space in the direction of access to live parts operating at 600 volts or less and likely to require examination, adjustment, servicing, or maintenance while alive must be at least that indicated in the table below. Also, workspace must be at least 30 inches wide in front of the electric equipment. Distances must be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. Concrete, brick, or tile walls are considered grounded. Working space is not required behind assemblies such as dead-front switchboards or motor control centers where there are no renewable or adjustable parts such as fuses or switches on the back and where all connections are accessible from other directions.

Working Clearances

Nominal voltage to ground	Minimum clear distance for condition (ft)		
	(a)	(b)	(c)
0-150	13	13	3
151-600	13	3-1/2	4

Conditions:
(a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides guarded by suitable wood or other insulating material. Insulated wire or insulated busbars operating at 300 volts or less are not considered live parts.
(b) Exposed live parts on one side and grounded parts on the other side.
(c) Exposed live parts on both sides of the workspace (not guarded as in (a)) with the operator between.

(2) Working space required by this part must not be used for storage. When normally enclosed live parts are exposed for inspection or servicing, the working space, if in a passageway or general open space, must be suitably guarded.

PERMANENT

(3) At least one entrance of sufficient area must be provided to give access to the working space about electric equipment.

(4) Where there are live parts normally exposed on the front of switchboards or motor control centers, the working space in front of such equipment must be at least 3 feet.

(5) All working spaces around service equipment, switchboards, panelboards, and motor control centers installed indoors must be adequately lit.

(6) The minimum headroom of working spaces about service equipment, switchboards, panelboards, or motor control centers must be 6 feet 3 inches.

"Motor control center" means an assembly of one or more enclosed sections having a common power bus and principally containing motor control units.

NEW SECTION

WAC 296-306A-36230 What access and working space must be provided for electrical equipment over 600 volts, nominal? (1) Conductors and equipment used on circuits exceeding 600 volts, nominal, must meet all requirements of WAC 296-306A-36221 and the additional requirements of this section. This section does not apply to equipment on the supply side of the service conductors.

(2) Electrical installations in a vault, room, closet or area surrounded by a wall, screen, or fence, with access controlled by lock and key or other approved means, are considered accessible to qualified persons only. A wall, screen, or fence less than 8 feet high is not considered to prevent access unless it has other features that provide a degree of isolation equivalent to an 8 foot fence. The entrances to all buildings, rooms, or enclosures containing exposed live parts or exposed conductors operating at over 600 volts, nominal, must be kept locked or under the observation of a qualified person at all times.

(a) Electrical installations with exposed live parts must be accessible to qualified persons only.

(b) Electrical installations that are open to unqualified persons must be made with metal-enclosed equipment or enclosed in a vault or in an area, with access controlled by a lock. If metal-enclosed equipment is installed so that the bottom of the enclosure is less than 8 feet above the floor, the door or cover must be kept locked. Metal-enclosed switchgear, unit substations, transformers, pull boxes, connection boxes, and other similar associated equipment must be marked with appropriate caution signs. If equipment is exposed to physical damage from vehicular traffic, guards must be provided to prevent damage. Ventilating or similar openings in metal-enclosed equipment must be designed so that foreign objects inserted through these openings will be deflected from energized parts.

(3) You must provide and maintain enough space around electric equipment to permit ready and safe operation and maintenance of equipment. Where energized parts are exposed, the minimum clear workspace must be at least 6 feet 6 inches high (measured vertically from the floor or platform), or less than 3 feet wide (measured parallel to the equipment). The depth must meet the requirements of Table T. The workspace must be adequate to permit at least a 90-degree opening of doors or hinged panels.

(a) The minimum clear working space in front of electric equipment such as switchboards, control panels, switches, circuit breakers, motor controllers, relays, and similar equipment must be at least that specified in Table T unless otherwise indicated. Distances must be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. However, working space is not required in back of equipment such as deadfront switchboards or control assemblies where there are no renewable or adjustable parts (such as fuses or switches) on the back and where all connections are accessible from another direction. Where rear access is required to work on deenergized parts on the back of enclosed equipment, a minimum working space of 30 inches horizontally shall be provided.

Table T
Minimum Depth of Clear Working Space
in Front of Electric Equipment

	Conditions (ft)		
Nominal voltage to ground	(a)	(b)	(c)
601 to 2,500	3	4	5
2,501 to 9,000	4	5	6
9,001 to 25,000	5	6	9
25,001 to 75kV1	6	8	10
Above 75kV1	8	10	12

Note: Minimum depth of clear working space in front of electric equipment with a nominal voltage to ground above 25,000 volts may be the same as for 25,000 volts under conditions (a), (b) and (c) for installations built prior to April 16, 1981.

Conditions:
(a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides guarded by suitable wood or other insulating materials. Insulated wire or insulated busbars operating at 300 volts or less are not considered live parts.
(b) Exposed live parts on one side and grounded parts on the other side. Concrete, brick, or tile walls will be considered grounded surfaces.
(c) Exposed live parts on both sides of the workspace (not guarded as in (a)) with the operator between.

(b) All working spaces around electric equipment must be adequately lit. The lighting outlets shall be arranged so that anyone changing lamps or making repairs on the lighting system will not be endangered by live parts or other equipment. The points of control must be located so that no one is likely to come in contact with any live part or moving part of the equipment while turning on the lights.

(c) Unguarded live parts above working space must be elevated to at least the height specified below:

Elevation of Unguarded
Energized Parts Above Working Space

Nominal voltage between phases	Minimum elevation
601 to 7,500	8 feet 6 inches

7,501 to 35,000	9 feet
Over 35kV	9 feet + 0.37 inches per kV above 35kV

Note: Minimum elevation may be 8 feet for installations built prior to April 16, 1981, if the nominal voltage between phases is in the range of 601-6600 volts.

(4) Entrance and access to workspace must meet the following requirements:

(a) At least one entrance that is at least 24 inches wide and 6 feet 6 inches high must be provided to give access to the working space around electric equipment. On switchboard and control panels over 48 inches wide, there must be one entrance at each end of the board where practical. Where bare energized parts at any voltage or insulated energized parts above 600 volts are located adjacent to the entrance, they must be suitably guarded.

(b) Permanent ladders or stairways must be provided to give safe access to the working space around electric equipment installed on platforms, balconies, mezzanine floors, or in attic or roof rooms or spaces.

NEW SECTION

WAC 296-306A-364 Electrical installation and maintenance.

NEW SECTION

WAC 296-306A-36403 How must flexible cords and cables be installed and maintained? (1) Extension cords used with portable electric tools and appliances must be three wire and must be fitted with an approved grounding attachment plug and receptacle providing ground continuity.

Exception: This does not apply to cords used with portable tools and equipment provided by an approved system of double insulation or its equivalent.

(2) Worn or frayed electric cables are prohibited.

NEW SECTION

WAC 296-306A-36406 How must attachment plugs and receptacles be installed and maintained? (1) Attachment plugs used in work areas must be constructed so that they will endure rough use and have a suitable cord grip to prevent strain on the terminal screws.

(2) Attachment plugs must be approved grounding plugs.

(3) Receptacles for attachment plugs must have approved concealed contacts with a contact for extending ground continuity. Receptacles must be designed and constructed to ensure that the plug can be pulled out without leaving any live parts exposed to accidental contact.

(4) Polarized attachment plugs, receptacles, and cord connectors must be wired to maintain continuity.

(5) Polarized attachment plugs, receptacles, and cord connectors for plugs and polarized plugs must have the terminal intended for connection to the grounded (white) conductor identified by a metal coating that is mostly white. If the terminal is not visible, its entrance hole must be marked with the word "white," or the color white.

(6) The terminal for the connection of the equipment grounding conductor must be:

(a) A green colored, not easily removed terminal screw with hexagonal head; or

(b) A green colored, hexagonal, not easily removed terminal nut; or

(c) A green colored pressure wire connector.

If the terminal for the grounding conductor is not visible, the conductor entrance hole must be marked with the word "green" or the color green.

Note: Two-wire attachment plugs, unless of the polarity type, need not have their terminals marked for identification.

(7) Where different voltages, or types of current (A.C. or D.C.) are to be supplied by portable cords, receptacles must be designed so that attachment plugs used on the circuits are not interchangeable.

(8) Attachment plugs or other connectors supplying equipment at more than 300 volts must be skirted or otherwise designed so that arcs are confined.

NEW SECTION

WAC 296-306A-36409 What must employees do when equipment causes electrical shock? Employees must report all shocks received from electrical equipment, no matter how slight, immediately to you. The equipment causing the shock must be checked and any necessary corrective action taken immediately.

NEW SECTION

WAC 296-306A-36412 What grounding and bonding requirements apply to equipment installation and maintenance? (1) The path to ground must have enough carrying capacity to conduct safely the currents likely to be imposed on it; and have low enough impedance to limit the potential above ground and to result in the operation of the overcurrent devices in the circuit.

(2) Driven rod electrodes must, where practical, have a resistance to ground of a maximum of 25 ohms. Where the resistance is over 25 ohms, two electrodes connected in parallel shall be used.

(3) Grounding circuits must be checked to ensure that the circuit between the ground and the grounded power conductor has a resistance that is low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

(4) Conductors used for bonding and grounding equipment must be large enough to carry the anticipated current.

NEW SECTION

WAC 296-306A-36415 What requirements apply to disconnecting means? (1) Disconnecting means must be located or shielded so that employees will not be injured. Using open knife switches is prohibited.

(2) Boxes for disconnecting means must be securely and rigidly fastened to the surface upon which they are mounted, and fitted with covers.

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NEW SECTION

WAC 296-306A-36418 What requirements apply to identification and load rating of electrical equipment? (1) Name plates, rating data, and marks of identification on electrical equipment and electrically operated machines must not be removed, defaced or obliterated.

(2) In existing installations, no changes in circuit protection must be made to increase the load beyond the load rating of the circuit wiring, as specified in the National Electrical Code, NFPA 70-1973; ANSI C1-1972, Article 310.

(3) Tampering with, bridging, or using oversize fuses is prohibited. If fuses blow repeatedly, employees must immediately report the trouble to you or to an authorized electrician.

(4) Attempting to start electric motors that kick out repeatedly is prohibited.

NEW SECTION

WAC 296-306A-36421 How must equipment be installed in wet locations? (1) Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations must be installed to prevent moisture or water from entering and accumulating within the enclosures. In wet locations the enclosures must be weatherproof.

(2) Switches, circuit breakers, and switchboards installed in wet locations must be enclosed in weatherproof enclosures.

NEW SECTION

WAC 296-306A-366 Wiring design and protection.

NEW SECTION

WAC 296-306A-36603 How must grounded and grounding conductors be used and identified? (1) A conductor used as a grounded conductor must be identified separately from all other conductors. A conductor used as an equipment grounding conductor must be identified separately from all other conductors.

(2) A grounded conductor must not be attached to any terminal or lead to reverse the designated polarity.

(3) Using a grounding terminal or grounding-type device on a receptacle, cord connector, or attachment plug for anything other than grounding is prohibited.

NEW SECTION

WAC 296-306A-36606 What ampere rating must outlet devices have? Outlet devices must have an ampere rating at least equal to the load served.

NEW SECTION

WAC 296-306A-36609 What requirements apply to conductors? This section applies to branch circuit, feeder, and service conductors rated 600 volts, nominal, or less and run outdoors as open conductors.

(1) Conductors supported on poles must provide a horizontal climbing space of at least the following:

(a) For power conductors below communication conductors, 30 inches.

(b) For power conductors alone or above communication conductors:

- 300 volts or less, 24 inches;
- More than 300 volts, 30 inches.

(c) For communication conductors below power conductors with power conductors of:

- 300 volts or less, 24 inches;
- More than 300 volts, 30 inches.

(2) Open conductors must provide at least the following minimum clearances:

(a) 10 feet, above finished grade, sidewalks, or from any platform or projection from which they might be reached;

(b) 12 feet, over areas subject to vehicular traffic other than truck traffic;

(c) 15 feet, over areas that are subject to truck traffic; except

(d) 18 feet, over public streets, alleys, roads, and driveways.

(3) Conductors must have a clearance of at least 3 feet from windows, doors, porches, fire escapes, or similar locations. Conductors run above the top level of a window are considered to be out of reach from that window and, therefore, do not have to be 3 feet away.

(4) Conductors must have a clearance of at least 8 feet from the highest point of roofs they pass over.

Exceptions:

(a) Where the voltage between conductors is 300 volts or less and the roof has a slope of at least 4 inches in 12, the clearance from the roofs must be at least 3 feet; or

(b) Where the voltage between conductors is 300 volts or less, the conductors do not pass over more than 4 feet of the overhang portion of the roof, and they are terminated at a through-the-roof raceway or approved support, the clearance from the roofs must be at least 18 inches.

(5) Lamps for outdoor lighting must be located below all live conductors, transformers, or other electric equipment, unless such equipment is controlled by a disconnecting means that can be locked in the open position or unless adequate clearances or other safeguards are provided for relamping operations.

NEW SECTION

WAC 296-306A-36612 What design and protection requirements apply to service-entrances? (1) Disconnecting means for service-entrances must meet the following requirements:

(a) Means must be provided to disconnect all conductors in a building or other structure from the service-entrance conductors. The disconnecting means must plainly indicate whether it is in the open or closed position and must be installed at a readily accessible location nearest the point of entrance of the service-entrance conductors.

(b) Each service disconnecting means must disconnect all ungrounded conductors at the same time.

(2) The following additional requirements apply to services over 600 volts, nominal.

(a) Service-entrance conductors installed as open wires must be guarded to make them accessible only to qualified persons.

(b) Signs warning of high voltage must be posted where other than qualified employees might come in contact with live parts.

NEW SECTION

WAC 296-306A-36615 What overcurrent protection must be provided? (1) The following requirements apply to overcurrent protection of circuits rated 600 volts, nominal, or less.

(a) Conductors and equipment must be protected from overcurrent according to their ability to safely conduct current.

(b) Except for motor running overload protection, overcurrent devices must not interrupt the continuity of the grounded conductor unless all conductors of the circuit are opened at the same time.

(c) Except for service fuses, all cartridge fuses that are accessible to other than qualified persons and all fuses and thermal cutouts on circuits over 150 volts to ground must have disconnecting means. This disconnecting means must be installed so that the fuse or thermal cutout can be disconnected from its supply without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.

(d) Overcurrent devices must be readily accessible to each employee or authorized building management personnel. These overcurrent devices must be located where they will be protected against physical damage and away from easily ignitable material.

(e) Fuses and circuit breakers must be located or shielded so that employees will not be burned or otherwise injured by their operation.

(f) Circuit breakers must meet the following requirements:

(i) Circuit breakers must clearly indicate whether they are in the open (off) or closed (on) position.

(ii) Where circuit breaker handles on switchboards are operated vertically rather than horizontally or rotationally, the up position of the handle must be the closed (on) position.

(iii) If used as switches in 120-volt, fluorescent lighting circuits, circuit breakers must be approved for the purpose and marked "SWD."

(2) Feeders and branch circuits over 600 volts, nominal, must have short-circuit protection.

NEW SECTION

WAC 296-306A-36618 What premises wiring systems must be grounded? The following systems that supply premises wiring must be grounded:

(1) All 3-wire DC systems must have their neutral conductor grounded.

(2) Two-wire DC systems operating at 50-300 volts between conductors must be grounded.

Exceptions: This requirement does not apply if:

(a) They supply only industrial equipment in limited areas and are equipped with a ground detector; or

(b) They are rectifier-derived from an AC system that meets the requirements of subsections (3), (4), and (5) of this section; or

(c) They are fire-protective signaling circuits with a maximum current of 0.030 amperes.

(3) AC circuits of less than 50 volts must be grounded if they are installed as overhead conductors outside of buildings or if they are supplied by transformers and the transformer primary supply system is ungrounded or exceeds 150 volts to ground.

(4) AC systems of 50-1000 volts must be grounded under any of the following conditions:

(a) If the system can be grounded so that the maximum voltage to ground on the ungrounded conductors is a maximum of 150 volts;

(b) If the system is nominally rated 480Y/277 volt, 3-phase, 4-wire in which the neutral is used as a circuit conductor;

(c) If the system is nominally rated 240/120 volt, 3-phase, 4-wire in which the midpoint of one phase is used as a circuit conductor; or

(d) If a service conductor is uninsulated.

(5) Exceptions: AC systems of 50-1000 volts are not required to be grounded under any of the following conditions:

(a) If the system is used exclusively to supply industrial electric furnaces for melting, refining, tempering, and the like.

(b) If the system is separately derived and is used exclusively for rectifiers supplying only adjustable speed industrial drives.

(c) If the system is separately derived and is supplied by a transformer that has a primary voltage rating less than 1000 volts, if all of the following conditions are met:

(i) The system is used exclusively for control circuits;

(ii) The conditions of maintenance and supervision ensure that only qualified persons will service the installation;

(iii) Continuity of control power is required; and

(iv) Ground detectors are installed on the control system.

NEW SECTION

WAC 296-306A-36621 Must the conductor be grounded for AC premises wiring? For AC premises wiring systems the identified conductor must be grounded.

NEW SECTION

WAC 296-306A-36624 What general requirements apply to grounding conductors? (1) For a grounded system, a grounding electrode conductor must be used to connect both the equipment grounding conductor and the grounded circuit conductor to the grounding electrode. Both the equipment grounding conductor and the grounding electrode conductor must be connected to the grounded circuit conductor on the supply side of the service disconnecting means, or on the supply side of the system disconnecting means or overcurrent devices if the system is separately derived.

(2) For an ungrounded service-supplied system, the equipment grounding conductor must be connected to the grounding electrode conductor at the service equipment. For an ungrounded separately derived system, the equipment grounding conductor must be connected to the grounding electrode conductor at, or ahead of, the system disconnecting means or overcurrent devices.

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(3) On extensions of existing branch circuits that do not have an equipment grounding conductor, grounding-type receptacles may be grounded to a grounded cold water pipe near the equipment.

NEW SECTION

WAC 296-306A-36627 Must the path to ground be continuous? The path to ground from circuits, equipment, and enclosures must be permanent and continuous.

NEW SECTION

WAC 296-306A-36630 What supports, enclosures, and equipment must be grounded? (1) Metal cable trays, metal raceways, and metal enclosures for conductors must be grounded.

Exceptions:

(a) Metal enclosures such as sleeves that are used to protect cable assemblies from physical damage need not be grounded; or

(b) Metal enclosures for conductors added to existing installations of open wire, knob-and-tube wiring, and nonmetallic-sheathed cable need not be grounded if all of the following conditions are met:

(i) Runs are less than 25 feet;

(ii) Enclosures are free from probable contact with ground, grounded metal, metal laths, or other conductive materials; and

(iii) Enclosures are guarded against employee contact.

(2) Metal enclosures for service equipment must be grounded.

(3) Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and metal outlet or junction boxes that are part of the circuit for these appliances must be grounded.

(4) Exposed noncurrent-carrying metal parts of fixed equipment that may become energized must be grounded under any of the following conditions:

(a) If within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to employee contact;

(b) If located in a wet or damp location and not isolated;

(c) If in electrical contact with metal;

(d) If in a hazardous (classified) location;

(e) If supplied by a metal-clad, metal-sheathed, or grounded metal raceway wiring method;

(f) If equipment operates with any terminal at over 150 volts to the ground; however, the following need not be grounded:

(i) Enclosures for switches or circuit breakers used for other than service equipment and accessible to qualified persons only;

(ii) Metal frames of electrically heated appliances that are permanently and effectively insulated from ground; and

(iii) The cases of distribution apparatus such as transformers and capacitors mounted on wooden poles that are over 8 feet above ground or grade level.

(5) Under any of the conditions below, exposed noncurrent-carrying metal parts of cord-connected and plug-connected equipment that may become energized must be grounded.

(a) When equipment is in hazardous (classified) locations.

(b) When equipment is operated at over 150 volts to ground.

Exception: Guarded motors and metal frames of electrically heated appliances need not be grounded if the appliance frames are permanently and effectively insulated from ground.

(c) When equipment is one of the following:

- Refrigerators, freezers, and air conditioners;
- Clothes-washing, clothes-drying and dishwashing machines, sump pumps, and electrical aquarium equipment;
- Hand-held motor-operated tools;
- The following motor-operated appliances: Hedge clippers, lawn mowers, snow blowers, and wet scrubbers;
- Cord-connected and plug-connected appliances used in damp or wet locations or by employees standing on the ground or on metal floors or working inside of metal tanks or boilers;
- Tools likely to be used in wet and conductive locations; and
- Portable hand lamps.

Tools likely to be used in wet and conductive locations need not be grounded if supplied through an isolating transformer with an ungrounded secondary of a maximum of 50 volts. Listed or labeled portable tools and appliances protected by an approved system of double insulation, or its equivalent, need not be grounded. The equipment must be distinctively marked to indicate that the tool or appliance uses an approved system of double insulation.

(6) The metal parts of the following nonelectrical equipment must be grounded: Frames and tracks of electrically operated cranes; frames of nonelectrically driven elevator cars to which electric conductors are attached; hand operated metal shifting ropes or cables of electric elevators, and metal partitions, grill work, and other metal enclosures around equipment of over 750 volts between conductors.

NEW SECTION

WAC 296-306A-36633 How must fixed equipment be grounded? (1) Noncurrent-carrying metal parts of fixed equipment, if required to be grounded by this section, must be grounded by an equipment grounding conductor that is contained within the same raceway, cable, or cord, or runs with or encloses the circuit conductors. For DC circuits only, the equipment grounding conductor may be run separately from the circuit conductors.

(2) Electric equipment is considered grounded if it is secured to, and in electrical contact with, a metal rack or structure that is provided for its support and the metal rack or structure is grounded as described above.

For installations made before May 30, 1982, electric equipment is also considered grounded if it is secured to, and in metallic contact with, the grounded structural metal frame of a building. Metal car frames supported by metal hoisting cables attached to or running over metal sheaves or drums of grounded elevator machines are also considered grounded.

NEW SECTION

WAC 296-306A-36636 How must high voltage systems be grounded? Grounded high voltage (1000 volts or more) systems and circuits must meet all requirements of WAC 296-306A-366 and the additional requirements of this section.

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(1) Systems supplying portable or mobile high voltage equipment, other than substations installed on a temporary basis, must meet the following requirements:

(a) Portable and mobile high voltage equipment must be supplied from a system having its neutral grounded through an impedance. If a delta-connected high voltage system is used to supply the equipment, a system neutral must be derived.

(b) Exposed noncurrent-carrying metal parts of portable and mobile equipment must be connected by an equipment grounding conductor to the point at which the system neutral impedance is grounded.

(c) Ground-fault detection and relaying must be provided to automatically deenergize any high voltage system component that has developed a ground fault. The continuity of the equipment grounding conductor must be continuously monitored to deenergize automatically the high voltage feeder to the portable equipment on loss of continuity of the equipment grounding conductor.

(d) The grounding electrode to which the portable or mobile equipment system neutral impedance is connected must be isolated from and separated in the ground by at least 20 feet from any other system or equipment grounding electrode. There must be no direct connection between the grounding electrodes, such as buried pipe, fence, etc.

(2) All noncurrent-carrying metal parts of portable equipment and fixed equipment including their associated fences, housings, enclosures, and supporting structures shall be grounded. However, equipment that is guarded by location and isolated from ground need not be grounded. Additionally, pole-mounted distribution apparatus over 8 feet above ground or grade level need not be grounded.

NEW SECTION

WAC 296-306A-368 Wiring methods, components, and equipment for general use.

NEW SECTION

WAC 296-306A-36803 Does this section apply to factory-assembled equipment? WAC 296-306A-368 does not apply to conductors that are an integral part of factory-assembled equipment.

NEW SECTION

WAC 296-306A-36806 What wiring methods must be used for temporary wiring? Temporary electrical power and lighting wiring methods may be of a class less than would be required for a permanent installation. All requirements for permanent wiring apply to temporary wiring installations, except as indicated in this section.

(1) Temporary electrical power and lighting installations 600 volts, nominal, or less must only be used:

(a) During and for remodeling, maintenance, repair, or demolition of buildings, structures, or equipment, and similar activities;

(b) For experimental or development work; and

(c) For a maximum of 90 days for Christmas lighting and similar purposes.

(2) Temporary wiring over 600 volts, nominal, must only be used during periods of tests, experiments, or emergencies.

(3) General requirements for temporary wiring.

(a) Working spaces, walkways, and similar locations must be kept clear of power cords.

(b) All temporary wiring must be grounded. (See NFPA 70 Art. 250.)

(c) All wiring equipment must be maintained as vapor-tight, dust-tight, or fiber-tight as their approval requires. There must be no loose or missing screws, gaskets, threaded connections, or other conditions that impair the required tightness.

(d) Take precautions to make necessary open wiring accessible only to authorized personnel.

(e) Feeders must originate in an approved distribution center. The conductors must be run as multiconductor cord or cable assemblies, or, where not subject to physical damage, they may be run as open conductors on insulators not more than 10 feet apart.

(f) Branch circuits must originate in an approved power outlet or panelboard. Conductors must be multiconductor cord or cable assemblies or open conductors. If run as open conductors they must be fastened at ceiling height every 10 feet. A branch-circuit conductor must not be laid on the floor. Each branch circuit that supplies receptacles or fixed equipment must have a separate equipment grounding conductor if run as open conductors.

(g) Receptacles must be of the grounding type. Unless installed in a complete metallic raceway, each branch circuit must have a separate equipment grounding conductor and all receptacles must be electrically connected to the grounding conductor.

(h) A bare conductor or an earth return must not be used to wire any temporary circuit.

(i) Suitable disconnecting switches or plug connectors must be installed to permit the disconnection of all ungrounded conductors of each temporary circuit.

(j) Lamps for general illumination must be protected from accidental contact or breakage. Lamps must be elevated at least 7 feet from normal working surface or by a suitable fixture or lampholder with a guard.

(k) Flexible cords and cables must be protected from accidental damage. Sharp corners and projections must be avoided. Where passing through doorways or other pinch points, flexible cords and cables must be protected to avoid damage.

(4) General requirements for temporary lighting.

(a) Temporary lights must have guards to prevent accidental contact with the bulb.

Note: Guards are not required when the entire bulb is below the rim and completely surrounded and protected by the reflector.

(b) Temporary lights must have heavy duty electric cords with connections and insulation maintained in safe condition.

(c) Temporary lights must not be suspended by their electric cords unless cords and lights are designed for suspension.

(d) Brass shell, paper-lined lamp holders are prohibited.

(e) Portable extension lamps used where flammable vapors or gases, combustible dusts, or easily ignitable fibers

PERMANENT

or flyings are present, must be specifically approved as complete assemblies for the type of hazard.

NEW SECTION

WAC 296-306A-36809 When may cable trays be used? (1) Only the following may be installed in cable tray systems:

(a) Mineral-insulated metal-sheathed cable (Type MI);

(b) Armored cable (Type AC);

(c) Metal-clad cable (Type MC);

(d) Power-limited tray cable (Type PLTC);

(e) Nonmetallic-sheathed cable (Type NM or NMC);

(f) Shielded nonmetallic-sheathed cable (Type SNM);

(g) Multiconductor service-entrance cable (Type SE or USE);

(h) Multiconductor underground feeder and branch-circuit cable (Type UF);

(i) Power and control tray cable (Type TC);

(j) Other factory-assembled, multiconductor control, signal, or power cables that are specifically approved for installation in cable trays; or

(k) Any approved conduit or raceway with its contained conductors.

(2) In industrial establishments only, where conditions of maintenance and supervision ensure that only qualified persons will service the installed cable tray system, the following cables may also be installed in ladder, ventilated trough, or 4 inch ventilated channel-type cable trays:

Single conductor cables that are 250 MCM or larger and are Types RHH, RHW, MV, USE, or THW, and other 250 MCM or larger single conductor cables if specifically approved for installation in cable trays. Where exposed to direct rays of the sun, cables must be sunlight-resistant.

(3) Cable trays in hazardous (classified) locations must contain only the cable types permitted in such locations.

Exception: Cable tray systems must not be used in hoistways or where subjected to severe physical damage.

NEW SECTION

WAC 296-306A-36812 What requirements apply to open wiring on insulators? (1) Open wiring on insulators is only permitted on systems of 600 volts, nominal, or less for industrial or agricultural establishments and for services.

(2) Conductors must be rigidly supported on noncombustible, nonabsorbent insulating materials and must not contact any other objects.

(3) In dry locations with no exposure to severe physical damage, conductors may be separately enclosed in flexible nonmetallic tubing. The tubing must be in continuous lengths a maximum of 15 feet and secured to the surface by straps at maximum intervals of 4 feet 6 inches.

(4) Open conductors must be separated from contact with walls, floors, and wood cross members, or partitions through which they pass by tubes or bushings of noncombustible, nonabsorbent insulating material. If the bushing is shorter than the hole, a waterproof sleeve of nonconductive material must be inserted in the hole and an insulating bushing slipped into the sleeve at each end to keep the conductors completely out of contact with the sleeve. Each conductor must be carried through a separate tube or sleeve.

(5) Conductors within 7 feet of the floor are considered exposed to physical damage. Where open conductors cross ceiling joints and wall studs and are exposed to physical damage, they must be protected.

NEW SECTION

WAC 296-306A-36815 What wiring requirements apply to cabinets, boxes, and fittings? (1) Conductors entering boxes, cabinets, or fittings must be protected from abrasion, and openings through which conductors enter must be closed. Unused openings in cabinets, boxes, and fittings must also be closed.

(2) All pull boxes, junction boxes, and fittings must have covers approved for the purpose. All metal covers must be grounded. In completed installations each outlet box must have a cover, faceplate, or fixture canopy. A cover of an outlet box with holes through which a flexible cord pendant passes must have bushings designed for the purpose or have a smooth, well-rounded surface for the cord to run on.

(3) All pull and junction boxes for systems over 600 volts, nominal, must meet the following requirements:

(a) Boxes must provide a complete enclosure for the contained conductors or cables.

(b) Boxes must be closed by suitable covers securely fastened in place. Underground box covers that weigh over 100 pounds meet this requirement. Covers for boxes must be permanently marked "HIGH VOLTAGE." The marking must be on the outside of the box cover and must be readily visible and legible.

NEW SECTION

WAC 296-306A-36818 What requirements apply to switches? (1) Single-throw knife switches must be connected so that the blades are dead when the switch is in the open position. Single-throw knife switches must be placed so that gravity will not tend to close them. Single-throw knife switches approved for use in the inverted position must have a locking device that keeps the blades open when set. Double-throw knife switches may be mounted so that the throw will be either vertical or horizontal. However, if the throw is vertical a locking device must be provided to ensure that the blades remain open when so set.

(2) Flush snap switches that are mounted in ungrounded metal boxes and located within reach of conducting floors or other conducting surfaces must have faceplates of nonconducting, noncombustible material.

NEW SECTION

WAC 296-306A-36821 Where must switchboards and panelboards be located? Switchboards that have any exposed live parts must be located in permanently dry locations and accessible only to qualified persons. Panelboards must be mounted in cabinets, cutout boxes, or enclosures approved for the purpose and must be dead front. However, panelboards other than the dead front externally operable type are permitted where accessible only to qualified persons. Exposed blades of knife switches must be dead when open.

PERMANENT

NEW SECTION

WAC 296-306A-36824 When must conductors be insulated? All conductors used for general wiring must be insulated unless otherwise permitted in this section. The conductor insulation must be approved for the voltage, operating temperature, and location of use. Insulated conductors must be distinguishable by appropriate color or other means as grounded conductors, ungrounded conductors, or equipment grounding conductors.

NEW SECTION

WAC 296-306A-36827 When may flexible cords and cables be used? (1) Flexible cords and cables must be approved and suitable for conditions of use and location. Flexible cords and cables must be used only for:

(a) Pendants;

(b) Wiring of fixtures;

(c) Connection of portable lamps or appliances;

(d) Elevator cables;

(e) Wiring of cranes and hoists;

(f) Connection of stationary equipment to facilitate frequent interchange;

(g) Prevention of the transmission of noise or vibration;

(h) Appliances where the fastening means and mechanical connections are designed to permit removal for maintenance and repair; or

(i) Data processing cables approved as a part of the data processing system.

(2) If used as permitted above, the flexible cord must have an attachment plug and shall be energized from an approved receptacle outlet.

(3) Unless permitted in subsection (1) of this section, flexible cords and cables must not be used:

(a) As a substitute for the fixed wiring of a structure;

(b) Where run through holes in walls, ceilings, or floors;

(c) Where run through doorways, windows, or similar openings;

(d) Where attached to building surfaces; or

(e) Where concealed behind building walls, ceilings, or floors.

(4) Flexible cords used in show windows and showcases must be Type S, SO, SJ, SJO, ST, STO, SJT, SJTO, or AFS except for the wiring of chain-supported lighting fixtures and supply cords for portable lamps and other merchandise being displayed or exhibited.

NEW SECTION

WAC 296-306A-36830 How must flexible cords and cables be identified, spliced, and terminated? (1) A conductor of a flexible cord or cable that is used as a grounded conductor or an equipment grounding conductor must be distinguishable from other conductors. Types SJ, SJO, SJT, SJTO, S, SO, ST, and STO must be durably marked on the surface with the type designation, size, and number of conductors.

(2) Flexible cords must be used only in continuous lengths without splice or tap. Vulcanized splices or equivalent means such as systems using shrinkable materials may be used to repair flexible cords. Hard service flexible cords No. 12 or larger may be repaired by splice if the splice retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced.

(3) Flexible cords must be connected to devices and fittings so that strain relief is provided to prevent pull from being directly transmitted to joints or terminal screws.

NEW SECTION

WAC 296-306A-36833 What requirements apply to multiconductor portable cable? Multiconductor portable cable for use in supplying power to portable or mobile equipment at over 600 volts, nominal, must consist of No. 8 or larger conductors employing flexible stranding. Cables operated at over 2,000 volts must be shielded to confine the voltage stresses to the insulation. Grounding conductors must be provided. Connectors for these cables must be locking with provisions to prevent their opening or closing while energized. Strain relief must be provided at connections and terminations. Portable cables must not be operated with splices unless the splices are permanent molded, vulcanized, or other approved type. Termination enclosures must be suitably marked with a high voltage hazard warning, and terminations must be accessible only to authorized and qualified personnel.

NEW SECTION

WAC 296-306A-36836 When may fixture wires be used? (1) A fixture wire must be approved for the voltage, temperature, and location of use. A fixture wire used as a grounded conductor must be identified.

(2) Fixture wires may be used:

(a) For installation in lighting fixtures and in similar equipment where enclosed or protected and not subject to bending or twisting in use; or

(b) For connecting lighting fixtures to the branch-circuit conductors supplying the fixtures.

(3) Fixture wires must not be used as branch-circuit conductors except as permitted for Class 1 power limited circuits.

NEW SECTION

WAC 296-306A-36839 What requirements apply to wiring for lighting fixtures, lampholders, lamps, and receptacles? (1) Fixtures, lampholders, lamps, rosettes, and receptacles must have no live parts normally exposed to employee contact. However, rosettes and cleat-type lampholders and receptacles located at least 8 feet above the floor may have exposed parts.

(2) Handlamps of the portable type supplied through flexible cords must have a handle of molded composition or other material approved for the purpose, and a substantial guard must be attached to the lampholder or the handle.

(3) Lampholders of the screw-shell type must be installed for use as lampholders only. Lampholders installed in wet or damp locations must be weatherproof.

(4) Fixtures installed in wet or damp locations must be approved for the purpose and must be constructed or installed so that water cannot enter or accumulate in wireways, lampholders, or other electrical parts.

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NEW SECTION

WAC 296-306A-36842 What requirements apply to wiring for receptacles, cord connectors, and attachment plugs (caps)? (1) Receptacles, cord connectors, and attachment plugs must be constructed so that no receptacle or cord connector will accept an attachment plug with a different voltage or current rating than that for which the device is intended. However, a 20-ampere T-slot receptacle or cord connector may accept a 15-ampere attachment plug of the same voltage rating.

(2) A receptacle installed in a wet or damp location must be suitable for the location.

NEW SECTION

WAC 296-306A-36845 What requirements apply to wiring for appliances? (1) Appliances, other than those in which the current-carrying parts at high temperatures are necessarily exposed, must have no live parts normally exposed to employee contact.

(2) Each appliance must have a disconnecting means.

(3) Each appliance must be marked with its rating in volts and amperes or volts and watts.

NEW SECTION

WAC 296-306A-36848 What requirements apply to wiring for motors, motor circuits, and controllers? (1) If specified that one piece of equipment must be "in sight from" another piece of equipment, one shall be visible and not more than 50 feet from the other.

(2) Disconnecting means must meet the following requirements:

(a) A disconnecting means must be located in sight from the controller location. However, a single disconnecting means may be located adjacent to a group of coordinated controllers mounted adjacent to each other or a multimotor continuous process machine. The controller disconnecting means for motor branch circuits over 600 volts, nominal, may be out of sight of the controller, if the controller is marked with a warning label giving the location and identification of the disconnecting means which is to be locked in the open position.

(b) The disconnecting means must disconnect the motor and the controller from all ungrounded supply conductors and must be designed so that no pole can be operated independently.

(c) If a motor and the driven machinery are not in sight from the controller location, the installation must meet one of the following conditions:

(i) The controller disconnecting means must be able to be locked in the open position.

(ii) A manually operable switch that will disconnect the motor from its source of supply must be placed in sight from the motor location.

(d) The disconnecting means must plainly indicate whether it is in the open (off) or closed (on) position.

(e) The disconnecting means must be readily accessible. If more than one disconnect is provided for the same equipment, only one need be readily accessible.

(f) An individual disconnecting means must be provided for each motor, but a single disconnecting means may be used for a group of motors under any of the following conditions:

(i) If a number of motors drive special parts of a single machine or piece of apparatus, such as a metal or woodworking machine, crane, or hoist; or

(ii) If a group of motors is under the protection of one set of branch-circuit protective devices; or

(iii) If a group of motors is in a single room in sight from the location of the disconnecting means.

(3) Motors, motor-control apparatus, and motor branch-circuit conductors must be protected against overheating from motor overloads or failure to start, and against short-circuits or ground faults. Overload protection is not required if it will stop a motor where a shutdown is likely to introduce additional or increased hazards, as in the case of fire pumps, or where continued operation of a motor is necessary for a safe shutdown of equipment or process and motor overload sensing devices are connected to a supervised alarm.

(4) Live parts of all voltages must be protected according to the following:

(a) Stationary motors with commutators, collectors, and brush rigging located inside of motor end brackets and not conductively connected to supply circuits operating at more than 150 volts to ground may have those parts unguarded. Exposed live parts of motors and controllers operating at 50 volts or more between terminals must be guarded against accidental contact by any of the following:

(i) By installation in a room or enclosure that is accessible only to qualified persons;

(ii) By installation on a suitable balcony, gallery, or platform, elevated and arranged to exclude unqualified persons; or

(iii) By elevation 8 feet or more above the floor.

(b) Where live parts of motors or controllers operating at over 150 volts to ground are guarded against accidental contact only by location, and where adjustment or other attendance may be necessary during the operation of the apparatus, suitable insulating mats or platforms must be provided so that the attendant cannot readily touch live parts unless standing on the mats or platforms.

NEW SECTION

WAC 296-306A-36851 What requirements apply to wiring for transformers? (1) This section applies to the installation of all transformers.

Exceptions:

(a) Current transformers;

(b) Dry-type transformers installed as a component part of other apparatus;

(c) Transformers that are an integral part of a high frequency or electrostatic-coating apparatus;

(d) Transformers used with Class 2 and Class 3 circuits, sign and outline lighting, electric discharge lighting, and power-limited fire-protective signaling circuits; and

(e) Liquid-filled or dry-type transformers used for research, development, or testing, where effective safeguard arrangements are provided.

(2) The operating voltage of exposed live parts of transformer installations must be indicated by warning signs or visible markings on the equipment or structure.

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(3) Dry-type, high fire point liquid-insulated, and askarel-insulated transformers installed indoors and rated over 35kV must be in a vault.

(4) If they present a fire hazard to employees, oil-insulated transformers installed indoors must be in a vault.

(5) Combustible material, combustible buildings and parts of buildings, fire escapes, and door and window openings must be safeguarded from fires that may originate in oil-insulated transformers attached or adjacent to a building or combustible material.

(6) Transformer vaults must be constructed to contain fire and combustible liquids within the vault and to prevent unauthorized access. Locks and latches must be arranged so that a vault door can be readily opened from the inside.

(7) Any pipe or duct system foreign to the vault installation must not enter or pass through a transformer vault.

(8) Materials must not be stored in transformer vaults.

NEW SECTION

WAC 296-306A-36854 What requirements apply to wiring for capacitors? (1) All capacitors, except surge capacitors or capacitors included as a component part of other apparatus, must have an automatic means of draining the stored charge after the capacitor is disconnected from its source of supply.

(2) Capacitors rated over 600 volts, nominal, must meet the following additional requirements:

(a) Isolating or disconnecting switches (with no interrupting rating) must be interlocked with the load interrupting device or must have prominently displayed caution signs to prevent switching load current.

(b) For series capacitors, the proper switching must be ensured by any of the following:

(i) Mechanically sequenced isolating and bypass switches;

(ii) Interlocks; or

(iii) Switching procedure prominently displayed at the switching location.

NEW SECTION

WAC 296-306A-36857 How must storage batteries be ventilated? You must ensure that there is sufficient diffusion and ventilation of gases from storage batteries to prevent the accumulation of explosive mixtures.

NEW SECTION

WAC 296-306A-36860 What other miscellaneous requirements apply to wiring methods? (1) Metal raceways, cable armor, and other metal enclosures for conductors must be metallically joined into a continuous electric conductor and must be connected to all boxes, fittings, and cabinets to provide effective electrical continuity.

(2) All wiring systems are prohibited from being installed in ducts used to transport dust, loose stock or flammable vapors. All wiring system are prohibited from being installed in any duct used for vapor removal or for ventilation of commercial-type cooking equipment, or in any shaft containing only such ducts.

NEW SECTION

WAC 296-306A-370 Special purpose equipment and installations.

NEW SECTION

WAC 296-306A-37003 What requirements apply to cranes, hoists, and runways? The installation of electric equipment and wiring used with cranes, monorail hoists, hoists, and all runways must meet the following requirements:

(1) Disconnecting means must meet the following requirements:

(a) A readily accessible disconnecting means is provided between the runway contact conductors and the power supply.

(b) Another disconnecting means, capable of being locked in the open position, is provided in the leads from the runway contact conductors or other power supply on any crane or monorail hoist.

(i) If this additional disconnection means is not readily accessible from the crane or monorail hoist operating station, means is provided at the operating station, to open the power circuit to all motors of the crane or monorail hoist.

(ii) The additional disconnect may be omitted if a monorail hoist or hand-propelled crane bridge installation meets all of the following:

(A) The unit is floor controlled;

(B) The unit is within view of the power supply disconnecting means; and

(C) No fixed work platform has been provided for servicing the unit.

(2) A limit switch or other device shall be provided to prevent the load block from passing the safe upper limit of travel of any hoisting mechanism.

(3) The dimension of the working space in the direction of access to live parts that may require examination, adjustment, servicing, or maintenance while alive must be a minimum of 2 feet 6 inches. Where controls are enclosed in cabinets, the door must either open at least 90 degrees or be removable.

NEW SECTION

WAC 296-306A-37006 What requirements apply to elevators, dumbwaiters, escalators, and moving walks? (1) Elevators, dumbwaiters, escalators, and moving walks must have a single means for disconnecting all ungrounded main power supply conductors for each unit.

(2) If interconnections between control panels are necessary for operation of the system on a multicar installation that remains energized from a source other than the disconnecting means, a warning sign must be mounted on or adjacent to the disconnecting means. The sign must be clearly legible and shall read "Warning—Parts of the control panel are not deenergized by this switch."

(3) If control panels are not located in the same space as the drive machine, they must be located in cabinets with doors or panels capable of being locked closed.

PERMANENT

NEW SECTION

WAC 296-306A-37009 What requirements apply to the disconnecting means for electric welders? (1) A disconnecting means must be provided in the supply circuit for each motor-generator arc welder, and for each AC transformer and DC rectifier arc welder that is not equipped with a disconnect mounted as an integral part of the welder.

(2) A switch or circuit breaker must be provided by which each resistance welder and its control equipment can be isolated from the supply circuit. The ampere rating of this disconnecting means must not be less than the supply conductor ampacity.

NEW SECTION

WAC 296-306A-37012 What requirements apply to electrically driven or controlled irrigation machines? (1) If an electrically driven or controlled irrigation machine has a stationary point, a driven ground rod must be connected to the machine at the stationary point for lightning protection.

(2) The main disconnecting means for a center pivot irrigation machine must be located at the point of connection of electrical power to the machine and must be readily accessible and capable of being locked in the open position. A disconnecting means must be provided for each motor and controller.

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NEW SECTION

WAC 296-306A-372 Hazardous (classified) locations.

NEW SECTION

WAC 296-306A-37203 What does this section cover? WAC 296-306A-372 covers the requirements for electric equipment and wiring in locations that are classified based on the properties of the flammable vapors, liquids or gases, or combustible dusts or fibers that may be present and the likelihood that a flammable combustible concentration or quantity is present. Each room, section, or area must be considered individually to determine its classification.

All requirements in this part apply to hazardous locations, unless otherwise indicated.

NEW SECTION

WAC 296-306A-37206 What classifications apply to this section? These hazardous locations are classified as follows:

(1) "Class I locations" are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures. They include the following:

(a) Class I, Division 1 locations are those where:

(i) Hazardous concentrations of flammable gases or vapors may exist under normal operating conditions; or

(ii) Hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or

(iii) Breakdown or faulty operation of equipment or processes might release hazardous concentrations of flammable gases or vapors, and might also cause simultaneous failure of electric equipment.

This classification usually includes locations where:

• Volatile flammable liquids or liquefied flammable gases are transferred from one container to another;

• Interiors of spray booths and areas in the vicinity of spraying and painting operations where volatile flammable solvents are used;

• Locations containing open tanks or vats of volatile flammable liquids;

• Drying rooms or compartments for the evaporation of flammable solvents;

• Locations containing fat and oil extraction equipment using volatile flammable solvents;

• Gas generator rooms and other portions of gas manufacturing plants where flammable gas may escape;

• Inadequately ventilated pump rooms for flammable gas or for volatile flammable liquids;

• The interiors of refrigerators and freezers in which volatile flammable materials are stored in open, lightly stoppered, or easily ruptured containers; and

• All other locations where ignitable concentrations of flammable vapors or gases are likely to occur in the course of normal operations.

(b) Class I, Division 2 locations are those where:

(i) Volatile flammable liquids or flammable gases are handled, processed, or used, but in which the hazardous liquids, vapors, or gases are normally confined within closed containers or systems from which they can escape only in an accidental rupture or breakdown of containers or systems, or in case of abnormal operation of equipment; or

(ii) Hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, and which might become hazardous through failure or abnormal operation of the ventilating equipment; or

(iii) They are adjacent to a Class I, Division 1 location, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided.

This classification usually includes locations where:

• Volatile flammable liquids or flammable gases or vapors are used, but which would become hazardous only in case of an accident or unusual operating condition. The quantity of flammable material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or fires are all factors to consider in determining the classification.

• Piping without valves, checks, meters, and similar devices would not ordinarily introduce a hazardous condition even though used for flammable liquids or gases. Locations used for the storage of flammable liquids or a liquefied or compressed gases in sealed containers are not normally considered hazardous unless also subject to other hazardous conditions.

• Electrical conduits and their enclosures separated from process fluids by a single seal or barrier are Division 2 locations if the outside of the conduit and enclosures is a nonhazardous location.

(2) "Class II locations" are those that are hazardous because of the presence of combustible dust. They include the following:

(a) Class II, Division 1 locations are those where:

(i) Combustible dust is or may be suspended in the air under normal operating conditions, in quantities sufficient to produce explosives or ignitable mixtures; or

(ii) Mechanical failure or abnormal operation of machinery or equipment might produce explosive or ignitable, and might also provide a source of ignition through simultaneous failure of electric equipment, operation of protection devices, or from other causes; or

(iii) Combustible dusts of an electrically conductive nature may be present.

This classification may include areas of grain handling and processing plants, starch plants, sugar-pulverizing plants, malting plants, hay-grinding plants, coal pulverizing plants, areas where metal dusts and powders are produced or processed, and other similar locations that contain dust producing machinery and equipment (except where the equipment is dust-tight or vented to the outside). These areas would have combustible dust in the air, under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures.

Combustible dusts that are electrically nonconductive include dusts produced in the handling and processing of grain and grain products, pulverized sugar and cocoa, dried egg and milk powders, pulverized spices, starch and pastes, potato and wood flour, oil meal from beans and seed, dried hay, and other organic materials that may produce combustible dusts when processed or handled. Dusts containing magnesium or aluminum are particularly hazardous and the use of extreme caution is necessary to avoid ignition and explosion.

(b) Class II, Division 2 location are those where:

(i) Combustible dust is not normally suspended in the air in quantities sufficient to produce explosive or ignitable mixtures; and dust accumulations are normally insufficient to interfere with the normal operation of electrical equipment or other apparatus; or

(ii) Dust may be in suspension in the air as a result of infrequent malfunctioning of handling or processing equipment, and resulting dust accumulations may be ignitable by abnormal operation or failure of electrical equipment or other apparatus.

This classification includes locations where dangerous concentrations of suspended dust would not be likely but where dust accumulations might form on or in the vicinity of electric equipment. These areas may contain equipment from which appreciable quantities of dust would escape under abnormal operating conditions or be adjacent to a Class II Division 1 location into which an explosive or ignitable concentration of dust may be suspended under abnormal operating conditions.

(3) "Class III locations" are those that are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings are not likely to be suspended in the air in quantities sufficient to produce ignitable mixtures. They include the following:

(a) Class III, Division 1 locations are those where easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.

Such locations usually include combustible fiber manufacturing and processing plants; cotton gins and cottonseed mills; flax-processing plants; and industries involving similar hazardous processes or conditions.

Easily ignitable fibers and flyings include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste kapok, Spanish moss, excelsior, and other materials of similar nature.

(b) Class III, Division 2 locations are those where easily ignitable fibers are stored or handled, except in process of manufacture.

NEW SECTION

WAC 296-306A-37209 What equipment, wiring methods, and installations may be used in hazardous locations? Equipment, wiring methods, and installations of equipment in hazardous locations must be intrinsically safe, or approved for the hazardous location, or safe for the hazardous location. Requirements for each of these options are as follows:

(1) Equipment and associated wiring approved as intrinsically safe are permitted in any hazardous location for which it is approved.

(2) Requirements to be approved for the hazardous location:

(a) Equipment must be approved for the class of location and for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that will be present.

(b) Equipment must be marked to show the class, group, and operating temperature or temperature range, based on operation in a 40 degrees C ambient, for which it is approved. The temperature marking must be a maximum of the ignition temperature of the specific gas or vapor to be encountered. The following provisions apply to specific equipment:

(i) Nonheat-producing equipment, such as junction boxes, conduit, and fittings, and heat-producing equipment with a maximum temperature of 100 degrees C (212 degrees F) need not have a marked operating temperature or temperature range.

(ii) Fixed lighting fixtures marked for use in Class I, Division 2 locations only, need not be marked to indicate the group.

(iii) Fixed general-purpose equipment in Class I locations (other than lighting fixtures) that is acceptable for use in Class I, Division 2 locations need not be marked with the class, group, division, or operating temperature.

(iv) Fixed dust-tight equipment (other than lighting fixtures) that is acceptable for use in Class II, Division 2 and Class III locations need not be marked with the class, group, division, or operating temperature.

(3) Equipment that is safe for the location shall be of a type and design that provides protection from the hazards arising from combustible and flammable vapors, liquids, gases, dusts, or fibers.

Note: Equipment that meets the requirements of The National Electrical Code, NFPA 70, shall be considered in compliance with the requirements of WAC 296-306A-372.

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NEW SECTION

WAC 296-306A-37212 How must conduit be installed in hazardous locations? All conduits must be threaded and wrench-tight. Where it is impractical to make a threaded joint tight, a bonding jumper must be used.

NEW SECTION

WAC 296-306A-37215 Which equipment may be used in Division 1 and 2 locations? Equipment that has been approved for a Division 1 location may be installed in a Division 2 location of the same class and group. General-purpose equipment or equipment in general-purpose enclosures may be installed in Division 2 locations if the equipment does not constitute a source of ignition under normal operating conditions.

NEW SECTION

WAC 296-306A-37218 What requirements apply to motors and generators used in hazardous locations? In Class I, Division 1 locations, motors, generators and other rotating electric machinery must be:

(1) Approved for Class I, Division 1 locations (explosion-proof); or

(2) Of the totally enclosed type supplied with positive-pressure ventilation from a source of clean air with discharge to a safe area, arranged to prevent energizing of the machine until ventilation has been established and the enclosure has been purged with at least 10 volumes of air, and also arranged to automatically deenergize the equipment when the air supply fails; or

(3) Of the totally enclosed inert-gas-filled type supplied with a suitable reliable source of inert gas for pressuring the enclosure, with devices provided to ensure a positive pressure in the enclosure and arranged to automatically deenergize the equipment when the gas supply fails; or

(4) Of a type designed to be submerged in a liquid that is flammable only when vaporized and mixed with air, or in a gas or vapor at a pressure greater than atmospheric and which is flammable only when mixed with air; and the machine is arranged to prevent energizing it until it has been purged with the liquid or gas to exclude air, and also arranged to automatically deenergize the equipment when the supply of liquid, or gas or vapor fails or the pressure is reduced to atmospheric.

Totally enclosed type (2) and (3) motors must have no external surface with a Celsius operating temperature greater than 80% of the ignition temperature of the gas or vapor involved, as determined by ASTM test procedure (Designation: D-2155-69). Appropriate devices must be provided to detect an increase in temperature of the motor beyond design limits and automatically deenergize the equipment or provide an adequate alarm. Auxiliary equipment must be approved for the location in which it is installed.

NEW SECTION

WAC 296-306A-374 Special systems.

NEW SECTION

WAC 296-306A-37403 What requirements apply to systems over 600 volts, nominal? (1) Wiring methods for fixed installations over 600 volts, nominal, must meet the following requirements:

(a) Above-ground conductors must be installed in rigid metal conduit, in intermediate metal conduit, in cable trays, in cablebus, in other suitable raceways, or as open runs of metal-clad cable suitable for the use and purpose. Open runs of nonmetallic-sheathed cable or of bare conductors or busbars must be installed in locations accessible only to qualified persons. Metallic shielding components, such as tapes, wires, or braids for conductors, must be grounded. Open runs of insulated wires and cables with a bare lead sheath or a braided outer covering must be supported to prevent physical damage to the braid or sheath.

(b) Conductors emerging from the ground must be enclosed in approved raceways.

(2) Interrupting and isolating devices must meet the following requirements:

(a) Circuit breaker installations located indoors must consist of metal-enclosed units or fire-resistant cell-mounted units. Circuit breakers must be open mounted only in locations that are accessible only to qualified persons. A means of indicating the open and closed position of circuit breakers must be provided.

(b) Fused cutouts installed in buildings or transformer vaults must be approved for the purpose. They must be readily accessible for fuse replacement.

(c) A means must be provided to completely isolate equipment for inspection and repairs. Isolating means that are not designed to interrupt the load current of the circuit must be either interlocked with an approved circuit interrupter or provided with a sign warning against opening them under load.

(3) Mobile and portable equipment must meet the following requirements:

(a) A metallic enclosure must be provided on the mobile machine for enclosing the terminals of the power cable. The enclosure must include provisions for a solid connection for the ground wire terminal to effectively ground the machine frame. The method of cable termination used must prevent any strain or pull on the cable from stressing the electrical connections. The enclosure must be lockable so only authorized qualified persons may open it and must be marked with a sign warning of the presence of energized parts.

(b) All energized switching and control parts must be enclosed in grounded metal cabinets or enclosures. Circuit breakers and protective equipment must have the operating means projecting through the metal cabinet or enclosure so these units can be reset without opening locked doors. Enclosures and metal cabinets must be locked so that only authorized qualified persons have access and must be marked with a sign warning of the presence of energized parts. Collector ring assemblies on revolving machines (shovels, draglines, etc.,) must be guarded.

(4) Tunnel installations of high-voltage power distribution and utilization equipment that is portable or mobile, such as substations, trailers, cars, mobile shovels, draglines, hoists, drills, dredges, compressors, pumps, conveyors, and

underground excavators must meet the following requirements:

(a) Conductors in tunnels must be installed in one or more of the following:

(i) Metal conduit or other metal raceway;

(ii) Type MC cable; or

(iii) Other approved multiconductor cable.

Conductors must also be located or guarded to protect them from physical damage. Multiconductor portable cable may supply mobile equipment. An equipment grounding conductor must be run with circuit conductors inside the metal raceway or inside the multiconductor cable jacket. The equipment grounding conductor may be insulated or bare.

(b) Bare terminals of transformers, switches, motor controllers, and other equipment must be enclosed to prevent accidental contact with energized parts. Enclosures used in tunnels must be drip-proof, weatherproof, or submersible as required by environmental conditions.

(c) A disconnecting means that simultaneously opens all ungrounded conductors must be installed at each transformer or motor location.

(d) All nonenergized metal parts of electric equipment and metal raceways and cable sheaths must be effectively grounded and bonded to all metal pipes and rails at the portal and at maximum intervals of 1000 feet throughout the tunnel.

NEW SECTION

WAC 296-306A-37406 What requirements apply to emergency power systems? This section applies to circuits, systems, and equipment intended to supply power for illumination and special loads, in the event of failure of the normal supply.

(1) Emergency circuit wiring must be kept entirely independent of all other wiring and equipment and must not enter the same raceway, cable, box, or cabinet as other wiring.

Exception: This does not apply where common circuit elements suitable for the purpose are required, or for transferring power from the normal to the emergency source.

(2) Where emergency lighting is necessary, the system must be arranged so that the failure of any individual lighting element, such as a burned out light bulb, cannot leave any space in total darkness.

NEW SECTION

WAC 296-306A-37409 How are Class 1, Class 2, and Class 3 remote control, signaling, and power-limited circuits classified? (1) Class 1, Class 2, or Class 3 remote control, signaling, or power-limited circuits are characterized by their usage and electrical power limitation which differentiates them from light and power circuits. These circuits are classified according to their voltage and power limitations as follows.

(a) Class 1 circuits.

(i) A Class 1 power-limited circuit is supplied from a source with a maximum rated output of 30 volts and 1000 volt-amperes.

(ii) A Class 1 remote control circuit or a Class 1 signaling circuit has a maximum voltage of 600 volts; however, the power output of the source need not be limited.

(b) Class 2 and Class 3 circuits.

(i) Power for Class 2 and Class 3 circuits is limited either inherently (in which no overcurrent protection is required) or by a combination of a power source and overcurrent protection.

(ii) The maximum circuit voltage is 150 volts AC or DC for a Class 2 inherently limited power source, and 100 volts AC or DC for a Class 3 inherently limited power source.

(iii) The maximum circuit voltage is 30 volts AC and 60 volts DC for a Class 2 power source limited by overcurrent protection, and 150 volts AC or DC for a Class 3 power source limited by overcurrent protection.

(c) The maximum circuit voltages in (a) and (b) of this subsection apply to sinusoidal AC or continuous DC power sources, and where wet contact is unlikely.

(2) A Class 2 or Class 3 power supply unit must be durably and visibly marked to indicate the class of supply and its electrical rating.

NEW SECTION

WAC 296-306A-37412 What requirements apply to fire protective signaling systems? (1) Fire protective signaling circuits must be classified either as nonpower limited or power limited.

(2) The power sources for use with fire protective signaling circuits must be either power limited or nonlimited as follows:

(a) The power supply of nonpower-limited fire protective signaling circuits must have a maximum output voltage of 600 volts.

(b) The power for power-limited fire protective signaling circuits must be either inherently limited, in which no overcurrent protection is required, or limited by a combination of power source and overcurrent protection.

(3) Nonpower-limited fire protective signaling circuits and Class 1 circuits may occupy the same enclosure, cable, or raceway if all conductors are insulated for maximum voltage of any conductor within the enclosure, cable or raceway. Power supply and fire protective signaling circuit conductors are permitted in the same enclosure, cable, or raceway only if connected to the same equipment.

(4) Where open conductors are installed, power-limited fire protective signaling circuits must be separated at least 2 inches from conductors of any light, power, Class 1, and nonpower-limited fire protective signaling circuits unless using a special and equally protective method of conductor separation. Cables and conductors of two or more power-limited fire protective signaling circuits or Class 3 circuits are permitted in the same cable, enclosure, or raceway. Conductors of one or more Class 2 circuits are permitted within the same cable, enclosure, or raceway with conductors of power-limited fire protective signaling circuits if the insulation of Class 2 circuit conductors in the cable, enclosure, or raceway is at least that needed for the power-limited fire protective signaling circuits.

(5) Fire protective signaling circuits must be identified at terminal and junction locations in a manner that will prevent unintentional interference with the signaling circuit

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during testing and servicing. Power-limited fire protective signaling circuits must be visibly and durably marked at terminations.

NEW SECTION

WAC 296-306A-376 Working on or near exposed energized parts.

NEW SECTION

WAC 296-306A-37603 What does this section cover? WAC 296-306A-376 applies to work performed on exposed live parts (involving either direct contact or contact by means of tools or materials) or near enough to them for employees to be exposed to any hazard they present.

NEW SECTION

WAC 296-306A-37606 Who may work on energized parts? Only qualified persons may work on electric circuit parts of equipment that have not been deenergized under the procedures of WAC 296-306A-37807. Qualified persons must be capable of working safely on energized circuits and must be familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools.

NEW SECTION

WAC 296-306A-37609 What requirements apply to working near low voltage lines? When employees are working near energized electrical service conductors operating at 750 volts or less, employees must work in a manner to prevent contact with the energized conductors.

NEW SECTION

WAC 296-306A-37612 What requirements apply to qualified persons working near overhead lines? When a qualified person is working near overhead lines, whether in an elevated position or on the ground, the person must not approach, or take any conductive object without an approved insulating handle, closer to exposed energized parts than shown in WAC 296-306A-150 unless:

(1) The person is insulated from the energized part (gloves, with sleeves if necessary, rated for the voltage involved are considered to be insulation of the person from the energized part on which work is performed); or

(2) The energized part is insulated both from all other conductive objects at a different potential and from the person; or

(3) The person is insulated from all conductive objects at a potential different from that of the energized part.

NEW SECTION

WAC 296-306A-37615 What requirements apply to vehicles and mechanical equipment near overhead lines? (1) Any vehicle or mechanical equipment that may have parts of its structure elevated near energized overhead lines must be operated so that a clearance of 10 ft. is maintained. If the voltage is higher than 50kV, the clearance must be increased 0.4 inch for every 1kV over the voltage. The clearance may be reduced only if:

(a) The vehicle is in transit with its structure lowered, the clearance may be reduced to 4 ft. If the voltage is higher than 50kV, the clearance must be increased 0.4 inch for every 1kV over that voltage.

(b) Insulating barriers are installed to prevent contact with the lines, and if the barriers are rated for the voltage of the line being guarded and are not a part of or an attachment to the vehicle or its raised structure, the clearance may be reduced to a distance within the designed working dimensions of the insulating barrier.

(2) If the equipment is an aerial lift insulated for the voltage involved, and if the work is performed by a qualified person, the clearance (between the uninsulated portion of the aerial lift and the power line) may be reduced to the distance given in WAC 296-306A-150.

(3) Employees standing on the ground must not contact the vehicle or mechanical equipment or any of its attachments, unless:

(a) The employee is using protective equipment rated for the voltage; or

(b) The equipment is located so that no uninsulated part of its structure (that portion of the structure that provides a conductive path to employees on the ground) can come closer to the line than permitted in this section.

(4) If any vehicle or mechanical equipment that may have parts of its structure elevated near energized overhead lines is intentionally grounded, employees working on the ground near the point of grounding must not stand at the grounding location whenever there is a possibility of overhead line contact. Additional precautions, such as the use of barricades or insulation, must be taken to protect employees from hazardous ground potentials, depending on earth resistivity and fault currents, which can develop within the first few feet or more outward from the grounding point.

NEW SECTION

WAC 296-306A-37618 What lighting must be provided for employees working near exposed energized parts? (1) Employees must not enter spaces containing exposed energized parts, unless lighting is provided that enables the employees to perform the work safely.

(2) Where lack of lighting or an obstruction prevents an employee from seeing the work to be performed, employees must not perform tasks near exposed energized parts. Employees shall not reach blindly into areas that may contain energized parts.

NEW SECTION

WAC 296-306A-37621 What requirements apply to working near exposed energized parts in confined spaces? (1) For working in a confined or enclosed space (such as a manhole or vault) that contains exposed energized parts, the employer shall provide, and the employee must use, protective shields, protective barriers, or insulating materials that are necessary to avoid contact with these parts. Doors, hinged panels, and the like must be secured to prevent swinging into an employee and causing the employee to contact exposed energized parts.

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(2) Conductive materials and equipment that are in contact with any part of an employee's body shall be handled in a manner that will prevent them from contacting exposed energized conductors or circuit parts. If an employee handles long conductive objects (such as ducts and pipes) in areas with exposed live parts, you must institute work practices (such as the use of insulation, guarding, and material handling techniques) that will minimize the hazard.

(3) Portable ladders must have nonconductive siderails if they are used where the employee or the ladder could contact exposed energized parts.

(4) Conductive articles of jewelry and clothing shall not be worn if they might contact exposed energized parts.

NEW SECTION

WAC 296-306A-37624 What housekeeping requirements apply to working near exposed energized parts? (1) Where live parts present an electrical contact hazard, employees must not perform housekeeping duties near enough to the parts that there is a possibility of contact, unless adequate safeguards (such as insulating equipment or barriers) are provided.

(2) Electrically conductive cleaning materials (including conductive solids such as steel wool, metalized cloth, and silicon carbide, as well as conductive liquid solutions) must not be used in proximity to energized parts unless procedures are followed that will prevent electrical contact.

NEW SECTION

WAC 296-306A-37627 Who may defeat an electrical safety interlock? Only a qualified person following the requirements of this section may defeat an electrical safety interlock, and then only temporarily while he or she is working on the equipment. The interlock system must be returned to its operable condition when this work is completed.

NEW SECTION

WAC 296-306A-378 Safety-related work practices.

NEW SECTION

WAC 296-306A-37801 What does this section cover? (1) WAC 296-306A-376 and 296-306A-378 cover electrical safety-related work practices for both qualified persons (those who have training in avoiding the electrical hazards of working on or near exposed energized parts) and unqualified persons (those with little or no such training) working on, near, or with the following installations:

(a) Installations of electric conductors and equipment within or on buildings or other structures, and on other premises such as yards, parking, and other lots, and industrial substations;

(b) Installations of conductors that connect to the supply of electricity;

(c) Installations of other outside conductors on the premises; and

(d) Installations of optical fiber cable where such installations are made along with electric conductors.

(2) Chapter 306-376 WAC and WAC 296-306A-378 cover work performed by unqualified persons on, near, or with the installations listed in subsection (3) of this section.

(3) WAC 296-306A-376 and 296-306A-378 do not apply to work performed by qualified persons on or directly associated with the following installations:

(a) Installations for the generation, control, transformation, transmission, and distribution of electric energy (including communication and metering) located in buildings used for such purposes or located outdoors.

Work on or directly associated with generation, transmission, or distribution installations includes:

(i) Work performed directly on installations, such as repairing distribution lines or repairing a feed-water pump for the boiler in a generating plant.

(ii) Work directly associated with installations, such as line-clearance tree trimming and replacing utility poles.

(iii) Work on electric utilization circuits in a generating plant where:

- The circuits are combined with installations of power generation equipment or circuits; and
- The generation equipment or circuits present greater electrical hazards than those posed by the utilization equipment or circuits (such as exposure to higher voltages or lack of overcurrent protection).

(b) Installations in watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

(c) Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations of railways used exclusively for signaling and communication purposes.

NEW SECTION

WAC 296-306A-37803 How must employees be trained on safety practices? (1) The training requirements in this section apply to employees who face a risk of electrical shock that is not reduced to a safe level by the electrical installation requirements of WAC 296-306A-362 through 296-306A-374.

(2) Training contents must include the following:

(a) Employees must be trained in and familiar with the safety-related work practices required by WAC 296-306A-376 through 296-306A-378 that apply to their job assignments.

(b) Employees who are covered by this section but who are not qualified persons must also be trained in and familiar with any electrically related safety practices that are not covered by this standard, but that are necessary for their safety.

(c) Qualified persons must, at a minimum, be trained in and familiar with the following:

(i) The skills and techniques necessary to distinguish exposed live parts from other parts of electric equipment;

(ii) The skills and techniques necessary to determine the nominal voltage of exposed live parts; and

(iii) The clearance distance specified in WAC 296-306A-376 and the corresponding voltages to which the qualified person will be exposed.

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Note 1: For the purposes of WAC 296-306A-376 and 296-306A-378, an employee must have the training required for a qualified person in order to be considered a qualified person.

Note 2: Qualified persons whose work on energized equipment involves either direct contact or contact by means of tools or materials must also have the training needed to meet WAC 296-306A-376.

(3) You must provide either classroom or on-the-job training. The degree of training provided must be determined by the risk to the employee.

NEW SECTION

WAC 296-306A-37805 How must safety-related work practices be chosen and used? Safety-related work practices must be used 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 that are or may be energized. The specific safety-related work practices must be consistent with the nature and extent of the associated electrical hazards.

(1) When an employee may be exposed to live parts, they must be deenergized before the employee works on or near them, unless deenergizing introduces other 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 other hazards include deactivation of emergency alarm systems, shutdown of hazardous location ventilation equipment, or removal of illumination for an area.

Note 2: An example of work that may be performed on or near energized circuit parts because of unfeasibility due to equipment design or operational limitations is testing of electric circuits that can only be performed with the circuit energized.

(2) If the exposed live parts are not deenergized (for reasons of increased or additional hazards or unfeasibility), other safety-related work practices must be used to protect employees who may be exposed to the electrical hazards involved. Such work practices must 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 must be suitable for the voltage level of the exposed electric conductors or circuit parts.

NEW SECTION

WAC 296-306A-37807 What work practices must be followed for work on exposed deenergized parts? (1) This section 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 must be treated as energized parts, and WAC 296-306A-376 applies to work on or near them.

(2) While any employee is exposed to contact with parts of fixed electric equipment or circuits which have been deenergized, the circuits energizing the parts must be locked out or tagged or both according to the requirements of this section. The requirements must be followed in the order in which they are presented.

"Fixed equipment" means equipment that is fastened or connected by permanent wiring methods.

Note: Lockout and tagging procedures that comply with WAC 296-306A-320 will also be deemed to comply with WAC 296-306A-37807 through 296-306A-37817 if:
- The procedures address the electrical safety hazards covered by this part; and
- The procedures include the requirements of WAC 296-306A-37813(4) and 296-306A-37815(2).

NEW SECTION

WAC 296-306A-37809 Must an employer have a written copy of lockout-tagout procedures? The employer must maintain a written copy of the procedures outlined in WAC 296-306A-37807 through 296-306A-37817 and must make it available for inspection by us or by employees. The written procedures may be in the form of a copy of WAC 296-306A-37807 through 296-306A-37817.

NEW SECTION

WAC 296-306A-37811 What work practices must be followed for deenergizing equipment? (1) Safe procedures for deenergizing circuits and equipment must be determined before circuits or equipment are deenergized.

(2) The circuits and equipment to be worked on must be disconnected from all electric energy sources. Control circuit devices, such as push buttons, selector switches, and interlocks, must not be used as the sole means for deenergizing circuits or equipment. Interlocks for electric equipment must not be used as a substitute for lockout and tagging procedures.

(3) Stored electric energy which might endanger employees must be released. Capacitors must be discharged and high capacitance elements must be short-circuited and grounded, if the stored electric energy might endanger employees.

Note: Capacitors or associated equipment handled in meeting this requirement must be treated as energized.

(4) Stored nonelectrical energy in devices that could reenergize electric circuit parts must be blocked or relieved to the extent that the circuit parts could not be accidentally energized by the device.

NEW SECTION

WAC 296-306A-37813 How must locks and tags be applied? (1) A lock and a tag must be placed on each disconnecting means used to deenergize circuits and equipment on which work is to be performed, except as provided in subsections (3) and (5) of this section. The lock must be attached to prevent anyone from operating the disconnecting means unless they resort to undue force or the use of tools.

(2) Each tag must have a statement prohibiting unauthorized operation of the disconnecting means and removal of the tag.

(3) If a lock cannot be applied, or if tagging procedures will provide a level of safety equivalent to that obtained by the use of a lock, a tag may be used without a lock.

(4) A tag used without a lock must be supplemented by at least one additional safety measure that provides a level of safety equivalent to that obtained by the use of a lock.

Examples of additional safety measures include the removal of an isolating circuit element, blocking of a controlling switch, or opening of an extra disconnecting device.

(5) A lock may be placed without a tag only under the following conditions:

(a) Only one circuit or piece of equipment is deenergized; and

(b) The lockout period does not extend beyond the work shifts; and

(c) Employees exposed to the hazards associated with reenergizing the circuit or equipment are familiar with this procedure.

NEW SECTION

WAC 296-306A-37815 What work practices must be followed to verify deenergization? The requirements of this section must be met before any circuits or equipment can be considered and worked as deenergized.

(1) A qualified person must operate the equipment operating controls or otherwise verify that the equipment cannot be restarted.

(2) A qualified person must use test equipment to test the circuit elements and electrical parts of equipment to which employees will be exposed and shall verify that the circuit elements and equipment parts are deenergized. The test must also determine if any energized conditions exists as a result of inadvertently induced voltage or unrelated voltage backfeed even though specific parts of the circuit have been deenergized and presumed to be safe. If the circuit to be tested is over 600 volts, nominal, the test equipment must be checked for proper operation immediately before and immediately after this test.

NEW SECTION

WAC 296-306A-37817 What work practices must be followed when reenergizing equipment? These requirements must be met, in the order given, before circuits or equipment are reenergized, even temporarily.

(1) A qualified person must conduct tests and visual inspections as necessary to verify that all tools, electrical jumpers, shorts, grounds, and other devices have been removed, so that the circuits and equipment can be safely energized.

(2) Employees exposed to the hazards associated with reenergizing the circuit or equipment must be warned to stay clear of circuits and equipment.

(3) Each lock and tag must be removed by the employee who applied it or under his or her direct supervision. However, if this employee is absent from the workplace, then the lock or tag must be removed by a qualified person designated to perform this task if:

(a) The employer ensures that the employee who applied the lock or tag is not available at the workplace; and

(b) The employer ensures that the employee is aware that the lock or tag has been removed before resuming work at that workplace.

(4) There shall be a visual determination that all employees are clear of the circuits and equipment.

NEW SECTION

WAC 296-306A-37819 What safety-related work practices relate to portable electric equipment? This section applies to using cord-connected and plug-connected equipment, including flexible cord sets (extension cords).

(1) Portable equipment must be handled in a manner that will not cause damage. Flexible electric cords connected to equipment must not be used for raising or lowering the equipment. Flexible cords must not be fastened with staples or otherwise hung in a way that could damage the outer jacket or insulation.

(2) Visual inspection requirements:

(a) Portable cord-connected and plug-connected equipment and flexible cord sets must be visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jackets or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket). Cord-connected and plug-connected equipment and flexible cord sets that remain connected once they are in place and are not exposed to damage need not be visually inspected until they are relocated.

(b) If there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged items must be removed from service, and no employee shall use it until repairs and tests necessary to render the equipment safe have been made.

(c) When an attachment plug is to be connected to a receptacle (including any on a cord set), the relationship of the plug and receptacle contacts must first be checked to ensure they are of proper mating configurations.

(3) Requirements for grounding-type equipment:

(a) A flexible cord used with grounding-type equipment must contain an equipment grounding conductor.

(b) Attachment plugs and receptacles must not be connected or altered in a manner that would prevent proper continuity of the equipment grounding conductor at the point where plugs are attached to receptacles. These devices must not be altered to allow the grounding pole of a plug to be inserted into slots intended for connection to the current-carrying conductors.

(c) Adapters that interrupt the continuity of the equipment grounding connection are prohibited.

(4) Portable electric equipment and flexible cords used in highly conductive work locations, or in locations where employees are likely to contact water or conductive liquids, must be approved for those locations.

(5) Connecting attachment plugs.

(a) Employees' hands must not be wet when plugging and unplugging flexible cords and cord-connected and plug-connected equipment, if energized equipment is involved.

(b) Energized plug and receptacle connections must be handled only with insulating protective equipment if the condition of the connection could provide a conducting path to the employee's hand. For example: If a cord connector is wet from being immersed in water.

(c) Locking-type connectors must be properly secured after connection.

PERMANENT

NEW SECTION

WAC 296-306A-37821 What safety-related work practices relate to electric power and lighting circuits? (1) Load rated switches, circuit breakers, or other devices specifically designed as disconnecting means must be used for the opening, reversing, or closing of circuits under load conditions. Any cable connectors other than the load-break type, fuses, terminal lugs, and cable splice connections are prohibited for such purposes, except in an emergency.

(2) After a circuit is deenergized by a circuit protective device, the circuit must not be manually reenergized until it has been determined that the equipment and circuit can be safety energized. This repetitive manual reclosing of circuit breakers or reenergizing circuits through replaced fuses is prohibited.

Note: When it can be determined from the design of the circuit and the overcurrent devices involved that the automatic operation of a device was caused by an overload rather than a fault connection, no examination of the circuit or connected equipment is needed before the circuit is reenergized.

(3) Overcurrent protection of circuits and conductors must not be modified, even on a temporary basis, beyond that allowed by this part for the installation safety requirements for overcurrent protection.

PERMANENT

NEW SECTION

WAC 296-306A-37823 What safety-related work practices relate to test instruments and equipment? (1) Only qualified persons may perform testing work on electric circuits or equipment.

(2) Test instruments and equipment and all associated test leads, cables, power cords, probes, and connectors must be visually inspected for external defects and damage before the equipment is used. If there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged item must be removed from service, and no employee may use it until necessary repairs and tests to render the equipment safe have been made.

(3) Test instruments and equipment and their accessories must be rated for the circuits and equipment to which they will be connected and must be designed for the environment in which they will be used.

NEW SECTION

WAC 296-306A-37825 What safety-related work practices relate to flammable materials? Where flammable materials are present only occasionally, electric equipment capable of igniting them must not be used, unless measures are taken to prevent hazardous conditions from developing.

Such materials include, but are not limited to: flammable gases, vapors, or liquids; combustible dust; and ignitable fibers or flyings.

Note: Electrical installation requirements for locations where flammable materials are present on a regular basis are contained in WAC 296-306A-372.

NEW SECTION

WAC 296-306A-380 Electrical protective equipment.

NEW SECTION

WAC 296-306A-38003 How must protective equipment be used? (1) Employees working in the areas where there are potential electrical hazards must have and use electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed.

(2) If the insulating capability of protective equipment may be subject to damage during use, the insulating material must be protected.

For example: An outer covering of leather is sometimes used to protect rubber insulating material.

(3) Employees must wear nonconductive head protection wherever there is a danger of head injury from electric shock or burns due to contact with exposed energized parts.

(4) Employees must 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.

NEW SECTION

WAC 296-306A-38006 What requirements apply to general protective equipment and tools? (1) When working near exposed energized conductors or circuit parts, each employee must 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 must be protected.

(2) Ropes and handlines used near exposed energized parts must be nonconductive.

(3) Protective shields, protective barriers, or insulating materials must be used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts that 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 must be guarded to protect unqualified persons from contact with the live parts.

(4) Altering techniques must be used to warn and protect employees from hazards that could cause injury due to electric shock, burns, or failure of electric equipment parts.

(5) Safety signs, safety symbols, or accident prevention tags must be used where necessary to warn employees about electrical hazards that may endanger them, as required by WAC 296-306A-330.

NEW SECTION

WAC 296-306A-38009 What manufacturing and marking requirements apply to electrical protective devices? Insulating blankets, matting, covers, line hose, gloves, and sleeves made of rubber must meet the following manufacture and marking requirements:

(1) Blankets, gloves, and sleeves must be produced by a seamless process.

(2) Each item must be clearly marked as follows:

(a) All classified equipment must be marked with its class number.

(b) Nonozone-resistant equipment other than matting must be marked Type I.

(c) Ozone-resistant equipment other than matting must be marked Type II.

(d) Other relevant markings, such as the manufacturer's identification and the size of the equipment, may also be provided.

(3) Markings must be nonconducting and shall be applied so they do not impair the insulating qualities of the equipment.

(4) Markings on gloves must be on the cuff.

NEW SECTION

WAC 296-306A-38012 What electrical requirements apply to electrical protective devices? Insulating blankets, matting, covers, line hose, gloves, and sleeves made of rubber must meet the following electrical requirements:

(1) Equipment must be capable of withstanding the a-c proof-test voltage specified in Table 1 or the d-c proof-test voltage specified in Table 2.

(a) The proof-test must reliably indicate that the equipment can withstand the voltage involved.

(b) The test voltage must be applied continuously for three minutes for equipment other than matting and must be applied continuously for one minute for matting.

(c) Gloves must also be capable of withstanding the a-c proof-test voltage specified in Table 1 after a sixteen-hour water soak.

(2) When the a-c proof-test is used on gloves, the 60 hertz proof-test current must not exceed the values specified in Table 1 at any time during the test period.

(a) If the a-c proof-test is made at a frequency other than 60 hertz, the permissible proof-test current must be computed from the direct ratio of the frequencies.

(b) For the test, gloves (right side out) must be filled with tap water and immersed in water to a depth that is in accordance with Table 3. Water must be added to or removed from the glove, as necessary, so that the water level is the same inside and outside the glove.

(c) After the sixteen-hour water soak, the 60 hertz proof-test current may exceed the values given in Table 1 by not more than 2 milliamperes.

(3) Equipment that has been subjected to a minimum breakdown voltage test must not be used for electrical protection.

(4) Material used for Type II insulating equipment must be capable of withstanding an ozone test, with no visible effects. The ozone test must reliably indicate that the material will resist ozone exposure in actual use. Any visible signs of ozone deterioration of the material, such as checking, cracking, breaks, or pitting, is evidence of failure to meet the requirements for ozone-resistant material.

Note: Rubber insulating equipment meeting the following national consensus standards is considered to be in compliance with WAC 296-306A-38009, 296-306A-38012, and 296-306A-38015:
- American Society for Testing and Materials (ASTM) D 120-87, Specification for Rubber Insulating Gloves.
- ASTM D 178-93, Specification for Rubber Insulating Matting.
- ASTM D 1048-93, Specification for Rubber Insulating Blankets.
- ASTM D 1049-93, Specification for Rubber Insulating Covers.
- ASTM D 1050-90, Specification for Rubber Insulating Line Hose.
- ASTM D 1051-87, Specification for Rubber Insulating Sleeves.

These standards contain specifications for conducting the tests required in this section.

NEW SECTION

WAC 296-306A-38015 What workmanship and finish requirements apply to electrical protective devices? Insulating blankets, matting, covers, line hose, gloves, and sleeves made of rubber must meet the following workmanship and finish requirements:

(1) Equipment must be free of harmful physical irregularities that can be detected by the tests or inspections required in WAC 296-306A-38012.

(2) Surface irregularities that may be present on all rubber goods because of imperfections on forms or molds or because of inherent difficulties in the manufacturing process and that may appear as indentations, protuberances, or imbedded foreign material are acceptable if:

(a) The indentation or protuberance blends into a smooth slope when the material is stretched.

(b) Foreign material remains in place when the insulating material is folded and stretches with the insulating material surrounding it.

NEW SECTION

WAC 296-306A-38018 How must electrical protective devices be maintained and used? (1) Electrical protective equipment must be maintained in a safe, reliable condition.

(2) The following specific requirements apply to insulating blankets, covers, line hose, gloves, and sleeves made of rubber:

(a) Maximum use voltages must meet the requirements in Table 4.

(b) Insulating equipment must be inspected for damage before each day's use and immediately following any incident that can reasonably be suspected of having caused damage. Insulating gloves must be given an air test, along with the inspection.

(c) Insulating equipment with any of the following defects must not be used:

(i) A hole, tear, puncture, or cut;

(ii) Ozone cutting or ozone checking (the cutting action produced by ozone on rubber under mechanical stress into a series of interlacing cracks);

(iii) An embedded foreign object;

(iv) Any of the following texture changes: Swelling, softening, hardening, or becoming sticky or inelastic;

(v) Any other defect that damages the insulating properties.

(d) Insulating equipment found to have other defects that might affect its insulating properties must be removed from service and returned for testing under (h) of this subsection.

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(e) Insulating equipment must be cleaned as needed to remove foreign substances.

(f) Insulating equipment must be stored in such a location and in such a manner as to protect it from light, temperature extremes, excessive humidity, ozone, and other injurious substances and conditions.

(g) Protector gloves must be worn over insulating gloves.

(h) Electrical protective equipment must be subjected to periodic electrical tests. Test voltages and the maximum intervals between tests must be according to Table 4 and Table 5.

(i) The test method used must reliably indicate whether the insulating equipment can withstand the voltages involved.

Note: Standard electrical test methods considered as meeting this requirement are given in the following national consensus standards:
- American Society for Testing and Materials (ASTM) D 120-87, Specification for Rubber Insulating Gloves.
- ASTM D 1048-93, Specification for Rubber Insulating Blankets.
- ASTM D 1049-93, Specification for Rubber Insulating Covers.
- ASTM D 1050-90, Specification for Rubber Insulating Line Hose.
- ASTM D 1051-87, Specification for Rubber Insulating Sleeves.
- ASTM F 478-92, Specification for In-Service Care of Insulating Line Hose and Covers.
- ASTM F 479-88a, Specification for In-Service Care of Insulating Blankets.
- ASTM F 496-93b, Specification for In-Service Care of Insulating Gloves and Sleeves.

(j) Insulating equipment that fails inspections or electrical tests must not be used by employees, except as follows:

(i) Rubber insulating line hose could be used in shorter lengths with the defective portion cut off.

(ii) Rubber insulating blankets could be repaired using a compatible patch that results in physical and electrical properties equal to those of the blanket.

(iii) Rubber insulating blankets could be salvaged by severing the defective area from the undamaged portion of the blanket. The resulting undamaged area must not be smaller than twenty-two inches by twenty-two inches (560 mm by 560 mm) for Class 1, 2, 3, and 4 blankets.

(k) Repaired insulating equipment must be retested before it may be used by employees.

(l) You must certify that equipment has been tested in accordance with the requirements of (h), (i), and (k) of this subsection. The certification must identify the equipment that passed the test and the date it was tested.

Note: This requirement may be met by marking the equipment and entering the results of the tests and the dates of testing onto logs.

Table 1
A-C Proof-Test Requirements
Maximum proof-test current, mA (gloves only)

Class of equipment	*Proof-test voltage rms V*	*267 mm (10.5 in.) glove*	*356 mm (14 in.) glove*	*406 mm (16 in.) glove*	*457 mm (18 in.) glove*
0	5,000	8	12	14	16
1	10,000		14	16	18
2	20,000		16	18	20
3	30,000		18	20	22
4	40,000			22	24

Table 2
D-C Proof-Test Requirements

Class of equipment	*Proof-test voltage*
0	20,000
1	40,000
2	50,000
3	60,000
4	70,000

Note: The d-c voltages listed in this table are not appropriate for proof testing rubber insulating line hose or covers. For this equipment, d-c proof-tests shall use a voltage high enough to indicate that the equipment can be safely used at the voltages listed in Table 3. See ASTM D 1050-90 and ASTM D 1049-88 for further information on proof tests for rubber insulating line hose and covers.

Table 3
Glove Tests-Water Level[1, 2]

	A-C proof-test		*D-C proof-test*	
Class of glove	*mm.*	*in.*	*mm.*	*in.*
0	38	1.5	38	1.5
1	38	1.5	51	2.0
2	64	2.5	76	3.0
3	89	3.5	102	4.0
4	127	5.0	153	6.0

[1]The water level is given as the clearance from the cuff of the glove to the water line, with a tolerance of 13 mm. (0.5 in.).
[2]If atmospheric conditions make the specified clearances impractical, the clearances may be increased by a maximum of 25 mm. (1 in.)

Table 4
Rubber Insulating Equipment
Voltage Requirements

Class of equipment	*Maximum use voltage[1] a-c-rms*	*Retest voltage[2] a-c-rms*	*Retest voltage[2] d-c-rms*
0	1,000	5,000	20,000
1	7,500	10,000	40,000
2	17,000	20,000	50,000
3	26,500	30,000	60,000
4	36,000	40,000	70,000

Note: Rubber gloves shall only be used on voltages of 5000 volts phase to phase or less.
[1]The maximum use voltage is the a-c voltage (rms) classification of the protective equipment that designates the maximum nominal design/voltage of the energized system that may be safely worked. The nominal design voltage is equal to the phase-to-phase voltage on multiphase circuits. However, the phase-to-ground potential is considered to be the nominal design/voltage:
(a) If there is no multiphase exposure in a system area and if the voltage exposure is limited to the phase-to-ground potential, or
(b) If the electrical equipment and devices are insulated or isolated or both so that the multiphase exposure on a grounded wye circuit is removed.
[2]The proof-test voltage shall be applied continuously for at least one minute, but no more than three minutes.

Table 5
Rubber Insulating Equipment Test Intervals

Type of equipment	*When to test*
Rubber insulating line hose	Upon indication that insulating value is suspect
Rubber insulating covers	Upon indication that insulating value is suspect
Rubber insulating blankets	Before first issue and every 12 months thereafter
Rubber insulating gloves	Before first issue and every 6 months thereafter
Rubber insulating sleeves	Before first issue and every 12 months thereafter

(3) Where switches or fuses of more than 150 volts to ground are not guarded during ordinary operations, suitable insulating floors, mats or platforms must be provided on which the operator must stand while handling the switches.

SPECIALIZED OPERATIONS

PART U-1
HAZARDOUS MATERIALS—ANHYDROUS AMMONIA

PERMANENT

NEW SECTION

WAC 296-306A-400 Anhydrous ammonia.

NEW SECTION

WAC 296-306A-40001 What does this section cover? WAC 296-306A-400 covers the transportation and application of anhydrous ammonia.

NEW SECTION

WAC 296-306A-40003 What definitions apply to this section? "Certified" means the equipment has been tested by a nationally recognized testing laboratory and meets nationally recognized standards or is safe for a specific use; or is a kind whose production is periodically inspected by a nationally recognized testing laboratory, and bears identification of certification.

"DOT" means the Federal Department of Transportation.

"DOT container" means a container constructed according to the requirements of 49 CFR chapter 1.

"DOT cylinder" means a cylinder that meets the requirements of 49 CFR chapter I.

"Labeled" means the equipment has an attached label, symbol, or other identifying mark of a nationally recognized testing laboratory that makes periodic inspections of the production of such equipment, and the label indicates compliance with nationally recognized standards or tests.

NEW SECTION

WAC 296-306A-40005 What general requirements apply to the storage and handling of anhydrous ammonia? (1) All employees must use gloves and goggles and/or a face shield while working on or with charged anhydrous ammonia equipment.

(2) You must ensure that equipment is inspected before each day's work. Conditions that would contribute to leaks shall be corrected.

(3) Hose end-valves must be closed when not in use to prevent accidental discharge in case the main valve is opened.

(4) Relief and vapor valves must discharge away from the operator's working position.

NEW SECTION

WAC 296-306A-40007 What requirements apply to systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia? All anhydrous ammonia containers with a capacity of 3,000 gallons or less and equipment mounted on farm wagons (implements of husbandry) that is used to transport ammonia must meet the requirements of this section.

WAC 296-306A-40011 through 296-306A-40037 also apply unless otherwise noted.

(1) Containers must meet the following mounting requirements:

(a) The farm wagon or container has a stop so the container does not dislodge from its mounting when a farm wagon stops suddenly.

(b) The container is anchored to the farm wagon at one or more places on each side of the container.

(c) The weight of containers mounted on four-wheel farm wagons, is distributed evenly over both axles.

(d) When the cradle and the container are not welded together, material between them eliminates metal-to-metal friction.

(2) Container accessories must meet the following requirements:

(a) Each container has a fixed maximum liquid-level gauge.

(b) All containers with more than 250-gallon capacity have a pressure gauge with a dial graduated from 0-400 psi.

(c) The filling connection is fitted with one of the following:

(i) A combination back-pressure check valve and excess-flow valve; or

(ii) One double or two single back-pressure check valves; or

(iii) A positive shut-off valve that has either an internal back-pressure check valve or an internal excess flow valve.

(d) All containers with more than 250-gallon capacity are equipped for spray loading or with an approved vapor return valve.

(e) All vapor and liquid connections have approved excess flow valves or quick-closing internal valves that are only open for operating.

Exception: Safety-relief valves and connections that are specifically exempted by WAC 296-306A-40019(5) are exempt from this requirement.

(f) Fittings are protected from physical damage by a rigid guard. The guard is designed to withstand force from any direction, equal to twice the weight of the container and lading, at a safety factor of four. If the guard is fully enclosed, the safety-relief valves are properly vented through the guard.

(g) If a liquid withdrawal line is installed in the bottom of a container, the connections and hose are at least as high as the lowest horizontal edge of the farm wagon axle.

(h) Both ends of the hose are secure while in transit.

(3) Each side and the rear end of the container must be marked in letters at least four inches high, with the words "ANHYDROUS AMMONIA" or, "CAUTION—AMMONIA," or marked according to DOT regulations.

(4) Farm wagons (implements of husbandry) must meet all state regulations and the following requirements:

(a) All farm wagons must be securely attached to the vehicle drawing them by drawbars with safety chains.

(b) A farm wagon must be constructed so that it will follow the path of the towing vehicle and will prevent the towed wagon from whipping or swerving dangerously from side to side.

(c) All farm wagons must have five gallons or more of readily available clean water.

NEW SECTION

WAC 296-306A-40009 What requirements apply to systems mounted on farm wagons (implements of husbandry) for the application of ammonia? This section applies to systems mounted on farm equipment that are used for the field application of ammonia.

WAC 296-306A-40011 through 296-306A-40037 also apply unless otherwise noted.

(1) All containers must be securely mounted.

(2) Container valves and accessories must meet the following requirements:

(a) Each container has a fixed maximum liquid-level gauge.

(b) The filling connection is fitted with one of the following:

(i) A combination back-pressure check valve and excess-flow valve; or

(ii) One double or two single back-pressure check valves; or

(iii) A positive shut-off valve that has either an internal back-pressure check valve or an internal excess flow valve.

(c) An excess-flow valve is not required in the vapor connection if the controlling orifice is a maximum of 7/16 inch in diameter and the valve is a hand-operated shut-off valve. To assist in filling applicator tanks, you may bleed vapors to the open air, if this requirement is met.

(d) Metering devices may be connected directly to the tank withdrawal valve. You may use a union type connection between the tank valve and metering device. You may use remote mounting of metering devices if the hose meets the requirements of Appendix B. When the applicator tank is trailed and the metering device is remotely mounted, such as on the tractor tool bar, you must use an automatic breakaway type, self-closing coupling.

(e) No excess-flow valve is required in the liquid withdrawal line if the controlling orifice between the contents of the container and the outlet of the shut-off valve is a maximum of 7/16 inch in diameter.

NEW SECTION

WAC 296-306A-40011 What requirements must approved anhydrous ammonia equipment meet? All equipment must be approved by one of the following methods:

(1) The equipment was installed before February 8, 1973, and was approved and tested, and installed according to either the requirements of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(2) The equipment is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

(3)(a) The equipment is a type that no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe; and

(b) The equipment is inspected or tested by an authority responsible for enforcing occupational safety provisions of a law, code, or regulation pertaining to the storage, handling, transport, and use of anhydrous ammonia; and

(c) The equipment is found in compliance with either the requirements of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(4) For a custom-designed and custom-built unit:

(a) You cannot find a nationally recognized testing laboratory or authority responsible for the enforcement of a law, code or regulation pertaining to the storage, transportation and use of anhydrous ammonia that is willing to accept, certify, list, label or determine to be safe your custom equipment; and

(b) You have on file a document attesting to its safe condition following appropriate tests. The document must be signed by a registered professional engineer or qualified person. The document must describe the test bases, test data and results, and also the qualifications of the certifying person.

NEW SECTION

WAC 296-306A-40013 What requirements apply to the construction, original test, and requalification of nonrefrigerated containers? The code is the Unfired Pressure Vessel Code of the American Society of Mechanical Engineers (Section VIII of the ASME Boiler Construction Code), 1952, 1956, 1959, 1962, 1965, 1968 and 1971 editions, the joint code of the American Petroleum Institute and the American Society of Mechanical Engineers (API-ASME Code) 1951 edition, and amendments or later editions, as adopted.

(1) Containers used with systems covered in WAC 296-306A-40005 and 296-306A-40007 must be constructed and tested according to the code.

Exception: Construction under Table UW-12 at a basic joint efficiency of under 80% is prohibited. Containers built according to code are exempt from paragraphs UG-125 to UG-128, inclusive, and paragraphs UG-132 and UG-133 of the code.

Note: This subsection allows the continued use or reinstallation of containers constructed and maintained according to the 1949, 1950, 1952, 1956, 1959, 1962, 1965 and 1968 editions of the Unfired Pressure Vessel Code of the ASME or any revisions thereof in effect at the time of fabrication.

(2) Containers more than 36 inches in diameter or 250 gallons water capacity must be constructed to meet one or more of the following requirements:

(a) Containers must be stress relieved after fabrication according to the code; or

(b) Cold-formed heads, when used, must be stress relieved; or

(c) Hot-formed heads must be used.

(3) Welding to the shell, head, or any other part of the container subject to internal pressure must be according to the code. Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the container manufacturer.

NEW SECTION

WAC 296-306A-40015 How must nonrefrigerated containers and systems (other than DOT containers) be marked? (1) System nameplates, when required, must be permanently attached to the system so they are readily accessible for inspection.

(2) Each container or system covered in WAC 296-306A-40005 and 296-306A-40007 must be marked as follows:

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(a) With indication that the container or system meets the requirements of the code under which the container is constructed.

(b) With indication on the container and system nameplate when the system is designed for underground installation.

(c) With the name and address of the supplier of the container or the trade name of the container and with the date of fabrication.

(d) With the water capacity of the container in pounds at 60°F or gallons, United States standard.

(e) With the design pressure in pounds per square inch gauge.

(f) With the wall thickness of the shell and heads.

(g) With indication of the maximum fill level for liquid anhydrous ammonia between 20°F and 100°F. Markings must be in increments of not more than 20°F.

Exception: Containers with fixed maximum level indicators, such as fixed length dip tubes, or containers that are filled by weight are exempt from this requirement.

(h) With the outside surface area in square feet.

(i) With minimum temperature in Fahrenheit for which the container is designed.

(j) The marking must be on the container itself or on a permanently attached nameplate.

(3) All main operating valves on permanently installed containers with a capacity of over 3,000 water gallons must be identified to show whether the valve is in liquid or vapor service. The valve must be identified as follows:

(a) The word LIQUID (or LIQUID VALVE), VAPOR (or VAPOR VALVE), as appropriate, must be placed on or within twelve inches of the valve by means of a stencil tag or decal.

(b) Liquid valves must be painted orange and vapor valves must be painted yellow. The legend ORANGE-LIQUID, YELLOW-VAPOR must be displayed in one or more conspicuous places at each permanent storage location. The legend must have letters at least two inches high and must be placed against a contrasting background.

NEW SECTION

WAC 296-306A-40017 Where may anhydrous ammonia containers be located? (1) When selecting the location for a storage container, you must take into account the physiological effects of ammonia and adjacent fire hazards. Containers located indoors must be in areas especially approved for container storage.

(2) Containers must be located at least fifty feet from a dug well or other sources of potable water supply, unless the container is a part of a water treatment installation.

(3) Permanent storage containers must be located outside densely populated areas.

(4) Containers must be located according to the following:

Minimum distances (feet) from container to:

Nominal capacity of container	Line of adjoining property that may be built upon, highways & main line of railroad	Place of public assembly	Institution occupancy
Over 500 to 2,000	25	150	250
Over 2,000 to 30,000	50	300	500
Over 30,000 to 100,000	50	450	750
Over 100,000	50	600	1,000

(5) Storage areas must be kept free of readily ignitable materials such as waste, weeds and long dry grass.

NEW SECTION

WAC 296-306A-40019 What requirements apply to container accessories? (1) All accessories must be designed for at least the maximum working pressure of the part of the system on which they are installed. All accessories must be fabricated from materials suitable for anhydrous ammonia service.

(2) All connections to containers must have shut-off valves located as close to the container as practical.

Exception: Safety-relief devices, gauging devices, or those fitted with a No. 54 drill size orifice are exempt from this requirement.

(3) All required excess flow valves must close automatically at the rated flows of vapor or liquid specified by the manufacturer. The connections, lines, valves, and fittings must have a greater capacity than the rated flow of the excess flow valve.

(4) Liquid-level gauging devices that require bleeding to the atmosphere and that are constructed so that outward flow is a maximum of that passed by a No. 54 drill size opening may be installed without excess flow valves.

(5) Openings from the container or through fittings attached directly on container to which pressure gauge connections are made may be installed without excess flow valves if the openings are a maximum of No. 54 drill size.

(6) Required excess flow and back pressure check valves must be located inside the container or outside as close as practical to where the line enters the container. When located outside, the installation must be made to prevent any stress beyond the excess flow or back pressure check valve from causing a break between the container and the valve.

(7) Excess flow valves must be designed with a bypass that is a maximum of No. 60 drill size opening to allow equalization of pressures.

(8) Shut-off valves provided with an excess flow valve must be designed for proper installation in a container connection so that the excess flow valve will close if the shut-off valve breaks.

(9) All excess flow valves must be plainly and permanently marked with the name or trademark of the manufacturer, the catalog number, and the rated capacity.

NEW SECTION

WAC 296-306A-40021 What requirements apply to piping, tubing, and fittings? (1) All piping, tubing and fittings must be made of material suitable for anhydrous ammonia service.

(2) All piping, tubing and fittings must be designed for a pressure of at least the maximum pressure to which they may be subjected in service.

(3) All piping must be well supported and allow for expansion and contraction. All refrigeration system piping must conform to the Refrigeration Piping Code (ANSI B31.5 1966 addenda B31.1a-1968), a section of the American Standard Code for Pressure Piping, as it applies to ammonia.

(4) Piping used on nonrefrigerated systems must meet the requirements of ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe. Pipe must be at least Schedule 40 when joints are welded, or welded and flanged. Pipe must be at least Schedule 80 when joints are threaded. Brass, copper, or galvanized steel pipe or tubing is prohibited.

(5) All metal flexible connections for permanent installations must have a minimum working pressure of 250 psig (safety factor of 4). For temporary installations, you may use hose that meets the requirements of WAC 296-306A-40023.

(6) Cast iron fittings are prohibited. You must use fittings made especially for ammonia service of malleable or nodular iron that meet the requirements of Specification ASTM A47 or ASTM A395.

(7) All piping, tubing, and fittings must allow for expansion, contraction, jarring, vibration, and settling.

(8) You must make adequate provision to protect all exposed piping from physical damage from moving machinery, the presence of automobiles or trucks, or other strain on the piping.

(9) Joint compounds must be resistant to ammonia.

(10) After assembly, all piping and tubing must be tested and proved to be free from leaks at pressure that is at least equal to the normal operating pressure of the system.

NEW SECTION

WAC 296-306A-40023 What specifications must hoses meet? (1) Hose used in ammonia service and subject to container pressure must meet the requirements of the joint Rubber Manufacturers Association and the Fertilizer Institute "Hose Specifications for Anhydrous Ammonia."

(2) Hose subject to container pressure must be designed for a minimum working pressure of 350 psig and a minimum burst pressure of 1750 psig. Hose assemblies must be able to withstand a test pressure of 500 psig.

(3) Hose and hose connections on the low pressure side of flow control or pressure reducing valves on devices discharging to atmospheric pressure must be designed for the maximum low side working pressure. All connections must be designed, constructed, and installed to prevent leaks when connected.

(4) Where liquid transfer hose is not drained after transfer operations, the hose must have an approved shut-off valve at the discharge end. You must provide a method to prevent excessive hydrostatic pressure in the hose. (See WAC 296-306A-40025.)

(5) On all hose 1/2-inch outside diameter and larger, used for the transfer of anhydrous ammonia liquid or vapor, you must ensure that the following information is etched, cast, or impressed at five-foot intervals:

- Anhydrous Ammonia
- xxx psig (Maximum working pressure)
- Manufacturer's Name or Trademark
- Year of Manufacture

NEW SECTION

WAC 296-306A-40025 What requirements apply to safety-relief devices? (1) Every container used in systems covered by WAC 296-306A-400 must have one or more spring-loaded safety-relief valves or the equivalent.

(2) The discharge from safety-relief valves must be vented away from the container, upward, and unobstructed to the atmosphere. All safety-relief valve discharge openings must have suitable raincaps that allow free discharge of the vapor and prevent water from entering. You must provide a method to drain condensate. The rate of discharge must be as follows:

Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air	Surface Area sq. ft.	Flow Rate CFM Air
20	258	185	1,600	900	5,850
25	310	190	1,640	950	6,120
30	360	195	1,670	1,000	6,380
35	408	200	1,710	1,050	6,640
40	455	210	1,780	1,100	6,900
45	501	220	1,850	1,150	7,160
50	547	230	1,920	1,200	7,410
55	591	240	1,980	1,250	7,660
60	635	250	2,050	1,300	7,910
65	678	260	2,120	1,350	8,160
70	720	270	2,180	1,400	8,410
75	762	280	2,250	1,450	8,650
80	804	290	2,320	1,500	8,900
85	845	300	2,380	1,550	9,140
90	885	310	2,450	1,600	9,380
95	925	320	2,510	1,650	9,620
100	965	330	2,570	1,700	9,860
105	1,010	340	2,640	1,750	10,090
110	1,050	350	2,700	1,800	10,330
115	1,090	360	2,760	1,850	10,560
120	1,120	370	2,830	1,900	10,800
125	1,160	380	2,890	1,950	11,030
130	1,200	390	2,950	2,000	11,260
135	1,240	400	3,010	2,050	11,490
140	1,280	450	3,320	2,100	11,720
145	1,310	500	3,620	2,150	11,950
150	1,350	550	3,910	2,200	12,180
155	1,390	600	4,200	2,250	12,400
160	1,420	650	4,480	2,300	12,630
165	1,460	700	4,760	2,350	12,850
170	1,500	750	5,040	2,400	13,080

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175	1,530	800	5,300	2,450	13,300
180	1,570	850	5,590	2,500	13,520

Surface area = total outside surface area of container in square feet. When the surface area is not stamped on the name plate or when the marking is not legible, calculate the area with one of the following formulas:

• Hemispherical heads: Area = (Length in feet) X (outside diameter in feet) X 3.1416.

• Other than hemispherical heads: Area = (Length in feet) + (0.3 outside diameter in feet) X (outside diameter in feet) X 3.1416.

• Spherical container: Area = (outside diameter in feet)^2 X 3.1416.

• Flow rate: CFM air = cubic feet per minute of air required at standard conditions, 60F and atmospheric pressure (14.7 psia).

For containers with total outside surface area greater than 2,500 sq. ft., the formula is: Flow rate CFM air = 22.11 A0.82 where A = outside surface area of the container in square feet.

(3) Container safety-relief valves must be set for start to discharge as follows, according to the design pressure of the container.

Containers	Minimum	Maximum*
ASME U-68, U-69	110%	125%
ASME U-200, U-201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968 or 1971	95%	100%
API-ASME	95%	100%
U.S. Coast Guard	As required by USCG regulations	
DOT	As required by DOT regulations	

*Note: Plus a relief valve manufacturer's tolerance of ten percent.

(4) Safety-relief devices used in systems covered by WAC 296-306A-400 must be constructed to discharge at a rate equal to or greater than the rates required in subsection (2) of this section before the pressure exceeds 120% (not including the tolerance referred to in subsection (3) of this section) of the maximum permitted start-to-discharge pressure setting of the device.

(5) Safety-relief valves must be arranged to minimize tampering. If the pressure setting adjustment is external, the relief valves must have a sealable adjustment.

(6) Shut-off valves installed between the safety-relief valves and the containers or systems described in WAC 296-306A-400 are prohibited.

Exception: A shut-off valve may be used where the arrangement of the valve allows the required capacity flow through the relief valves.

Exception example 1: A three-way valve installed under two safety-relief valves, each of which has the required rate of discharge and is installed to allow either of the safety-relief valves to be closed off, but does not allow both safety valves to be closed off at the same time.

Exception example 2: Two separate relief valves are installed with individual shut-off valves. The two shut-off valve stems must be mechanically interconnected to allow the full required flow of one safety-relief valve at all times.

Exception example 3: A safety-relief valve manifold that allows one valve of two, three, four or more to be closed off and the remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

(7) Safety-relief valves must have direct communication with the vapor space of the container.

(8) Each safety-relief valve used with systems described in WAC 296-306A-400 must be plainly and permanently marked as follows:

(a) With the letters "AA" or the symbol NH3.

(b) The pressure in pounds per square inch gauge (psig) at which the valve is set to start to discharge.

(c) The rate of discharge of the valve in cubic feet per minute of air at 60°F and atmospheric pressure (14.7 psia).

(d) The manufacturer's name and catalog number.

For example: A safety-relief valve marked AA-250-4200 (air) mean the valve is suitable for use on an anhydrous ammonia container; that it is set to start to discharge at 250 psig; and that its rate of discharge is 4,200 cubic feet per minute of air.

(9) No connection to the safety-relief valve may restrict the flow capacity on either the upstream or downstream side.

(10) The manufacturer or supplier of a safety-relief valve manifold must publish complete data showing the flow rating through the combined assembly of the manifold with safety-relief valves installed. The manifold flow rating must be determined by testing the manifold with all but one valve discharging. The flow rate must be determined by the restricted opening or openings or those having the lowest flow. The valve must be marked as required in subsection (7) of this section.

(11) A hydrostatic relief valve must be installed between each pair of valves in the liquid ammonia piping or hose where liquid may be trapped to release into the atmosphere at a safe location.

(12) Discharge from safety-relief devices must not terminate in or beneath any building.

NEW SECTION

WAC 296-306A-40027 What emergency precautions are required when handling anhydrous ammonia? (1) You must train employees required to handle ammonia in the safe operating practices and the proper action to take in an emergency. Employees must be instructed to use the equipment listed in subsection (3) of this section in an emergency.

(2) If ammonia system leaks, the employees trained for and designated to act in emergencies must:

(a) See that anyone not required to deal with an emergency is evacuated from the contaminated area.

(b) Put on a suitable gas mask.

(c) Wear gauntlet type plastic or rubber gloves and wear plastic or rubber suits in heavily contaminated atmospheres.

(d) Shut off the appropriate valves.

(3) All storage systems must have on hand at least the following equipment for emergency and rescue purposes:

(a) *One full face gas mask with anhydrous ammonia refill canisters.

(b) **One pair of protective gloves.

(c) **One pair of protective boots.

(d) **One protective slicker and/or protective pants and jacket.

(e) Easily accessible shower and/or at least 50 gallons of clean water in an open top container.

(f) Tight-fitting vented goggles or one full face shield.

*An ammonia canister is effective for short periods of time in light concentrations of ammonia vapor, generally fifteen minutes in concentrations of 3% and will not protect breathing in heavier concentrations. If ammonia vapors are detected when mask is applied, the concentration is too high for safety. The life of a canister in service is controlled by the percentage of vapors to which it is exposed. Canisters must not be opened until ready for use and should be discarded after use. Unopened canisters may be guaranteed for as long as three years and all should be dated when received. In addition, an independently supplied air mask of the type used by fire departments may be used for severe emergencies.

**Gloves, boots, slickers, jackets, and pants must be made of rubber or other material impervious to ammonia.

(4) Where several persons are usually present, additional safety equipment may be necessary.

(5) Each tank motor vehicle transporting anhydrous ammonia, except farm applicator vehicles, must carry a container of at least five gallons of water and must have a full face gas mask, a pair of tight-fitting goggles or one full face shield. The driver must be instructed in their use and the proper action to take to provide for the driver's safety.

(6) If a leak occurs in transportation equipment and it is impractical to stop the leak, the driver should move the vehicle to an isolated location.

(7) If liquid ammonia contacts the skin or eyes, the affected area should be promptly and thoroughly flushed with water. Do not use neutralizing solutions or ointments on affected areas. A physician must treat all cases of eye exposure to liquid ammonia.

NEW SECTION

WAC 296-306A-40029 What requirements apply to filling densities? Filling density means the percent ratio of the weight of the gas in a container to the weight of water at 60°F that the container will hold. One pound of water equals 27.737 cubic inches at 60°F. To determine the weight capacity of the tank in pounds, the weight of a gallon (231 cubic inches) of water at 60°F in air must be 8.32828 pounds.

(1) The filling densities for nonrefrigerated containers must not exceed the following:

	Aboveground	Underground
(i) Uninsulated	56%	58%
(ii) Insulated	57%	

(iii) DOT containers shall be filled according to DOT regulations.

This corresponds to 82% by volume at -28°F, 85% by volume at 5°F, 87.5% by volume at 30°F, and 90.6% by volume at 60°F.

(2) When containers are filled according to liquid level by any gauging method other than a fixed length dip tube gauge, each container should have a thermometer well so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container corrected to a 60°F basis.

NEW SECTION

WAC 296-306A-40031 What requirements apply to the transfer of liquids? (1) Anhydrous ammonia must always be at a temperature suitable for the material of construction and design of the receiving containers. Ordinary steels are not suitable for refrigerated ammonia. See Appendix R of API Standard 620 "Recommended Rules for Design and Construction of Large Welded Low-Pressure Storage Tanks" for materials for low temperature service.

(2) At least one attendant must supervise the transfer of liquids from the time the connections are first made until they are finally disconnected.

(3) Flammable gases or gases that will react with ammonia (such as air) must not be used to unload tank cars or transport trucks.

(4) Containers must be charged or used only on authorization of the owner.

(5) Containers must be gauged and charged only in the open atmosphere or in buildings approved for that purpose.

(6) Pumps used for transferring ammonia must be recommended and labeled for ammonia service by the manufacturer.

(a) Pumps must be designed for at least 250 psig working pressure.

(b) Positive displacement pumps must have installed, off the discharge port, a constant differential relief valve discharging into the suction port of the pump through a line large enough to carry the full capacity of the pump at relief valve setting. The setting and installation must be according to the pump manufacturer's recommendations.

(c) On the discharge side of the pump, before the relief valve line, there must be a pressure gauge graduated from 0 to 400 psig installed.

(d) Plant piping must contain shut-off valves located as close as practical to pump connections.

(7) Compressors used for transferring or refrigerating ammonia must be recommended and labeled for ammonia service by the manufacturer.

(a) Compressors, except those used for refrigeration, must be designed for at least 250 psig working pressure. Crank cases of compressors not designed to withstand system pressure must be protected with a suitable safety-relief valve.

(b) Plant piping must have shut-off valves located as close as practical to compressor connections.

(c) A safety-relief valve large enough to discharge the full capacity of the compressor must be connected to the discharge before any shut-off valve.

(d) Compressors must have pressure gauges at suction and discharge graduated to at least one and one-half times the maximum pressure that can develop.

(e) Adequate means, such as drainable liquid trap, must be provided on the compressor suction to minimize the entry of liquid into the compressor.

(f) Where necessary to prevent contamination, an oil separator must be provided on the discharge side of the compressor.

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(8) Loading and unloading systems must be protected by suitable devices to prevent emptying of the storage container or the container being loaded or unloaded if the hose is cut. Backflow check valves or properly sized excess flow valves must be installed where necessary to provide this protection. In the event that valves are not practical, remotely operated shut-off valves may be installed.

(9) Meters used to measure liquid anhydrous ammonia must be recommended and labeled for ammonia service by the manufacturer.

(a) Liquid meters must be designed for a minimum working pressure of 250 psig.

(b) The metering system must incorporate devices that will prevent the inadvertent measurement of vapor.

NEW SECTION

WAC 296-306A-40033 What requirements apply to tank car unloading points and operations? (1) Provisions for unloading tank cars must meet DOT requirements.

(2) Unloading operations must be performed by reliable employees who are properly instructed and responsible for careful compliance with all procedures.

(3) Caution signs must be placed on the track or car to give necessary warning to anyone approaching car from the open end of the siding. The signs must be left up until after car is unloaded and disconnected from discharge connections. Signs must be of metal or other suitable material, at least 12 by 15 inches, and bear the words "STOP—Tank car connected" or "STOP—Men at work." The word "STOP" must be in letters at least four inches high and the other words in letters at least two inches high. The letters must be white on a blue background.

(4) The track of a tank car siding must be substantially level.

(5) Brakes must be set and wheels blocked on all cars being unloaded.

(6) Tank cars of anhydrous ammonia must be unloaded only at approved locations meeting the requirements of WAC 296-306A-40025(4) and 296-306A-40031(8).

NEW SECTION

WAC 296-306A-40035 What requirements apply to the liquid-level gauging device? (1) Each container except those filled by weight must have an approved liquid-level gauging device.

(2) All gauging devices must be arranged so that the maximum liquid level to which the container is filled is easily determined.

(3) Gauging devices that require bleeding of the product to the atmosphere such as the rotary tube, fixed tube, and slip tube devices, must be designed so that the maximum opening of the bleed valve is a maximum of No. 54 drill size unless provided with an excess flow valve.

(4) Gauging devices must have a design pressure equal to or greater than the design pressure of the container on which they are installed.

(5) Fixed liquid-level gauges must be designed so that the maximum volume of the container filled by liquid is a maximum of 85% of its water capacity. The coupling into which the fixed liquid-level gauge is threaded must be placed at the 85% level of the container. If located elsewhere, the dip tube of this gauge must be installed so that it cannot be readily removed.

Note: This does not apply to refrigerated storage.

(6) Columnar gauge glasses must be restricted to stationary storage installation. They must have shut-off valves having metallic hand wheels, excess flow valves, and extra heavy glass adequately protected by a metal housing applied by the gauge manufacturer. They must be shielded against the direct rays of the sun.

NEW SECTION

WAC 296-306A-40037 How should aboveground uninsulated containers be maintained? Aboveground uninsulated containers should have a reflective surface maintained in good condition. We recommend white for painted surfaces, but other light reflecting colors are acceptable.

NEW SECTION

WAC 296-306A-40039 What requirements apply to electrical equipment and wiring? (1) Electrical equipment and wiring for use in ammonia installations must be general purpose or weather resistant as appropriate.

(2) Where concentrations of ammonia in the air in excess of 16% by volume are likely to be encountered, electrical equipment and wiring must be specified by and installed according to chapter 296-306A WAC Part T, for Class I, Group D locations.

PART U-2
HAZARDOUS MATERIALS—LIQUIFIED PETROLEUM GAS

NEW SECTION

WAC 296-306A-410 Storage and handling of liquefied petroleum gases.

NEW SECTION

WAC 296-306A-41001 What does this part cover? Chapter 296-306A WAC Part U2 covers the storage and handling of liquefied petroleum gases.

The requirements of WAC 296-306A-410 apply to all LP-gas installations covered by this part.

For additional requirements related to:	**See WAC:**
Cylinder systems	296-306A-415
Systems using non-DOT containers	296-306A-420
LP-gas as a motor fuel	296-306A-425
Storage of containers awaiting use or resale	296-306A-430
LP-gas installations on commercial vehicles	296-306A-435
LP-gas service stations	296-306A-440

NEW SECTION

WAC 296-306A-41003 Which LP-gas installations are not covered by this part? (1) This part does not apply to:

(a) LP-gas refrigerated storage systems;

(b) LP-gas used with oxygen;

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(c) LP-gas used in utility gas plants (covered by the National Fire Protection Association Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants, NFPA No. 59-1968);

(d) Low-pressure (less than 1/2 pound per square inch or 14 inches water column) LP-gas piping systems, and the installation and operation of residential and commercial appliances supplied through such systems. The National Fire Protection Association Standard for the Installation of Gas Appliances and Gas Piping, NFPA 54-1969 apply to these systems.

(2) LP-gas installations, equipment, and appliances that met the requirements of the National Fire Protection Association Standard for the Storage and Handling of Liquefied Petroleum Gases NFPA No. 58-1972, 1973 at the time of manufacture or installation may be used if they do not create a hazard to employees.

NEW SECTION

WAC 296-306A-41005 What definitions apply to this part? "Adequate ventilation," for fire prevention during normal operation, means the concentration of the gas in a gas-air mixture does not exceed 25% of the lower flammable limit.

"Containers" means all vessels, such as tanks, cylinders, or drums, used to transport or store LP-gases.

"DOT" means the federal Department of Transportation.

"DOT container" means a container that meets DOT regulations.

"DOT cylinder" means a cylinder that meets DOT regulations.

"DOT regulations/requirements/specifications" means the DOT regulations of 49 CFR part 178.

"Liquefied petroleum gases" and "LP-gas" means any material that is composed mostly of any of the following: Hydrocarbons, or mixtures of them; propane; propylene; butanes (normal butane or iso-butane); and butylenes.

"PSIA" pounds per square inch absolute.

"PSIG" means pounds per square inch gauge.

"Systems" means an assembly of the container or containers, major devices such as vaporizers, safety-relief valves, excess flow valves, regulators, and piping connecting such parts.

"Vaporizer-burner" means an integral vaporizer-burner unit, dependent upon the heat generated by the burner to vaporize the liquid used for dehydrators or dryers.

NEW SECTION

WAC 296-306A-41007 When must LP-gas be odorized? You must ensure that all LP-gas is odorized by an approved agent to indicate by distinct odor, the presence of gas down to concentration in air of a maximum of 1/5 the lower limit of flammability.

Exception: Odorization is not required if it will create a hazard in further processing, or if it serves no useful purpose as a warning agent.

Note: The odorization requirement may be met by using 1.0 pounds of ethyl mercaptan, 1.0 pounds of thiophene, or 1.4 pounds of amyl mercaptan per ten thousand gallons of LP-gas. You may use any odorant and quantity that meets the requirements of this section.

NEW SECTION

WAC 296-306A-41009 Must LP-gas containers and equipment be approved? (1) Each system of DOT containers must have approved container valves, connectors, manifold valve assemblies, and regulators.

(2) Each non-DOT system using containers of 2,000 gallons or less water capacity, must have a container assembly, one or more regulators, and other necessary parts. The entire system, or the container assembly with the regulators, must be individually listed by a nationally recognized testing laboratory.

"Container assembly" means the container and fittings for all openings, including shut-off vales, excess flow valves, liquid-level gauging devices, safety-relief devices, and protective housing.

(3) In systems using containers of over 2,000 gallons water capacity, each regulator, container, valve, excess flow valve, gauging device, and relief valve, must be listed by a nationally recognized testing laboratory.

(4) All DOT containers must be constructed, tested, and stamped according to the DOT specifications effective at the date of their manufacture.

NEW SECTION

WAC 296-306A-41011 What construction and test requirements must containers meet? (1) Containers must be designed, constructed, and tested according to the *Rules for Construction of Unfired Pressure Vessels, section VIII, Division 1, American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code,* 1968 edition, unless otherwise specified.

(2) Containers constructed according to the 1949 and earlier editions of the ASME Code are exempt from U-2 through U-10 and U-19 of the code. Containers constructed according to U-70 in the 1949 and earlier editions do not meet the requirements of this section.

(3) Containers designed, constructed, and tested prior to July 1, 1961, according to the *Code for Unfired Pressure Vessels for Petroleum Liquids and Gases,* 1951 edition with 1954 Addenda, of the American Petroleum Institute and the American Society of Mechanical Engineers are considered in compliance. Containers constructed according to API-ASME Code do not have to comply with section I or with the appendix to section I. W-601 through W-606 in the 1943 and earlier editions do not apply.

NEW SECTION

WAC 296-306A-41013 How must containers be welded? (1) You must ensure that all welding to the shell, head, or any other part of the container subject to internal pressure, meets the requirements of the code under which the tank was fabricated. You may weld on saddle plates, lugs, or brackets attached to the container by the tank manufacturer.

(2) When you must repair or modify DOT containers by welding, you must return the container to a qualified manufacturer, making containers of the same type, to make the repair or modification according to DOT regulations.

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NEW SECTION

WAC 296-306A-41015 How must containers be marked? (1) You must ensure that containers are marked according to DOT regulations or with the following:

(a) Indication that the container meets the requirements of the code under which it is constructed, and all marks required by that code.

(b) Indication whether the container is designed for underground or aboveground installation or both. If intended for both and different style hoods are provided, the marking must indicate the proper hood for each type of installation.

(c) The name and address of the supplier of the container, or with the trade name of the container.

(d) The water capacity of the container in pounds or gallons, United States standard.

(e) The pressure in psig, for which the container is designed.

(f) The wording "This container must not contain a product with a vapor pressure greater than _ psig at 100°F."

(g) The tare weight, for containers with a water capacity of three hundred pounds or less.

(h) Indication of the maximum fill level for liquid at temperatures between 20°F and 130°F. Markings must be in maximum increments of 20°F. This marking may be located on the liquid level gauging device.

Exception: Containers provided with fixed maximum level indicators or that are filled by weighing are exempt from this requirement.

(i) The outside surface area in square feet.

(2) The markings must be on a metal nameplate attached to the container so that it is visible after the container is installed.

(3) When LP-gas and one or more other gases are stored or used in the same area, the containers must be marked to identify their content. Marking must be according to American National Standard Z48.1-1954, "Method of Marking Portable Compressed Gas Containers to Identify the Material Contained."

NEW SECTION

WAC 296-306A-41017 Where must containers be located? You must ensure that containers are located according to the following:

(1) Containers and first stage regulating equipment are located outdoors.

Containers may be located indoors under any of the following conditions:

(a) In buildings used exclusively for container charging, vaporization pressure reduction, gas mixing, gas manufacturing, or distribution;

(b) When portable use is necessary and meets the requirements of WAC 296-306A-41509;

(c) LP-gas fueled stationary or portable engines that meet the requirements of WAC 296-306A-42521 or 296-306A-42523;

(d) LP-gas fueled industrial trucks that meet the requirements of WAC 296-306A-42525;

(e) LP-gas fueled vehicles garaged according to WAC 296-306A-42527; or

(f) Containers awaiting use or resale when stored according to WAC 296-306A-430.

(2) Each individual container is located away from the nearest important building, group of buildings, or line of adjoining property that may be built on, according to Table U-1.

TABLE U-1
Minimum distances

Water capacity per container	Containers Underground	Aboveground	Between above-ground containers
Less than 125 gals[a]	10 feet	None	None
125-250 gals	10 feet	10 feet	None
251-500 gals	10 feet	10 feet	3 feet
501-2,000 gals	25 feet[b]	25 feet[b]	3 feet
2,001-30,000 gals	50 feet	50 feet	5 feet
30,001-70,000 gals	50 feet	75 feet	1/4 of sum of diameters of adjacent containers
70,001-90,000 gals	50 feet	100 feet	1/4 of sum of diameters of adjacent containers

(a) If the total water capacity of a multicontainer installation at a consumer site is 501 gallons or more, the minimum distance must comply with this table, applying the aggregate capacity instead of the capacity per container. For multiple installations, installations must be at least twenty-five feet apart. Do not apply the MINIMUM DISTANCES BETWEEN ABOVEGROUND CONTAINERS to such installations.

(b) Distance requirements may be reduced to 10 feet for a single container of 1200 gallons water capacity or less, if the container is at least 25 feet from any other LP-gas container of more than 125 gallons water capacity.

(c) In buildings devoted exclusively to gas manufacturing and distributing operations, the distances may be reduced if no containers of more than 500 gallons water capacity are located closer than ten feet to gas manufacturing and distributing buildings.

(3) Containers installed for use must not be stacked one above the other.

(4) In industrial installations involving containers of 180,000 gallons total water capacity or more, where serious exposures from the container to adjacent properties are common, firewalls or other means of protection designed and constructed according to good engineering practices are required.

(5) Readily ignitible material such as weeds and long dry grass is removed within ten feet of any container.

(6) The minimum separation between LP-gas containers and flammable liquid tanks is twenty feet; the minimum separation between a container and the centerline of the dike is ten feet.

Exception: This does not apply when LP-gas containers of 125 gallons or less capacity are installed adjacent to Class III flammable liquid tanks of 275 gallons or less capacity.

(7) The accumulation of flammable liquids under adjacent LP-gas containers is prevented by a means such as diking, diversion curbs, or grading.

(8) When dikes are used with flammable liquid tanks, no LP-gas containers are located within the diked area.

NEW SECTION

WAC 296-306A-41019 What requirements apply to valves and accessories? (1) Valves, fittings, and accessories connected directly to the container including primary shut-off valves, must have a rated working pressure of at least 250 psig and must be of material and design suitable for LP-gas service. The use of cast iron for container valves, fittings, and accessories is prohibited. Container valves may be made of malleable or nodular iron.

(2) Connections to containers must have shut-off valves located as close to the container as practical.

Exception: This does not apply to safety-relief connections, liquid level gauging devices, and plugged openings.

(3) All required excess flow valves must close automatically at the rated flows of vapor or liquid specified by the manufacturer. The connections, lines, valves, and fittings must have a greater capacity than the rated flow of the excess flow valve.

(4) Liquid level gauging devices that are constructed so that outward flow is a maximum of that passed by a No. 54 drill size opening may be installed without excess flow valves.

(5) Openings from container or through fittings attached directly on container to which pressure gauge connection is made, need not have shut-off or excess flow valves if such openings are restricted to not larger than No. 54 drill size opening.

(6) Required excess flow and back pressure check valves must be located inside the container or outside where the line enters the container. When located outside, the installation must be made to prevent any stress beyond the excess flow or back pressure check valve from causing a break between the container and the valve.

Exception: This does not apply to systems using containers with a water capacity greater than 2-1/2 pounds (nominal one pound LP-gas capacity).

(7) Excess flow valves must be designed with a bypass that is a maximum of No. 60 drill size opening to allow equalization of pressures.

(8) Containers of more than 30 gallons water capacity and less than 2,000 gallons water capacity, filled on a volumetric basis, and manufactured after December 1, 1963, must be equipped for filling into the vapor space.

NEW SECTION

WAC 296-306A-41021 What requirements apply to piping, tubing, and fittings? (1) Pipe must be wrought iron or steel (black or galvanized), brass, copper, or aluminum alloy. Aluminum alloy pipe must be at least Schedule 40 according to the specifications for Aluminum Alloy Pipe, ANSI H38.7-1969 (ASTM, B241-1969), and must be suitably marked at each end of each length indicating compliance with ANSI specifications. Alloy 5456 is prohibited.

Exception: This does not apply to piping for LP-gas used as a motor fuel or to piping on commercial vehicles.

(2) Aluminum alloy pipe must be protected against external corrosion whenever:

(a) It is in contact with dissimilar metals other than galvanized steel; or

(b) Its location is subject to repeated wetting by such liquids as water (except rain water), detergents, sewage, or leaking from other piping; or

(c) It passes through flooring, plaster, masonry, or insulation.

Galvanized sheet steel or pipe, galvanized inside and out, are considered suitable protection.

(3) Aluminum pipe must be three-fourths inch nominal and shall not be used for pressures exceeding 20 psig. Aluminum alloy pipe must not be installed within six inches of the ground.

(a) Vapor piping with operating pressures not exceeding 125 psig must be suitable for a working pressure of at least 125 psig. Pipe must be at least Schedule 40 ASTM A-53-69, Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal.

(b) Vapor piping with operating pressures over 125 psig and all liquid piping must be suitable for a working pressure of at least 250 psig. Pipe must be at least Schedule 80 if joints are threaded or threaded and back welded. At least Schedule 40 (ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal) must be used if joints are welded, or welded and flanged.

(4) Tubing must be seamless copper, brass, steel, or aluminum alloy. Copper tubing must be of Type K or L or equivalent as covered in the Specification for Seamless Copper Water Tube, ANSI H23.1-1970 (ASTM B88-1969). Aluminum alloy tubing must be of Type A or B or equivalent as covered in Specification ASTM B210-1968 and must be suitably marked every 18 inches indicating compliance with ASTM specifications. The minimum nominal wall thickness of copper tubing and aluminum alloy tubing must be as specified in Table U-2 and Table U-3.

TABLE U-2
WALL THICKNESS OF COPPER TUBING[1]

Note: The standard tube size is one-eighth-inch smaller than its nominal outside diameter.

Standard	Nominal	Nominal wall thickness (inches)	
size (inches)	O.D. (inches)	Type K	Type L
1/4	0.375	0.035	0.030
3/8	0.500	0.049	0.035
1/2	0.625	0.049	0.040
5/8	0.750	0.049	0.042
3/4	0.875	0.065	0.045
1	1.125	0.065	0.050
1 1/4	1.375	0.065	0.055
1 1/2	1.625	0.072	0.060
2	2.125	0.083	0.070

[1]Based on data in Specification for Seamless Copper Water Tubing, ANSI H23.1-1970 (ASTM B-88-69).

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TABLE U-3
WALL THICKNESS OF ALUMINUM ALLOY TUBING[1]

Outside diameter (inches)	Nominal wall thickness (inches) Type A	Type B
3/8	0.035	0.049
1/2	0.035	0.049
5/8	0.042	0.049
3/4	0.049	0.058

[1]Based on data in Standard Specification for Aluminum-Alloy Drawn Seamless Coiled Tubes for Special Purpose Applications, ASTM B210-68.

(5) Aluminum alloy tubing must be protected against external corrosion whenever:

(a) It is in contact with dissimilar metals other than galvanized steel; or

(b) Its location is subject to repeated wetting by liquids such as water (except rainwater), detergents, sewage, or leakage from other piping; or

(c) It passes through flooring, plaster, masonry, or insulation.

Galvanized sheet steel or pipe, galvanized inside and out, are considered suitable protection.

(6) The maximum outside diameter for aluminum alloy tubing must be three-fourths inch and must not be used for pressures exceeding 20 psig. Aluminum alloy tubing installed within six inches of the ground is prohibited.

(7) In systems where the gas in liquid form enters the building without pressure reduction, only heavy walled seamless brass or copper tubing with an internal diameter a maximum of 3/32 inch, and a wall thickness of at least 3/64 inch shall be used.

Exception: This requirement does not apply to research and experimental laboratories, buildings or separate fire divisions of buildings used exclusively for housing internal combustion engines, and to commercial gas plants or bulk stations where containers are charged, nor to industrial vaporizer buildings, nor to buildings, structures, or equipment under construction or undergoing major renovation.

(8) Pipe joints must be screwed, flanged, welded, soldered, or brazed with a material having a melting point over 1,000°F. Joints on seamless copper, brass, steel, or aluminum alloy gas tubing shall be made by approved gas tubing fittings, or soldered or brazed with a material having a melting point over 1,000°F.

(9) For operating pressures of 125 psig or less, fittings must be designed for a pressure of at least 125 psig. For operating pressures above 125 psig, fittings must be designed for a minimum of 250 psig.

(10) Threaded cast iron pipe fittings are prohibited. Aluminum alloy fittings must be used with aluminum alloy pipe and tubing. Insulated fittings must be used where aluminum alloy pipe or tubing connects with a dissimilar metal. You may use malleable, nodular, or higher strength gray iron for fittings.

Note: Strainers, regulators, meters, compressors, pumps, etc., are not to be considered as pipe fittings.

(11) All materials such as valve seats, packing, gaskets, diaphragms, etc., must be resistant to the action of LP-gas under the service conditions to which they are subjected.

(12) All piping, tubing, or hose must be tested after assembly and proved free from leaks at least normal operating pressures. After installation, piping and tubing of all domestic and commercial systems must be tested and proved free of leaks using a manometer or equivalent device that will indicate a drop in pressure. Test made by flame is prohibited.

(13) You must ensure that piping allows for expansion, contraction, jarring, and vibration, and settling. You may use flexible connections.

(14) Piping outside buildings may be buried, aboveground, or both, but must be well supported and protected against physical damage. Where soil conditions warrant, all piping must be protected against corrosion. Where condensation may occur, the piping must be pitched back to the container, or you must provide a means for revaporization of the condensate.

NEW SECTION

WAC 296-306A-41023 What specifications must hoses meet? (1) Hose shall be fabricated of materials that are resistant to the action of LP-gas in the liquid and vapor phases. If wire braid is used for reinforcing the hose, it must be of corrosion-resistant material such as stainless steel.

(2) Hose subject to container pressure must be marked "LP-gas" or "LPG" at not greater than ten-foot intervals.

(3) Hose subject to container pressure must be designed for a bursting pressure of not less than 1,250 psig.

(4) Hose subject to container pressure must be listed by a nationally recognized testing laboratory.

(5) Hose connections subject to container pressure must be able to withstand, without leaking, a test pressure of not less than 500 psig.

(6) Hose and hose connections on the low-pressure side of the regulator or reducing valve must be designed for a bursting pressure of not less than 125 psig or five times the set pressure of the relief devices protecting that portion of the system, whichever is higher.

(7) Hose may be used on the low-pressure side of regulators to connect to other than domestic and commercial gas appliances under the following conditions:

(a) The appliances connected with hose are portable and need a flexible connection.

(b) For use inside buildings, the hose is of minimum practical length, but is a maximum of six feet. Hose must not extend from one room to another, nor pass through any walls, partitions, ceilings, or floors. Such hose must not be concealed from view or used in a concealed location.

Exception: For use outside of buildings, the hose may exceed this length but must be kept as short as practical.

(c) The hose must be approved and must not be used where it may be exposed to temperatures above 125°F. The hose must be securely connected to the appliance. Rubber slip ends are prohibited.

(d) The shut-off valve for an appliance connected by hose must be in the metal pipe or tubing and not at the appliance end of the hose. When shut-off valves are installed close to each other, precautions must be taken to prevent operation of the wrong valve.

(e) Hose used for connecting to wall outlets must be protected from physical damage.

NEW SECTION

WAC 296-306A-41025 What requirements apply to safety devices? (1) Every container except those constructed according to DOT specifications and every vaporizer (except motor fuel vaporizers and vaporizers described in WAC 296-306A-41029(3) and 296-306A-42007 (6)(a) whether heated by artificial means or not, must have one or more safety-relief valves of spring-loaded or equivalent type. These valves must be arranged to afford free vent to the outer air with discharge not less than five feet horizontally away from any opening into the building that is below such discharge. The rate of discharge must be according to the requirements of subsection (2) or (4) of this section.

(2) Minimum required rate of discharge in cubic feet per minute of air at one hundred twenty percent of the maximum permitted start to discharge pressure for safety-relief valves to be used on containers other than those constructed according to DOT specification must be as follows:

Surface area sq. ft.	Flow rate CFM air	Surface area sq. ft.	Flow rate CFM air	Surface area sq. ft.	Flow rate CFM air
20 or less	626	170	3,620	550	9,470
25	751	175	3,700	600	10,170
30	872	180	3,790	650	10,860
35	990	185	3,880	700	11,550
40	1,100	190	3,960	750	12,220
45	1,220	195	4,050	850	13,540
50	1,330	200	4,130	900	14,190
55	1,430	210	4,300	950	14,830
60	1,540	220	4,470	1,000	15,470
65	1,640	230	4,630	1,050	16,100
70	1,750	240	4,800	1,100	16,720
75	1,850	250	4,960	1,150	17,350
80	1,950	260	5,130	1,200	17,960
85	2,050	270	5,290	1,250	18,570
90	2,150	280	5,450	1,300	19,180
95	2,240	290	5,610	1,350	19,780
100	2,340	300	5,760	1,400	20,380
105	2,440	310	5,920	1,450	20,980
110	2,530	320	6,080	1,500	21,570
115	2,630	330	6,230	1,550	22,160
120	2,720	340	6,390	1,600	22,740
125	2,810	350	6,540	1,650	23,320
130	2,900	360	6,690	1,700	23,900
135	2,990	370	6,840	1,750	24,470
140	3,080	380	7,000	1,800	25,050
145	3,170	390	7,150	1,850	25,620
150	3,260	400	7,300	1,900	26,180
155	3,350	450	8,040	1,950	26,750
160	3,440	500	8,760	2,000	27,310
165	3,530				

Surface area = total outside surface area of container in square feet.

(3) When the surface area is not stamped on the name plate or when the marking is not legible, calculate the area with one of the following formulas:

• Hemispherical heads: Area = (overall length) X (outside diameter) X 3.1416.

• Other than hemispherical heads: Area = (overall length) + 0.3 (outside diameter) X (outside diameter) X 3.1416.

Note: This formula is not exact, but will give results within the limits of practical accuracy for the sole purpose of sizing relief valves.

• Spherical container: Area = (outside diameter)^2 X 3.1416.

• Flow rate: CFM air = required flow capacity in cubic feet per minute of air at standard conditions, 60°F and atmospheric pressure (14.7 psia).

For containers with total outside surface area greater than 2,000 sq. ft., the formula is: Flow rate CFM air = 53.632 A0.82 where A = outside surface area of the container in square feet.

Valves not marked "air" have flow rate marking in cubic feet per minute of LP-gas. These can be converted to ratings in cubic feet per minute of air by multiplying the LP-gas ratings by factors listed below. Air flow ratings can be converted to ratings in cubic feet per minute of LP-gas by dividing the air ratings by the factors listed below.

AIR CONVERSION FACTORS

Container type	100	125	150	175	200
Air conversion factor	1.162	1.142	1.113	1.078	1.010

(4) The minimum required rate of discharge for safety-relief valves for LP-gas vaporizers (steam heated, water heated, and direct fired) must be determined as follows:

(a) Obtain the total surface area by adding the surface area of vaporizer shell in square feet directly in contact with LP-gas and the heat exchanged surface area in square feet directly in contact with LP-gas.

(b) Obtain the minimum required rate of discharge in cubic feet of air per minute, at 60°F and 14.7 psia from subsection (2) of this section, for this total surface area.

(5) Container and vaporizer safety-relief valves must be set to start to discharge, with relation to the design pressure of the container, according to the following:

Containers	Minimum (percent)	Maximum (percent)
ASME Code; Par. U-68, U-69—1949 and earlier editions	110	*125
ASME Code; Par. U-200, U-201—1949 edition	88	*100
ASME Code—1950, 1952, 1956, 1959, 1962, 1965 and 1968 (Division I) editions	88	*100
API—ASME Code—all editions	88	*100
DOT	As prescribed in 49 CFR Chapter I	

* Manufacturers of safety-relief valves are allowed a plus tolerance not exceeding 10% of the set pressure marked on the valve.

(6) Safety-relief devices used with systems employing non-DOT containers must be constructed to discharge at not less than the rates shown in subsection (2) of this section, before the pressure is in excess of 120% of the maximum (not including the 10% referred to in subsection (5) of this

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section) permitted start-to-discharge pressure setting of the device.

(7) In high temperature areas, you must use a lower vapor pressure product or a higher designed pressure vessel to prevent the safety valves from opening. The tanks may be protected by cooling devices such as spraying, shading, or other means.

(8) Safety-relief valves must be arranged to minimize tampering. For external pressure setting or adjustment, the relief valves must have an approved sealable adjustment.

(9) Shut-off valves are prohibited between safety-relief devices and the container, equipment, or piping.

Exception: A shut-off valve may be used where the arrangement of the valve allows the required capacity flow through the safety-relief device.

(10) Safety-relief valves must have direct communication with the vapor space of the container.

(11) Each safety-relief valve must be plainly and permanently marked with the following:

(a) Container type of the pressure vessel on which the valve is designed to be installed;

(b) The pressure in psig at which the valve is set to discharge;

(c) The actual rate of discharge of the valve in cubic feet per minute of air at 60°F and 14.7 psia; and

(d) The manufacturer's name and catalog number.

For example: T200-250-4050 AIR: Indicates that the valve is suitable for use on a Type 200 container, that it is set to start to discharge at 250 psig; and that its rate of discharge is 4,050 cubic feet per minute of air.

(12) Safety-relief valve assemblies and their connections must be large enough to provide the required rate of flow for the container on which they are installed.

(13) A hydrostatic relief valve must be installed between each pair of shut-off valves on LP-gas liquid piping. The start-to-discharge pressure setting of such relief valves must be a maximum of 500 psig. The minimum setting on relief valves installed in piping connected to non-DOT containers shall be 140% of the container relief valve setting. For piping connected to DOT containers, the minimum must be 400 psig. The relief valve should not be installed in the pump discharge piping if the same protection can be provided by installing the relief valve in the suction piping. The start-to-discharge pressure setting of such a relief valve, if installed on the discharge side of a pump, must exceed the maximum pressure permitted by the recirculation device in the system.

(14) The discharge from any safety-relief device must not terminate in or beneath any building.

Exception: This requirement does not apply to relief devices covered by WAC 296-306A-41017(1), 296-306A-41507(1) or 296-306A-41509.

(15) Container safety-relief devices and regulator relief vents must be located at least five feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

NEW SECTION

WAC 296-306A-41027 How must indirect fired vaporizers be constructed and installed? Indirect fired vaporizers utilizing steam, water, or other heating medium must be constructed and installed according to the following:

(1) Vaporizers must be constructed according to the requirements of WAC 296-306A-41011 and must be permanently marked as follows:

(a) With the code marking signifying the specifications to which the vaporizer is constructed;

(b) With the allowable working pressure and temperature for which the vaporizer is designed;

(c) With the sum of the outside surface area and the inside heat exchange surface area expressed in square feet; and

(d) With the name or symbol of the manufacturer.

(2) Vaporizers with an inside diameter of six inches or less exempted by the ASME Unfired Pressure Vessel Code, Section VIII of the ASME Boiler and Pressure Vessel Code, 1968, must have a design pressure of at least 250 psig and need not be permanently marked.

(3) Heating or cooling coils installed inside a storage container are prohibited.

(4) Vaporizers may be installed in buildings, rooms, sheds, or lean-tos used exclusively for gas manufacturing or distribution, or in other light, noncombustible structures that are well ventilated near the floor line and roof.

Exception: When vaporizing and/or mixing equipment is in a structure not used exclusively for gas manufacturing or distribution, the structure or room must be separated from the remainder of the building. The separation must be a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall must have no openings or pipe or conduit passing through it. Such structure or room must have adequate ventilation and must have a roof or at least one exterior wall of lightweight construction.

(5) All DOT vaporizers must have, at or near the discharge, a safety-relief valve providing an effective rate of discharge according to WAC 296-306A-41025.

(6) The heating medium lines into and out of the vaporizer must have a mechanism to prevent the flow of gas into the heat systems in the event of tube rupture in the vaporizer. Vaporizers must have an automatic means to prevent liquid from passing through the vaporizers to the gas discharge piping.

(7) The device that supplies heat to produce steam, hot water, or other heat may be installed in a building, compartment, room, or lean-to ventilated near the floorline and roof to the outside. The device must be separated from all compartments or rooms containing LP-gas vaporizers, pumps, and central gas mixing devices by a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall must have no openings or pipes or conduit passing through it.

Exception: This requirement does not apply to the domestic water heaters that may supply heat for a vaporizer in a domestic system.

(8) Gas-fired heating systems supplying heat exclusively for vaporization must have automatic safety devices to shut off the flow of gas to main burners, if the pilot light should fail.

(9) Vaporizers may be an integral part of a fuel storage container directly connected to the liquid section or gas section or both.

(10) Fusible plugs are prohibited on vaporizers.

(11) Vaporizer houses must not have unprotected drains to sewers or sump pits.

NEW SECTION

WAC 296-306A-41029 How must atmospheric vaporizers be constructed and installed? Atmospheric vaporizers using heat from the ground or surrounding air must be installed as follows:

(1) Buried underground; or

(2) Located inside the building near where the pipe enters the building, if the capacity of the unit does not exceed one quart;

(3) Vaporizers of less than one quart capacity heated by the ground or surrounding air, may be installed without safety-relief valves if tests show that the assembly is safe.

NEW SECTION

WAC 296-306A-41031 How must direct gas-fired vaporizers be constructed and installed? Direct gas-fired vaporizers must be constructed, marked, and installed as follows:

(1) According to the requirements of the *American Society of Mechanical Engineers Boiler and Pressure Vessel Code,* 1968, that apply to the maximum working conditions for which the vaporizer is designed.

(2) With the name of the manufacturer; rated Btu input to the burner; the area of the heat exchange surface in square feet; the outside surface of the vaporizer in square feet; and the maximum vaporizing capacity in gallons per hour.

(3) Vaporizers may be connected to the liquid section or the gas section of the storage container, or both. The container must have a manually operated valve in each connection that completely shuts off when desired, all flow of gas or liquid from container to vaporizer.

(4) Vaporizers with a maximum capacity of 35 gallons per hour must be located at least 5 feet from container shut-off valves. Vaporizers more than 35 gallon capacity but a maximum of 100 gallons per hour must be located at least 10 feet from the container shut-off valves. Vaporizers having a capacity greater than 100 gallons per hour must be located at least 15 feet from container shut-off valves.

(5) Vaporizers may be installed in buildings, rooms, housings, sheds, or lean-tos used exclusively for vaporizing or mixing of LP-gas. Vaporizing housing structures must be noncombustible, and well ventilated near the floorline and the highest point of the roof. When vaporizer and/or mixing equipment is located in a structure or room attached to or within a building, such structure or room must be separated from the remainder of the building by a wall designed to withstand a static pressure of at least 100 pounds per square foot. This wall must have no openings or pipes or conduit passing through it. The structure or room must have adequate ventilation, and a roof or at least one exterior wall of lightweight construction.

(6) Vaporizers must have at or near the discharge, a safety-relief valve providing an effective rate of discharge according to WAC 296-306A-41025. The relief valve must be located where it is not subjected to temperatures over 140°F.

(7) Vaporizers must have suitable automatic means to prevent liquid passing from the vaporizer to the gas discharge piping of the vaporizer.

(8) Vaporizers must have means for manually turning off the gas to the main burner and pilot.

(9) Vaporizers must have automatic safety devices to shut off the flow of gas to main burners if the pilot light should fail. When the flow through the pilot exceeds 2,000 Btu per hour, the pilot also must have an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(10) Pressure regulating and pressure reducing equipment located within 10 feet of a direct fired vaporizer must be separated from the open flame by an airtight noncombustible partition.

(11) Except as provided in subsection (5) of this section, the following minimum distances must be maintained between direct fired vaporizers and the nearest important building, group of buildings, or line of adjoining property that may be built on:

(a) Ten feet for vaporizers with a vaporizing capacity of 15 gallons per hour or less;

(b) Twenty-five feet for vaporizers with a vaporizing capacity of 16-100 gallons per hour;

(c) Fifty feet for vaporizers with a vaporizing capacity over 100 gallons per hour.

(12) Direct fired vaporizers must not raise the product pressure above the design pressure of the vaporizer equipment or above the pressure shown in the second column of Table U-8.

(13) Fusible plugs are prohibited on vaporizers.

(14) Vaporizers must not have unprotected drains to sewers or sump pits.

NEW SECTION

WAC 296-306A-41033 How must direct gas-fired tank heaters be constructed and installed? Direct gas-fired tank heaters must be constructed and installed as follows:

(1) Direct gas-fired tank heaters, and tanks to which they are applied, must only be installed aboveground.

(2) Tank heaters must be permanently marked with the name of the manufacturer, the rated Btu input to the burner, and the maximum vaporizing capacity in gallons per hour.

Note: Tank heaters may be an integral part of a fuel storage container directly connected to the container liquid section, or vapor section, or both.

(3) Tank heaters must have a means for manually turning off the gas to the main burner and pilot.

(4) Tank heaters must have an automatic safety device to shut off the flow of gas to main burners, if the pilot light should fail. When flow through pilot exceeds 2,000 Btu per hour, the pilot also must have an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(5) Pressure regulating and pressure reducing equipment if located within ten feet of a direct fired tank heater must be separated from the open flame by a substantially airtight noncombustible partition.

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(6) The following minimum distances must be maintained between a storage tank heated by a direct fired tank heater and the nearest important building, group of buildings, or line of adjoining property that may be built on:

(a) Ten feet for storage containers of less than 500 gallons water capacity;

(b) Twenty-five feet for storage containers of 500-1,200 gallons water capacity;

(c) Fifty feet for storage containers of over 1,200 gallons water capacity.

(7) No direct fired tank heater may raise the product pressure within the storage container over 75% of the pressure in the second column of Table U-8.

NEW SECTION

WAC 296-306A-41035 How must dehydrators be constructed and installed? The vaporizer section of vaporizer-burners used for dehydrators or dryers must be located outdoors; they must be constructed and installed as follows:

(1) Vaporizer-burners must have a minimum design pressure of 250 psig with a factor safety of five.

(2) Manually operated positive shut-off valves must be located at the containers to shut off all flow to the vaporizer-burners.

(3) Minimum distances between storage containers and vaporizer-burners must be as follows:

Water capacity per container (gallons)	Minimum distances (feet)
Less than 501	10
501 to 2,000	25
Over 2,000	50

(4) The vaporizer section of vaporizer-burners must be protected by a hydrostatic relief valve. The relief valve must be located where it is not subjected to temperatures over 140°F. The start-to-discharge pressure setting must protect the components involved, and be at least 250 psig. The discharge must be directed upward and away from component parts of the equipment and away from operating personnel.

(5) Vaporizer-burners must have means for manually turning off the gas to the main burner and pilot.

(6) Vaporizer-burners must have automatic safety devices to shut off the flow of gas to the main burner and pilot in the event the pilot is extinguished.

(7) Pressure regulating and control equipment must be located or protected so that the temperatures surrounding this equipment shall not exceed 140°F.

Exception: Equipment components may be used at higher temperatures if designed to withstand such temperatures.

(8) Pressure regulating and control equipment when located downstream of the vaporizer must be designed to withstand the maximum discharge temperature of the vapor.

(9) Fusible plugs are prohibited on the vaporizer section of vaporizer-burners.

(10) Vaporizer coils or jackets must be made of ferrous metal or high temperature alloys.

(11) Equipment utilizing vaporizer-burners must have automatic shut-off devices upstream and downstream of the vaporizer section connected so as to operate in the event of excessive temperature, flame failure, and, if applicable, insufficient airflow.

NEW SECTION

WAC 296-306A-41037 What are the maximum filling densities? (1) "Filling density" means the percent ratio of the weight of the gas in a container to the weight of water the container will hold at 60°F. All containers shall be filled according to the filling densities shown in Table U-4.

TABLE U-4
MAXIMUM PERMITTED FILLING DENSITY

Specific Gravity at 60°F (15.6°C)	Aboveground containers: 0 to 1,200 U.S. gals. (1,000 imp. gal. 4,500 liters) total water cap	Aboveground containers: 0 to 1,200 U.S. gals. (1,000 imp. gal. 4,500 liters) total water cap	Underground containers, all capacities
	Percent	Percent	Percent
.496-.503	41	44	45
.504-.510	42	45	46
.511-.519	43	46	47
.520-.527	44	47	48
.528-.536	45	48	49
.537-.544	46	49	50
.545-.552	47	50	51
.553-.560	48	51	52
.561-.568	49	52	53
.569-.576	50	53	54
.577-.584	51	54	55
.585-.592	52	55	56
.593-.600	53	56	57

(2) Any container including mobile cargo tanks and portable tank containers regardless of size or construction, shipped under DOT jurisdiction or constructed according to DOT specifications must be charged according to DOT requirements.

(3) Exception: Portable containers not subject to DOT jurisdiction must be filled either by weight, or by volume using a fixed length dip tube gauging device.

NEW SECTION

WAC 296-306A-41039 What requirements apply to LP-gas in buildings? (1) Vapor may be piped into buildings at pressures over 20 psig only if the buildings or separate areas thereof:

(a) Are constructed according to this section;

(b) Are used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard;

(c) Are buildings, structures, or equipment under construction or undergoing major renovation.

(2) Liquid may be permitted in buildings as follows:

(a) In buildings, or separate areas of buildings, used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard; and when such buildings, or separate areas are constructed according to this section.

(b) In buildings, structures, or equipment under construction or undergoing major renovation if the temporary piping meets the following conditions:

(i) Liquid piping inside the building meets the requirements of WAC 296-306A-41021 and is a maximum of three-fourths iron pipe size. Copper tubing with an outside diameter of 3/4 inch or less may be used if it meets the requirements of Type K of Specifications for Seamless Water Tube, ANSI H23.1-1970 (ASTM B88-1969). (See Table U-2.) All such piping must be protected against construction hazards. Liquid piping inside buildings must be kept to a minimum. Such piping must be securely fastened to walls or other surfaces to provide adequate protection from breakage and located to subject the liquid line to the lowest ambient temperatures.

(ii) A shut-off valve must be installed in each intermediate branch line where it takes off the main line and must be readily accessible. A shut-off valve must also be placed at the appliance end of the intermediate branch line. Such shut-off valve must be upstream of any flexible connector used with the appliance.

(iii) Suitable excess flow valves must be installed in the container outlet line supplying liquid LP-gas to the building. A suitable excess flow valve must be installed immediately downstream of each shut-off valve. Excess flow valves must be installed where piping size is reduced and must be sized appropriately.

(iv) Hydrostatic relief valves must be installed according to WAC 296-306A-41025(13).

(v) Using hose to carry liquid between the container and the building or at any point in the liquid line, except at the appliance connector, is prohibited.

(vi) Where flexible connectors are necessary for appliance installation, such connectors must be as short as practical and must meet the requirements of WAC 296-306A-41021(4) or 296-306A-41023.

(vii) Release of fuel when any section of piping or appliances is disconnected must be minimized by either of the following methods:

(A) Using an approved automatic quick-closing coupling (closing in both directions when coupled in the fuel line); or

(B) Closing the valve nearest to the appliance and allowing the appliance to operate until the fuel in the line is consumed.

(viii) See WAC 296-306A-41509 for the conditions under which portable containers may be brought indoors.

NEW SECTION

WAC 296-306A-41041 What requirements apply to transfer of liquids? When transferring liquids, you must ensure that:

(1) At least one attendant remains close to the transfer connection from the time the connections are first made until they are finally disconnected, during the transfer of the product.

(2) Containers must be filled or used only upon authorization of the owner.

(3) Containers manufactured according to DOT specifications authorized by DOT as a "single trip" or "nonrefillable container" must not be refilled or reused in LP-gas service.

(4) Gas or liquid must not be vented to the atmosphere to assist in transferring contents of one container to another, except as provided in WAC 296-306A-42509(4). A listed pump may use LP-gas in the vapor phase as a source of energy. The gas may be vented to the atmosphere at a rate not to exceed that from a No. 31 drill size opening, if venting and liquid transfer are located at least 50 feet from the nearest important building.

(5) Filling fuel containers for industrial trucks or motor vehicles from industrial bulk storage containers must be performed at least ten feet from the nearest important masonry-walled building or at least twenty-five feet from the nearest important building or other construction and always at least 25 feet from any building opening.

(6) Filling portable containers, containers mounted on skids, fuel containers on farm tractors, or similar applications, from storage containers used in domestic or commercial service, must be performed at least 50 feet from the nearest important building.

(7) The filling connection and the vent from the liquid level gauges in containers, filled at point of installation, must be at least ten feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(8) Fuel supply containers must be gauged and charged only in the open air or in buildings especially provided for that purpose.

(9) Marketers and users must exercise precaution to ensure that only those gases for which the system is designed, examined, and listed, are employed in its operation, particularly with regard to pressures.

(10) Pumps or compressors must be designed for use with LP-gas. When compressors are used they must normally take suction from the vapor space of the container being filled and discharge to the vapor space of the container being emptied.

(11) Pumping systems, when equipped with a positive displacement pump, must include a recirculating device that limits the differential pressure on the pump under normal operating conditions to the maximum differential pressure rating of the pump. The discharge of the pumping system must be protected so that pressure is a maximum of 350 psig. If a recirculation system discharges into the supply tank and contains a manual shut-off valve, an adequate secondary safety recirculation system must be incorporated that has no means of rendering it inoperative. Manual shut-off valves in recirculation systems must be kept open except during an emergency or when repairs are being made to the system.

(12) When necessary, unloading piping or hoses must have suitable bleeder valves for relieving pressure before disconnection.

PERMANENT

(13) Agricultural air moving equipment, including crop dryers, shall be shut down when supply containers are filling unless the air intakes and sources of ignition on the equipment are located 50 feet or more from the container.

(14) Agricultural equipment employing open flames or equipment with integral containers, such as flame cultivators, weed burners, and tractors, must be shut down during refueling.

NEW SECTION

WAC 296-306A-41043 Must workers be trained? Workers performing installation, removal, operation, and maintenance work must be properly trained in that function.

NEW SECTION

WAC 296-306A-41045 What fire protection must be provided for LP-gas installations? (1) Open flames or other sources of ignition are prohibited in vaporizer rooms (except those housing direct-fired vaporizers), pumphouses, container charging rooms or other similar locations. Direct-fired vaporizers are prohibited in pumphouses or container charging rooms.

Note: LP-gas storage containers do not require lightning protection. Since LP-gas is contained in a closed system of piping and equipment, the system need not be electrically conductive or electrically bonded for protection against static electricity. (See NFPA No. 77-1972-1973, Recommended Practice for Static Electricity.)

(2) Open flames (except as provided in subsection (1) of this section), cutting or welding, portable electric tools, and extension lights capable of igniting LP-gas, are prohibited within classified areas specified in Table U-5 unless the LP-gas facilities have been freed of all liquid and vapor, or special precautions observed under carefully controlled conditions.

NEW SECTION

WAC 296-306A-41047 What electrical requirements apply to LP-gas installations? (1) Electrical equipment and wiring must be specified by and installed according to chapter 296-306A WAC Part T, for ordinary locations.

(2) Fixed electrical equipment and wiring installed within classified areas must comply with Table U-5 and must be installed according to chapter 296-306A WAC Part T.

Exception: This provision does not apply to fixed electrical equipment at residential or commercial installations of LP-gas systems, LP-gas used as a motor fuel, or to LP-gas system installations on commercial vehicles.

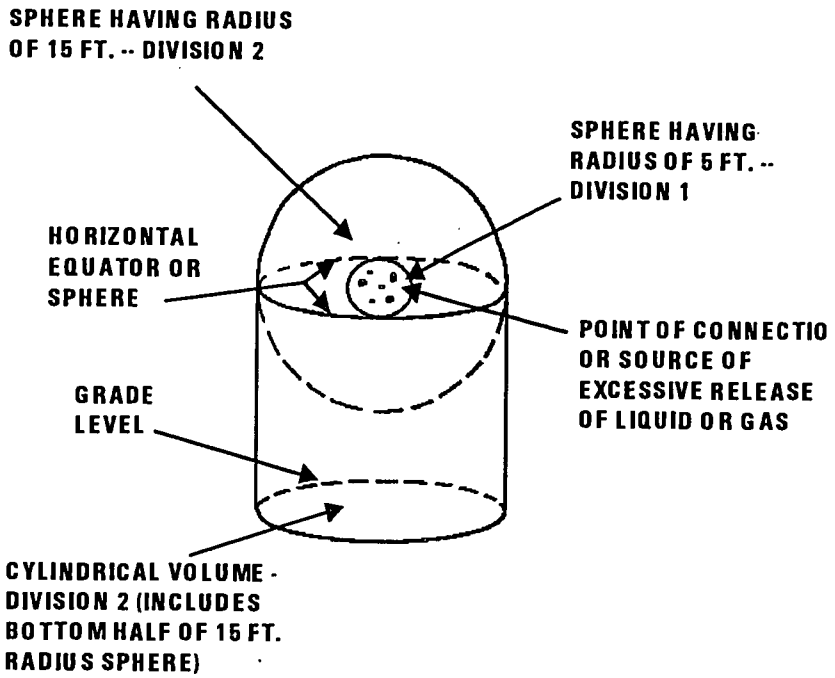
TABLE U-5

Part	Location	Extent of classified area[1]	Equipment shall be suitable for Class I, Group D[2]
A	Storage containers other than DOT cylinders	Within 15 feet in all directions from connections, except connections otherwise covered in this table	Division 2
B	Tank vehicle and tank car loading and unloading[3]	Within 5 feet in all directions from connections regularly made or disconnected for product transfer	Division 1
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Figure H-1)	Division 2
C	Gauge vent openings other than those on DOT cylinders	Within 5 feet in all directions from point of discharge	Division 1
		Beyond 5 feet but within 15 feet in all directions from point of discharge	Division 2
D	Relief valve discharge other than those on DOT cylinders	Within direct path of discharge	Division 1 *Note:* Fixed electrical equipment should not be installed
		Within 5 feet in all directions from point of discharge	Division 1
		Beyond 5 feet but within 15 feet in all directions from point of discharge except within the direct path of discharge	Division 2
E	Pumps, compressors, gas-air mixers and vaporizers other than direct fired		
	Indoors without ventilation	Entire room and any adjacent room not separated by a gastight partition	Division 1
		Within 15 feet of the exterior side of any exterior wall or roof that is not vaportight or within 15 feet of any exterior opening	Division 2
	Indoors with adequate ventilation[4]	Entire room and any adjacent room not separated by a gastight partition	Division 2
	Outdoors in open air at or above grade	Within 15 feet in all directions from this equipment and within the cylindrical volume between the horizontal equator of the sphere and grade (See Figure H-1)	Division 2

F	Service station dispensing units	Entire space within dispenser enclosure, and 18 inches horizontally from enclosure exterior up to an elevation 4 ft. above dispenser base. Entire pit or open space beneath dispenser	Division 1
		Up to 18 inches above grade within 20 ft. horizontally from any edge of enclosure	Division 2
		Note: For pits within this area, see Part F of this table	
G	Pits or trenches containing or located beneath LP-gas valves, pumps, compressors, regulators, and similar equipment		
	Without mechanical ventilation	Entire pit or trench	Division 1
		Entire room and any adjacent room not separated by a gastight partition	Division 2
		Within 15 feet in all directions from pit or trench when located outdoors	Division 2
	With adequate mechanical ventilation	Entire pit or trench	Division 2
		Entire room and any adjacent room not separated by a gastight partition	Division 2
		Within 15 feet in all directions from pit or trench when located outdoors	Division 2
H	Special buildings or rooms for storage of portable containers	Entire room	Division 2
I	Pipelines and connections containing operational bleeds, drips, vents or drains	Within 5 ft. in all directions from point of discharge	Division 1
		Beyond 5 ft. from point of discharge, same as Part E of this table	
J	Container filling		
	Indoors without ventilation	Entire room	Division 1
	Indoors with adequate ventilation[4]	Within 5 feet in all directions from connections regularly made or disconnected for product transfer	Division 1
		Beyond 5 feet and entire room	Division 2
	Outdoors in open air	Within 5 feet in all directions from connections regularly made or disconnected for product transfer	Division 1
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Fig. H-1.)	Division 2

[1]The classified area must not extend beyond an unpierced wall, roof, or solid vaportight partition.
[2]See chapter 296-46 WAC, and chapter 296-306A WAC Part T.
[3]When classifying the extent of a hazardous area, consider the possible variations in the spotting of tank cars and tank vehicles at the unloading points and the effect these variations of actual spotting point may have on the point of connection.
[4]Ventilation, either natural or mechanical, is considered adequate when the concentration of the gas in a gas-air mixture does not exceed twenty-five percent of the lower flammable limit under normal operating conditions.

PERMANENT



PERMANENT

NEW SECTION

WAC 296-306A-41049 What requirements apply to liquid-level gauging devices? (1) Each container manufactured after December 31, 1965, and filled on a volumetric basis must have a fixed liquid-level gauge to indicate the maximum permitted filling level according to subsection (5) of this section. Each container manufactured after December 31, 1969, must have permanently attached to the container adjacent to the fixed level gauge a marking showing the percentage full that will be shown by that gauge. When used with a variable liquid-level gauge, the fixed liquid-level gauge will act as a check on the variable gauge. Gauges must be used in charging containers as required in WAC 296-306A-41034.

(2) All variable gauging devices must be arranged so that the maximum liquid level for butane, for a 50/50 mixture of butane and propane, and for propane, to which the container may be charged, is easily determined. Liquid levels from empty to full must be marked on the system nameplate or gauging device. Dials of magnetic or rotary gauges must show whether they are for cylindrical or spherical containers and whether for aboveground or underground service. The dials of gauges for aboveground containers of over 1,200 gallons water capacity must be so marked.

(3) Gauging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be designed so that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with excess flow valve.

(4) Gauging devices must have a design working pressure of at least 250 psig.

(5) Length of tube or position of fixed liquid-level gauge must be designed to indicate the maximum level to which the container may be filled for the product contained. This level shall be based on the volume of the product at 40°F at its maximum permitted filling density for aboveground containers and at 50°F for underground containers. You must calculate the filling point for which the fixed liquid level gauge must be designed according to this section.

Note: It is impossible to set out in a table the length of a fixed dip tube for various tank capacities because of the various tank diameters and lengths, and because the tank may be installed either vertically or horizontally. If you know the maximum permitted filling volume in gallons, however, you can determine the length of the fixed tube by using a strapping table from the container manufacturer.

The fixed tube should be long enough so that when its lower end touches the surface of the liquid in the container, the contents of the container will be the maximum permitted volume as determined by the following formula:

$$\frac{\text{Water capacity of container}^1 \text{ (gals.)} \times \text{filling density}^2}{\text{Specific gravity of LP-gas}^1 \times \text{volume correction factor}^3 \times 100} = \text{Maximum volume of LP-gas}$$

[1]Measure at 60°F.
[2]From WAC 296-306A-41037(1).
[3]For aboveground containers the liquid temperature is assumed to be 40°F and for underground containers the liquid temperature is assumed to be 50°F. To correct the liquid volumes at these temperatures to 60°F, use the following factors:

(a) To determine maximum volume of LP-gas for which a fixed length of dip tube must be set:

TABLE U-6
VOLUME CORRECTION FACTORS

Specific gravity	Aboveground	Underground
0.500	1.033	1.017

.510	1.031	1.016
.520	1.029	1.015
.530	1.028	1.014
.540	1.026	1.013
.550	1.025	1.013
.560	1.024	1.012
.570	1.023	1.011
.580	1.021	1.011
.590	1.020	1.010

(b) To calculate the maximum volume of LP-gas that can be placed in a container when determining the length of the dip tube expressed as a percentage of total water content of the container, use the formula in (c) of this subsection.

(c) Determine the maximum weight of LP-gas that may be placed in a container for determining the length of a fixed dip tube by multiplying the maximum volume of LP-gas from Table U-6 by the pounds of LP-gas in a gallon at 40°F for aboveground and at 50°F for underground containers. Typical pounds per gallon are specified below:

Example: Assume a one hundred gallon total water capacity tank for aboveground storage of propane having a specific gravity of 0.510 of 60°F.

$$\frac{\text{100 (gals.) x 42 (filling density)}}{\text{0.510 x 1.031 (correction factor from Table U-6) x 100}} = \frac{4200}{52.6}$$

$$\frac{4200}{52.6} = \text{79.8 gallons propane, the maximum amount permitted to be placed in a 100-gallon total water capacity aboveground container equipped with a fixed dip tube.}$$

$$\frac{\text{Maximum volume of LP-gas (from formula in (a) of this subsection) x 100}}{\text{Total water content of container in gallons}} = \text{Maximum percent of LP-gas}$$

	Aboveground, pounds per gallon	Underground, pounds per gallon
Propane	4.37	4.31
N Butane	4.97	4.92

(6) Fixed liquid-level gauges used on non-DOT containers must be stamped on the exterior of the gauge with the letters DT followed by the vertical distance (expressed in inches and carried out to one decimal place) from the top of container to the end of the dip tube or to the centerline of the gauge when located at the maximum permitted filling level. For portable containers that may be filled in the horizontal and/or vertical position the letters DT must be followed by V with the vertical distance from the top of the container to the end of the dip tube for vertical filling, and with H followed by the proper distance for horizontal filling. For DOT containers the stamping must be placed both on the exterior of the gauge and on the container. On aboveground or cargo containers where the gauges are positioned at specific levels, the marking may be specified in percent of total tank contents and the marking must be stamped on the container.

(7) Columnar gauge glasses must be restricted to charging plants where the fuel is withdrawn in the liquid phase only. They must have valves with metallic handwheels, excess flow valves, and extra-heavy glass adequately protected with a metal housing applied by the gauge manufacturer. They must be shielded against the direct rays of the sun. Columnar gauge glasses are prohibited on tank trucks, motor fuel tanks, and containers used in domestic, commercial, and industrial installations.

(8) Float gauging devices or equivalent that do not require flow for their operation and that have connections extending outside the container do not have to have excess flow valves if the piping and fittings are adequately designed to withstand the container pressure and are properly protected against physical damage and breakage.

NEW SECTION

WAC 296-306A-41051 What requirements apply to appliances? (1) New commercial and industrial gas consuming appliances must be approved.

Exception: Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-gas and is in good condition may be used with LP-gas only after it is properly converted, adapted, and tested for performance with LP-gas before the appliance is placed in use.

(2) Unattended heaters used inside buildings for the purpose of animal or poultry production or care must have an approved automatic device designed to shut off the flow of gas to the main burners, and pilot if used, in case the flame goes out.

(3) All commercial, industrial, and agricultural appliances or equipment must be installed according to the requirements of these standards and according to the following:

(a) Domestic and commercial appliances, NFPA 54-1969, Standard for the Installation of Gas Appliances and Gas Piping.

(b) Industrial appliances, NFPA 54A-1969, Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises.

(c) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, NFPA 37-1970.

(d) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment, NFPA 96-1970.

NEW SECTION

WAC 296-306A-415 Cylinder systems.

NEW SECTION

WAC 296-306A-41501 What does this section cover? WAC 296-306A-415 applies to systems using DOT containers. Cylinder systems must meet all requirements of WAC 296-306A-410 (unless otherwise indicated) and the additional requirements of this section.

PERMANENT

NEW SECTION

WAC 296-306A-41503 What is a "cylinder system?" A "cylinder system" includes the container base or bracket, containers, container valves, connectors, manifold valve assembly, regulators, and relief valves.

NEW SECTION

WAC 296-306A-41505 How must containers be marked for cylinder systems? (1) Containers must be marked according to DOT regulations. Additional markings that do not conflict with DOT regulations may be used.

(2) Each container must be marked with its water capacity in pounds or other identified unit of weight.

(3) Exception: If you are the only one who fills and maintains the container and if the water capacity of the container is identified by a code, subsection (2) of this section does not apply.

(4) Each container must be marked with its tare weight in pounds or other identified unit of weight including all permanently attached fittings but not the cap.

NEW SECTION

WAC 296-306A-41507 What additional requirements apply to cylinder systems installed outdoors? (1) Containers must not be buried below ground. However, systems may be installed in a compartment or recess below grade level, such as a niche in a slope or terrace wall that is used for no other purpose, if the container and regulating equipment are not in contact with the ground, and the compartment or recess is drained and ventilated horizontally to the outside air from its lowest level, with the outlet at least 3 feet away from any building opening below the level of the outlet.

(2) Except as provided in WAC 296-306A-41025(14), the discharge from safety-relief devices must be located at least three feet away from any building opening that is below the level of discharge and must not terminate beneath any building unless the space is well ventilated to the outside and is not enclosed on more than two sides.

(3) Containers must be set on firm foundation or otherwise firmly secured; the possible effect of settling on the outlet piping must be guarded against by a flexible connection or special fitting.

NEW SECTION

WAC 296-306A-41509 What additional requirements apply to cylinder system installed indoors? (1) When portable containers are necessary and it is not practical to use them outdoors, containers and equipment may be used indoors only if they meet the requirements of this section.

(a) "Containers in use" means connected for use.

(b) Systems using containers with a water capacity greater than 2-1/2 pounds (nominal one pound LP-gas capacity) must have excess flow valves. Such excess flow valves must be either integral with the container valves or in the connections to the container valve outlets. In either case, an excess flow valve must be installed so that any strain beyond the excess flow valve will not cause breakage between the container and the excess flow valve. The installation of excess flow valves must take into account the type of valve protection provided.

(c) Regulators must be either directly connected to the container valves or to manifolds connected to the container valves. The regulator must be suitable for use with LP-gas. Manifolds and fittings connecting containers to pressure regulator inlets must be designed for at least 250 psig service pressure.

(d) Valves on containers having a water capacity greater than fifty pounds (nominal twenty pounds LP-gas capacity) must be protected while in use.

(e) Aluminum pipe or tubing is prohibited.

(f) Hose must be designed for a working pressure of at least 250 psig. Hose and hose connections shall be listed by a nationally recognized testing laboratory.

(i) Hose must be as short as practical.

(ii) Hose must be long enough to allow required spacing without kinking, straining, or allowing hose to be close enough to a burner to be damaged by heat.

(g) Portable heaters, including salamanders, must have an approved automatic device to shut off the flow of gas to the main burner, and pilot if used, in case the flame goes out. Heaters with inputs above 50,000 Btu manufactured on or after May 17, 1967, and heaters with inputs above 100,000 Btu manufactured before May 17, 1967, must have either:

(i) A pilot that must be lighted and proved before the main burner can be turned on; or

(ii) An electric ignition system;

(iii) Container valves, connectors, regulators, manifolds, piping, and tubing must not be used as structural supports for heaters.

Exception: These requirements do not apply to tar kettle burners, torches, melting pots, nor do they apply to portable heaters under 7,500 Btuh input when used with containers with a maximum water capacity of 2-1/2 pounds.

(h) Containers, regulating equipment, manifolds, piping, tubing, and hose must be located to minimize exposure to abnormally high temperatures (such as may result from exposure to convection or radiation from heating equipment or installation in confined spaces), physical damage, or tampering.

(i) Heat producing equipment must be located and used to minimize the possibility of igniting combustibles.

(j) Containers with water capacity greater than 2-1/2 pounds (nominal one pound LP-gas capacity) connected for use, must stand on a firm and substantially level surface and, when necessary, must be secured in an upright position.

(k) Containers, including the valve protective devices, must be installed to minimize the probability of impingement of discharge of safety-relief devices upon containers.

(2) Containers with a maximum water capacity of 2-1/2 pounds (nominal one pound LP-gas capacity) may be used indoors as part of approved self-contained hand torch assemblies or similar appliances.

(3) When buildings frequented by the public are open to the public, containers may be used for repair or minor renovation as follows:

(a) The maximum water capacity of individual containers must be 50 pounds (nominal twenty pounds LP-gas capacity).

(b) The number of LP-gas containers must not exceed the number of employees assigned to use LP-gas.

(c) Containers with a water capacity greater than 2-1/2 pounds (nominal one pound LP-gas capacity) must be attended at all times.

(4) When buildings frequented by the public are closed to the public, containers may be used in buildings or structures for repairs or minor renovation as follows:

(a) The maximum water capacity of individual containers must be 245 pounds (nominal one hundred pounds LP-gas capacity).

(b) For temporary heating such as curing concrete, drying plaster and similar applications, heaters (other than integral heater-container units) must be located at least six feet from any LP-gas container. You may use heaters specifically designed for attachment to the container or to a supporting standard, if they are designed and installed to prevent direct or radiant heat application from the heater onto the container. Blower and radiant type heater must not be directed toward any LP-gas container within 20 feet.

(c) If two or more heater-container units are located in an unpartitioned area on the same floor, the container or containers of each unit must be separated from the container or containers of any other unit by at least 20 feet.

(d) When heaters are connected to containers for use in an unpartitioned area on the same floor, the total water capacity of containers manifolded together for connection to a heater or heaters shall not be greater than 735 pounds (nominal three hundred pounds LP-gas capacity). Such manifolds must be separated by at least 20 feet.

(e) On floors on which heaters are not connected for use, containers may be manifolded together for connection to a heater or heaters on another floor, if:

(i) The total water capacity of containers connected to any one manifold is a maximum of 2,450 pounds (nominal one thousand pounds LP-gas capacity) and;

(ii) Where more than one manifold having a total water capacity greater than 735 pounds (nominal three hundred pounds LP-gas capacity) are located in the same unpartitioned area, they shall be separated by at least 50 feet.

(f) Containers with a water capacity greater than 2-1/2 pounds (nominal one pound LP-gas capacity) must be attended at all times.

(5) Containers may be used in industrial occupancies for processing, research, or experimental purposes as follows:

(a) The maximum water capacity of individual containers must be 245 pounds (nominal one hundred pounds LP-gas capacity).

(b) Containers connected to a manifold must have a total water capacity of a maximum of 735 pounds (nominal three hundred pounds LP-gas capacity) and only one manifold may be located in the same room unless separated at least 20 feet from a similar unit.

(c) LP-gas in containers for research and experimental use must use the smallest practical quantity.

(6) Containers used in industrial occupancies with essentially noncombustible contents where portable equipment for space heating is essential and where a permanent heating installation is not practical, must meet the requirements of subsection (5) of this section.

(7) Containers may be used in buildings for temporary emergency heating purposes, if necessary to prevent damage to the buildings or contents, when the permanent heating system is temporarily out of service, as follows:

(a) Containers and heaters must meet the requirements of subsection (5) of this section.

(b) The temporary heating equipment must be attended at all times.

(8) Containers may be used temporarily in buildings for training purposes related in installation and use of LP-gas systems, as follows:

(a) The maximum water capacity of individual containers must be 245 pounds (nominal one hundred pounds LP-gas capacity), but the maximum quantity of LP-gas that may be placed in each container is 20 pounds.

(b) If more than one container is located in the same room, the containers must be separated by at least 20 feet.

(c) Containers must be removed from the building when the training class has terminated.

NEW SECTION

WAC 296-306A-41511 What requirements apply to valves and accessories? (1) Valves in the assembly of multiple container systems must be arranged so that containers can be replaced without shutting off the flow of gas in the system.

Note: An automatic changeover device is not required.

(2) Regulators and low-pressure relief devices must be rigidly attached to the cylinder valves, cylinders, supporting standards, the building walls or otherwise rigidly secured and must be installed or protected so that weather will not affect their operation.

(3) Valves and connections to the containers must be protected while in transit, in storage, and while being moved into final use, as follows:

(a) By setting into the recess of the container to prevent the possibility of being struck if the container is dropped on a flat surface; or

(b) By ventilated cap or collar, fastened to the container capable of withstanding a blow from any direction equivalent to that of a 30-pound weight dropped four feet. Construction must ensure that a blow will not be transmitted to the valve or other connection.

(4) When containers are not connected to the system, the outlet valves must be kept tightly closed or plugged, even on empty containers.

(5) Containers having a water capacity in excess of 50 pounds (approximately 21 pounds LP-gas capacity), recharged at the installation, must have excess flow or backflow check valves to prevent the discharge of container contents in case of failure of the filling or equalizing connection.

NEW SECTION

WAC 296-306A-41513 What requirements apply to safety devices for cylinder systems? (1) Containers must have safety devices as required by DOT regulations.

(2) A final stage regulator of an LP-gas system (excluding any appliance regulator) must have, on the low-pressure side, a relief valve that is set to start to discharge within the limits specified in Table U-7.

PERMANENT

TABLE U-7

Regulator delivery pressure	Relief valve start-to-discharge pressure setting (percent of regulator delivery pressure) Minimum	Maximum
1 psig or less	200	300
Above 1 psig but not over 3 psig	140	200
Above 3 psig	125	200

(3) When a regulator or pressure relief valve is used indoors for other than purposes specified in WAC 296-306A-41017(1), the relief valve and the space above the regulator and relief valve diaphragms shall be vented to the outside air with the discharge outlet located at least three feet horizontally away from any building opening that is below such discharge.

Exception: This requirement does not apply to individual appliance regulators when protection is otherwise provided, nor to WAC 296-306A-41509 and 296-306A-41025(14). In buildings devoted exclusively to gas distribution, the space above the diaphragm need not be vented to the outside.

PERMANENT

NEW SECTION

WAC 296-306A-41515 What other requirements apply to cylinder systems? (1) Containers must not be reinstalled unless they are requalified according to DOT regulations.

(2) A product must not be placed in a container marked with a service pressure less than four-fifths of the maximum vapor pressure of product at 130°F.

NEW SECTION

WAC 296-306A-420 Systems using non-DOT containers.

NEW SECTION

WAC 296-306A-42001 What does this section cover? WAC 296-306A-420 applies to systems using storage containers not constructed according to DOT specifications. Non-DOT containers must meet all requirements of WAC 296-306A-410 (unless otherwise indicated) and the additional requirements of this section.

NEW SECTION

WAC 296-306A-42003 How must non-DOT containers be designed and classified? Storage containers must be designed and classified according to Table U-8.

TABLE U-8

Container type	Minimum design pressures of container lb. per sp. in. gauge For gases with vapor press. Not to exceed lb. per sp. in. gauge 100°F (37.8°C.)	1949 and earlier editions of ASME Code (Par. U-68, U-69)	1949 edition of Code (Par. U-200, U-201); 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of ASME Code; All editions of API-ASME Code[3]
80[1]	80[1]	80[1]	100[1]
100	100	100	125
125	125	125	156
150	150	150	187
175	175	175	219
200[2]	215	200	250

[1]New type 80 storage containers have not been authorized since Dec. 31, 1947.

[2]Container type may be increased by increments of 25. The minimum design pressure of containers shall be 100% of the container type designations when constructed under 1949 or earlier editions of the ASME Code (Par. U-68 and U-69). The minimum design pressure of containers shall be 125% of the container type designation when constructed under:

1. The 1949 ASME Code (Par. U-200 and U-201);
2. 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of the ASME Code; and
3. All editions of the API-ASME Code.

[3]Construction of containers under the API-ASME Code is prohibited after July 1, 1961.

NEW SECTION

WAC 296-306A-42005 What requirements apply to valves and accessories, filler pipes, and discharge pipes for non-DOT containers? (1) The filling pipe inlet terminal must not be located inside a building. For containers with a water capacity of 125 gallons or more, such terminals must be located at least 10 feet from any building, and preferably at least 5 feet from any driveway, and must have a protective housing.

(2) The filling connection must be fitted with one of the following:

(a) Combination back-pressure check valve and excess flow valve.

(b) One double or two single back-pressure check valves.

(c) A positive shut-off valve in conjunction with either:

(i) An internal back pressure valve; or

(ii) An internal excess flow valve.

(3) All openings in a container must have approved automatic excess flow valves unless otherwise exempt.

(4) An excess flow valve is not required in the withdrawal service line if the following requirements are met:

(a) The total water capacity is a maximum of 2,000 U.S. gallons.

(b) The discharge from the service outlet is controlled by a manually operated shut-off valve that is:

(i) Threaded directly into the service outlet of the container; or

(ii) Is an integral part of a substantial fitting threaded into or on the service outlet of the container; or

(iii) Threaded directly into a substantial fitting threaded into or on the service outlet of the container.

(c) The shut-off valve is equipped with an attached handwheel or the equivalent.

(d) The controlling orifice between the contents of the container and the outlet of the shut-off valve is a maximum of 5/16 inch in diameter for vapor withdrawal systems and 1/8 inch in diameter for liquid withdrawal systems.

(e) An approved pressure-reducing regulator is directly attached to the outlet of the shut-off valve and is rigidly supported, or an approved pressure-reducing regulator is attached to the outlet of the shut-off valve by means of a suitable flexible connection, if the regulator is adequately supported and properly protected on or at the tank.

(5) All inlet and outlet connections except safety-relief valves, liquid-level gauging devices and pressure gauges on containers of 2,000 gallons water capacity, or more, and on any container used to supply fuel directly to an internal combustion engine, must be labeled to designate whether they communicate with vapor or liquid space. Labels may be on valves.

(6) Instead of an excess flow valve, openings may be fitted with a quick-closing internal valve that must remain closed when not in operation. The internal mechanism for such valves may have a secondary control that must have a fusible plug (not over 220°F melting point) that will cause the internal valve to close automatically in case of fire.

(7) A maximum of two plugged openings may be used on a container of 2,000 gallons or less water capacity.

(8) Containers of 125 gallons water capacity or more manufactured after July 1, 1961, must have an approved device for liquid evacuation, the size of which must be 3/4 inch national pipe thread minimum. A plugged opening does not satisfy this requirement.

NEW SECTION

WAC 296-306A-42007 What additional requirements apply to safety devices for non-DOT containers? (1) All safety devices must comply with the following:

(a) All container safety-relief devices must be located on the containers.

(b) In industrial and gas manufacturing plants, discharge pipe from safety-relief valves on pipe lines within a building must discharge upward and be piped to a point outside a building.

(c) Safety-relief device discharge terminals must be located to provide protection against physical damage and must be fitted with loose raincaps. Return bends and restrictive pipefittings are prohibited.

(d) If desired, discharge lines from two or more safety-relief devices located on the same unit, or similar lines from two or more different units, may be run into a common discharge header, if the cross-sectional area of the header is at least equal to the sum of the cross-sectional area of the individual discharge lines, and the setting of safety-relief valves are the same.

(e) Each storage container of over 2,000 gallons water capacity must have a suitable pressure gauge.

(f) A final stage regulator of an LP-gas system (excluding any appliance regulator) must have, on the low-pressure side, a relief valve that is set to start to discharge within the limits specified in Table U-7.

(g) When a regulator or pressure relief valve is installed indoors, the relief valve and the space above the regulator and relief valve diaphragms must be vented to the outside air with the discharge outlet located not less than 3 feet horizontally away from any opening into the building that is below such discharge.

Exception: This requirement does not apply to individual appliance regulators already protected. In buildings devoted exclusively to gas distribution, the space above the diaphragm need not be vented to the outside.

(2) Safety devices for aboveground containers must be provided as follows:

(a) Containers of 1,200 gallons water capacity or less that may contain liquid fuel when installed aboveground must have the rate of discharge required by WAC 296-306A-41025(2) provided by a spring-loaded relief valve or valves. In addition to the required spring-loaded relief valve, a suitable fuse plug may be used if the total discharge area of the fuse plug for each container does not exceed 0.25 square inch.

(b) The fusible metal of the fuse plugs must have a yield temperature of 208°F minimum and 220°F maximum. Relief valves and fuse plugs must have direct communication with the vapor space of the container.

(c) On a container having a water capacity between 125 and 2,000 gallons, the discharge from the safety-relief valves must be vented away from the container upwards and unobstructed to the open air so that it prevents any impingement of escaping gas upon the container; loose-fitting rain caps shall be used. Suitable provision must be made for draining condensate that may accumulate in the relief valve or its discharge pipe.

(d) On containers of 125 gallons water capacity or less, the discharge from safety-relief devices must be located at least 5 feet horizontally away from any opening into the building below the level of such discharge.

(e) On a container having a water capacity greater than 2,000 gallons, the discharge from the safety-relief valves must be vented away from the container upwards to a point at least 7 feet above the container, and unobstructed to the open air so that it prevents any impingement of escaping gas upon the container; loose-fitting rain caps shall be used. Suitable provision must be made so that any liquid or condensate that may accumulate inside of the safety-relief valve or its discharge pipe will not render the valve inoperative. If a drain is used, the container, adjacent containers, piping, or equipment must be protected against impingement of flame resulting from ignition of product escaping from the drain.

(3) On all containers that are installed underground and that contain no liquid fuel until buried and covered, the rate of discharge of the spring-loaded relief valve installed thereon may be reduced to a minimum of 30% of the rate of discharge specified in WAC 296-306A-41025(2). Containers so protected must remain covered after installation until the liquid fuel has been removed. Containers that may contain liquid fuel before being installed underground and before

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being completely covered with earth are aboveground containers when determining the rate of discharge requirement of the relief valves.

(4) On underground containers of over 2,000 gallons water capacity, the discharge from safety-relief devices must be piped directly upward to a point at least 7 feet above the ground.

(5) Where the manhole or housing may become flooded, the discharge from regulator vent lines must be above the highest probable water level. All manholes or housings must have ventilated louvers or equivalent, and the area of openings must be equal to or exceed the combined discharge areas of the safety-relief valves and other vent lines that discharge their content into the manhole housing.

(6) Safety devices for vaporizers must be provided as follows:

(a) Vaporizers of less than 1 quart total capacity, heated by the ground or the surrounding air, need not have safety-relief valves if adequate tests demonstrate that the assembly is safe without safety-relief valves.

(b) Fusible plugs are prohibited on vaporizers.

(c) In industrial and gas manufacturing plants, safety-relief valves on vaporizers within a building must be piped to a point outside the building and be discharged upward.

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NEW SECTION

WAC 296-306A-42009 When may non-DOT containers be reinstalled? Containers may be reinstalled if they are free from harmful external corrosion or other damage. Where containers are reinstalled underground, the corrosion resistant coating must be put in good condition. Where containers are reinstalled aboveground, the safety devices and gauging devices must meet all requirements for aboveground containers.

NEW SECTION

WAC 296-306A-42011 What is the maximum capacity allowed for non-DOT containers? A non-DOT storage container must have a maximum 90,000 gallons water capacity.

NEW SECTION

WAC 296-306A-42013 How must non-DOT containers be installed? (1) Containers installed aboveground must have substantial masonry or noncombustible structural supports on firm masonry foundation, unless otherwise indicated.

(2) Aboveground containers must be supported as follows:

(a) Horizontal containers must be mounted on saddles that permit expansion and contraction. Structural metal supports may be used when they are protected against fire. Suitable means of preventing corrosion must be provided on that portion of the container in contact with the foundations or saddles.

(b) Containers of 2,000 gallons water capacity or less may be installed with nonfireproofed ferrous metal supports if mounted on concrete pads or footings, and if the distance from the outside bottom of the container shell to the concrete pad, footing, or the ground is a maximum of 24 inches.

(3) Any container may be installed with nonfireproofed ferrous metal supports if mounted on concrete pads or footings, and if the distance from the outside bottom of the container to the ground is a maximum of 5 feet, if the container is in an isolated location.

(4) Partially buried containers must meet the following requirements:

(a) The portion of the container below the surface and for a vertical distance not less than 3 inches above the surface of the ground is protected to resist corrosion, and the container is protected against settling and corrosion as required for fully buried containers.

(b) Partially buried containers must meet the same spacing requirements as underground tanks.

(c) Relief valve capacity must be the same as for aboveground containers.

(d) Container is protected against vehicular damage by location or other means.

(e) Partially buried containers must meet the same requirements for filling densities as for aboveground containers.

(5) Containers buried underground must be placed so that the top of the container is at least 6 inches below grade. Underground containers subject to abrasive action or physical damage must be:

(a) Placed not less than 2 feet below grade; or

(b) Otherwise protected against such physical damage.

It is not necessary to cover the portion of the container to which manhole and other connections are affixed. When necessary to prevent floating, containers must be securely anchored or weighted.

(6) Containers must be given a protective coating before being placed underground. This coating must be equivalent to hot-dip galvanizing or to two coatings of red lead followed by a heavy coating of coal tar or asphalt. In lowering the container into place, take care to prevent damage to the coating. Any damage to the coating must be repaired before backfilling.

Containers must be set on a firm foundation (firm earth may be used) and surrounded with earth or sand firmly tamped in place. Backfill should be free of rocks or other abrasive materials.

(7) Containers with foundations attached (portable or semiportable containers with suitable steel runners or skids popularly known as "skid tanks") must meet the requirements of WAC 296-306A-410 and the following:

(a) If they are to be used at a given general location for a temporary period of 6 months at most, they may be without fire-resisting foundations or saddles but must have adequate ferrous metal supports.

(b) They must not be located with the outside bottom of the container shell more than 5 feet above the surface of the ground unless fire-resisting supports are provided.

(c) The bottom of the skids must be between 2 and 12 inches below the outside bottom of the container shell.

(d) Flanges, nozzles, valves, fittings, and the like, having communication with the interior of the container, must be protected against physical damage.

(e) When not permanently located on fire-resisting foundations, piping connections must be flexible enough to minimize breakage or leakage of connections if the container settles, moves, or is otherwise displaced.

(f) Skids, or lugs for attachment of skids, must be secured to the container according to the rules under which the container is designed and built (with a minimum factor of safety of four) to withstand loading in any direction equal to four times the weight of the container and attachments when filled to the maximum permissible loaded weight.

(8) Field welding where necessary must be made only on saddle plates or brackets that were applied by the manufacturer of the tank.

(9) For aboveground containers, secure anchorage or adequate pier height must be provided against possible container flotation wherever high floodwater might occur.

(10) When permanently installed containers are interconnected, you must allow for expansion, contraction, vibration, and settling of containers, and interconnecting piping. Where flexible connections are used, they must be approved and designed for a bursting pressure of at least five times the vapor pressure of the product at 100°F. Nonmetallic hose is prohibited for permanently interconnecting containers.

(11) Container assemblies listed for interchangeable installation aboveground or underground must meet the requirements for aboveground installations for safety-relief capacity and filling density. For installation aboveground all other requirements for aboveground installations apply. For installation underground all other requirements for underground installations apply.

NEW SECTION

WAC 296-306A-42015 How must non-DOT containers be protected? (1) Valves, regulating, gauging, and other container accessory equipment must be protected against tampering and physical damage. Such accessories must also be protected during the transit of containers intended for installation underground.

(2) On underground or combination aboveground-underground containers, the service valve handwheel, the terminal for connecting the hose, and the opening through which there can be a flow from safety-relief valves must be at least 4 inches above the container and this opening must be located in the dome or housing. Underground systems must be installed so that all openings, including the regulator vent, are located above the normal maximum water table.

(3) All connections to the underground containers must be located within a substantial dome, housing, or manhole, with access protected by a substantial cover.

NEW SECTION

WAC 296-306A-42017 What requirements apply to non-DOT containers in industrial plants? General provisions applicable to systems in industrial plants (of 2,000 gallons water capacity and more) and to bulk filling plants.

(1) When standard watch service is provided, it must be extended to the LP-gas installation and personnel shall be properly trained.

(2) If loading and unloading are normally done during the night, adequate lights must be provided to illuminate storage containers, control valves, and other equipment.

(3) Suitable roadways or means of access for extinguishing equipment such as wheeled extinguishers or fire department apparatus must be provided.

(4) To minimize trespassing or tampering, the area that includes container accessories, pumping equipment, loading and unloading facilities, and cylinder-filling facilities must be enclosed with at least a 6-foot-high industrial fence unless otherwise adequately protected. There must be at least two means of emergency access.

NEW SECTION

WAC 296-306A-42019 What requirements apply to container-charging plants? (1) The container-charging room must be located at least:

(a) Ten feet from bulk storage containers.

(b) Twenty-five feet from line of adjoining property that may be built on.

(2) Tank truck filling station outlets must be located at least:

(a) Twenty-five feet from line of adjoining property that may be built on.

(b) Ten feet from pumps and compressors if housed in one or more separate buildings.

(3) The pumps or compressors may be located in the container-charging room or building, in a separate building, or outside of buildings. When housed in separate building, such building (a small noncombustible weather cover is not to be construed as a building) must be located at least:

(a) Ten feet from bulk storage tanks.

(b) Twenty-five feet from line of adjoining property that may be built on.

(c) Twenty-five feet from sources of ignition.

(4) When a part of the container-charging building is to be used for a boiler room or where open flames or similar sources of ignition exist or are employed, the space to be occupied must be separated from container charging room by a partition wall or walls of fire-resistant construction continuous from floor to roof or ceiling. Such separation walls must be without openings and must be joined to the floor, other walls, and ceiling or roof to provide a permanent gas-tight joint.

NEW SECTION

WAC 296-306A-42021 What fire protection must be provided for non-DOT containers? (1) Each bulk plant must have at least one approved portable fire extinguisher with a minimum rating of 12-B, C.

(2) In industrial installations involving containers of 150,000 gallons aggregate water capacity or more, you must provide an adequate supply of water at the container site for fire protection in the container area, unless other adequate means for fire control are provided. Water hydrants must be readily accessible and spaced to provide water protection for all containers. Enough firehose must be provided to facilitate easy movement of the hose in the container area. You should equip the outlet of each hose line with a combination fog nozzle. A shelter must be provided to protect the hose and its conveyor from the weather.

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NEW SECTION

WAC 296-306A-42023 What other requirements apply to non-DOT containers? (1) Aboveground containers must be kept properly painted.

(2) Vaporizers for internal combustion engines must meet the requirements of WAC 296-306A-42515.

(3) Gas regulating and mixing equipment for internal combustion engines must meet the requirements of WAC 296-306A-42517.

(4) Where vaporized gas on the low-pressure side of the system may condense to a liquid at normal operating temperatures and pressures, means must be provided to revaporize condensate.

(5) You must protect LP-gas systems against damage from vehicular traffic.

(6) Avoid the use of pits when possible, except pits fitted with automatic flammable vapor detecting devices. No drains or blowoff lines must be directed into or in proximity to sewer systems used for other purposes.

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NEW SECTION

WAC 296-306A-425 LP-gas as a motor fuel.

NEW SECTION

WAC 296-306A-42501 What does this section cover? (1) WAC 296-306A-425 applies to internal combustion engines, fuel containers, and pertinent equipment for the use of LP-gases as a motor fuel on easily movable, readily portable units including self-propelled vehicles. This section does not apply to containers for transportation of LP-gases nor to marine fuel use.

(2) All uses of LP-gas as a motor fuel must meet all requirements of WAC 296-306A-410 (unless otherwise indicated) and the additional requirements of this section.

NEW SECTION

WAC 296-306A-42503 What general requirements apply to LP-gas used as a motor fuel? (1) Fuel may be used from the cargo tank of a truck while in transit, but not from cargo tanks on trailers or semitrailers. Fuel may be used from the cargo tanks to operate stationary engines if the wheels are securely blocked.

(2) Passenger-carrying vehicles must not be fueled while passengers are on board.

(3) Industrial trucks (including lift trucks) equipped with permanently mounted fuel containers must be charged outdoors. Charging equipment must meet the requirements of WAC 296-306A-440.

(4) LP-gas fueled industrial trucks must comply with the Standard for Type Designations, Areas of Use, Maintenance and Operation of Powered Industrial Trucks, NFPA 505-1969.

(5) Engines on vehicles must be shut down while fueling if the fueling operation involves venting to the atmosphere.

NEW SECTION

WAC 296-306A-42505 How must fuel containers be designed and classified? (1) Containers must meet the following requirements:

		Minimum design pressure of container lb. per sp. in. gauge	
Container type	**For gases with vapor press. Not to exceed lb. per sp. in. gauge at 100°F (37.8°C.)**	**1949 and earlier editions of ASME Code (Par. U-68, U-69)**	**1949 edition of ASME Code (Par. U-200, U-201); editions 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of ASME Code; All editions of API-ASME Code[2]**
200[1]	215	200	250

[1]Container type may be increased by increments of 25. The minimum design pressure of containers shall be 100% of the container type designation when constructed under 1949 or earlier editions of the ASME Code (Par. U-68 and U-69). The minimum design pressure of containers shall be 125% of the container type designation when constructed under:
1. The 1949 ASME Code (Par. U-200 and U-201);
2. 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of the ASME Code; and
3. All editions of the API-ASME Code.

[2]Construction of containers under the API-ASME Code is prohibited after July 1, 1961.

Exception: Fuel containers for use in industrial trucks (including lift trucks) shall be either DOT containers authorized for LP-gas service having a minimum service pressure of 240 psig or minimum Container Type 250. Under 1950 and later ASME Codes, this means a 312.5-psig design pressure container.

(2) DOT containers used as fuel containers must meet all requirements of this section.

(3) All container inlets and outlets except safety-relief valves and gauging devices must be labeled to designate whether they communicate with vapor or liquid space. (Labels may be on valves.)

NEW SECTION

WAC 296-306A-42507 How must fuel containers be installed? (1) Containers must be located to minimize the possibility of damage to the container. Containers located in the rear of trucks and buses, when protected by substantial bumpers meet this requirement. Fuel containers on passenger-carrying vehicles must be installed as far from the engine as is practical, and the passenger space and any space containing radio equipment must be sealed from the container space to prevent direct seepage of gas to these spaces. The container compartment must be vented to the outside. In case the fuel container is mounted near the engine or the exhaust system, the container must be shielded against direct heat radiation.

(2) Containers must be installed with as much clearance as practical and at least the minimum road clearance of the vehicle under maximum spring deflection. This minimum clearance must be to the bottom of the container or to the lowest fitting on the container or housing, whichever is lower.

(3) Permanent and removable fuel containers must be securely mounted to prevent jarring loose, slipping, or rotating, and the fastenings must be designed and constructed to withstand static loading in any direction equal to twice the weight of the tank and attachments when filled with fuel using a safety factor of at least four based on the ultimate strength of the material to be used. Field welding, when necessary, must be made only on saddle plates, lugs or brackets, attached to the container by the manufacturer.

(4) Fuel containers on buses must be permanently installed.

(5) Containers from which only vapor is to be withdrawn must be installed and equipped with suitable connections to minimize the accidental withdrawal of liquid.

NEW SECTION

WAC 296-306A-42509 What requirements apply to valves and accessories? (1) Container valves and accessories must have a rated working pressure of at least 250 psig, and must be suitable for LP-gas service.

(2) The filling connection must be fitted with an approved double back-pressure check valve, or a positive shut off in conjunction with an internal back-pressure check valve. On a removable container the filler valve may be a hand operated shut-off valve with an internal excess flow valve. Main shut-off valves on the container on liquid and vapor must be readily accessible.

(3) Filling connections equipped with approved automatic back-pressure check valves, and safety-relief valves, all connections to the containers having openings for the flow of gas in excess of a No. 54 drill size must have approved automatic excess flow valves to prevent discharge of content in case connections are broken.

(4) Liquid-level gauging devices must meet the following requirements:

(a) Variable liquid-level gauges that require the venting of fuel to the atmosphere are prohibited on fuel containers of industrial trucks (including lift trucks).

(b) On portable containers that may be filled in the vertical and/or horizontal position, the fixed liquid-level gauge must indicate maximum permitted filling level for both vertical and horizontal filling with the container oriented to place the safety-relief valve in communication with the vapor space.

(c) For containers used solely in farm tractor service and charged at a point at least 50 feet from any important building, the fixed liquid-level gauging device may be constructed so that the outward flow of container content exceeds that passed by a No. 54 drill size opening, but must never exceed that passed by a No. 31 drill-size opening. An excess flow valve is not required. Fittings equipped with restricted drill size opening and the container on which they are used must be marked to indicate the size of the opening.

(d) All valves and connections on containers must be adequately protected to prevent damage due to accidental contact with stationary objects or from loose objects thrown up from the road. All valves must be safeguarded against damage due to collision, overturning or other accident. Farm tractors where parts of the vehicle provide protection to valves and fittings meet this requirement. However, on removable type containers the protection for the fittings must be permanently attached to the container.

(e) You should normally exchange removable fuel outdoors. When removable fuel containers are used, means shall be provided in the fuel system to minimize the escape of fuel when the containers are exchanged. You must use one of the following methods:

(i) Using an approved automatic quick-closing coupling (a type closing in both directions when uncoupled) in the fuel line; or

(ii) Closing the valve at the fuel container and allowing the engine to run until the fuel in the line is consumed.

NEW SECTION

WAC 296-306A-42511 What requirements apply to piping, tubing, and fittings? (1) Pipe from fuel container to first-stage regulator must be at least schedule 80 wrought iron or steel (black or galvanized), brass or copper; or seamless copper, brass, or steel tubing. Steel tubing must have a minimum wall thickness of 0.049 inch. Steel pipe or tubing must be adequately protected against exterior corrosion. Copper tubing must be types K or L or equivalent with a minimum wall thickness of 0.032 inch. Approved flexible connections may be used between container and regulator or between regulator and gas-air mixer. Using aluminum pipe or tubing is prohibited. For removable containers, an approved flexible connection must be used between the container and the fuel line.

(2) All piping must be installed, braced, and supported to minimize vibration strains or wear.

NEW SECTION

WAC 296-306A-42513 What requirements apply to safety devices? (1) Spring-loaded internal safety-relief valves must be used on all motor fuel containers.

(2) The discharge outlet from safety-relief valves must be located on the outside of enclosed spaces and as far as practical from possible sources of ignition, and vented upward within 45 degrees of the vertical to prevent impingement of escaping gas upon containers, or parts of vehicles, or on vehicles in adjacent lines of traffic. A rain cap or other protector must be used to keep water and dirt from collecting in the valve.

(3) When a discharge line from the container safety-relief valve is used, the line shall be metallic, other than aluminum, and must be sized, located, and maintained so as not to restrict the required flow of gas from the safety-relief valve. The discharge line must be able to withstand the pressure resulting from the discharge of vapor when the safety-relief valve is in the full open position. Flexible metal hose or tubing must be used when necessary.

(4) Portable containers equipped for volumetric filling may be filled in either the vertical or horizontal position only when oriented to place the safety-relief valve in communication with the vapor space.

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NEW SECTION

WAC 296-306A-42515 What requirements apply to vaporizers? (1) Vaporizers, their parts, and other devices that may be subjected to container pressure must have a design pressure of at least 250 psig.

(2) Each vaporizer must have a valve or suitable plug that will permit substantially complete draining of the vaporizer. It must be located at or near the lowest portion of the section occupied by the water or other heating medium.

(3) Vaporizers must be securely fastened to minimize the possibility of loosening.

(4) Each vaporizer must be permanently marked at a visible point as follows:

(a) With the design pressure of the fuel-containing portion in psig.

(b) With the water capacity of the fuel-containing portion of the vaporizer in pounds.

(5) Devices to supply heat directly to a fuel container must have an automatic device to cut off the supply of heat before the pressure inside the fuel container reaches 80% of the start-to-discharge pressure setting of the safety-relief device on the fuel container.

(6) Engine exhaust gases may be used as a direct source of heat supply for the vaporization of fuel if the materials of construction of those parts of the vaporizer in contact with exhaust gases are resistant to the corrosive action of exhaust gases and the vaporizer system is designed to prevent excessive pressures.

(7) Fusible plugs are prohibited on vaporizers.

NEW SECTION

WAC 296-306A-42517 What requirements apply to gas regulating and mixing equipment? (1) Approved automatic pressure reducing equipment must be installed securely between the fuel supply container and gas-air mixer to reduce the pressure of the fuel delivered to the gas-air mixer.

(2) An approved automatic shut-off valve must be provided in the fuel system at some point ahead of the inlet of the gas-air mixer, designed to prevent flow of fuel to the mixer when the ignition is off and the engine is not running. For industrial trucks and engines operating in buildings other than those used exclusively to house engines, the automatic shut-off valve must be designed to operate if the engine stops. Atmospheric regulators (zero governors) are adequate as an automatic shut-off valve only in cases of outdoor operation such as farm tractors, construction equipment, irrigation pump engines, and other outdoor stationary engine installations.

(3) The source of air for combustion must be completely isolated from the passenger compartment, ventilating system, or air-conditioning system.

NEW SECTION

WAC 296-306A-42519 What is the maximum container capacity allowed? A single fuel container used on passenger carrying vehicles must have a maximum of 200 gallons water capacity. A single fuel container on other vehicles normally operating on the highway must have a maximum of 300 gallons water capacity except as provided in WAC 296-306A-42503(1).

NEW SECTION

WAC 296-306A-42521 What requirements apply to stationary engines used indoors? Stationary engines and gas turbines installed in buildings, including portable engines used instead of or to supplement stationary engines, must comply with the Standard for the Institution and Use of Stationary Combustion Engines and Gas Turbines, NFPA 37-1970, and the appropriate requirements of WAC 296-306A-410 through 296-306A-420.

NEW SECTION

WAC 296-306A-42523 What requirements apply to portable engines used indoors? (1) Portable engines may be used in buildings only for emergency use, and according to WAC 296-306A-42521.

(2) Exhaust gases must be discharged outside the building or to an area where they will not constitute a hazard.

(3) Provision must be made to supply sufficient air for combustion and cooling.

(4) An approved automatic shut-off valve must be provided in the fuel system ahead of the engine, designed to prevent flow of fuel to the engine when the ignition is off or if the engine should stop.

NEW SECTION

WAC 296-306A-42525 What requirements apply to industrial trucks used indoors? (1) LP-gas-fueled industrial trucks may be used in buildings and structures.

(2) No more than two LP-gas containers must be used on an industrial truck for motor fuel purposes.

(3) LP-gas-fueled industrial trucks may be used in buildings frequented by the public, when occupied by the public. The total water capacity of containers on each industrial truck must be a maximum of 105 pounds (nominal 45 pounds LP-gas).

(4) Trucks must be attended at all times in areas occupied by the public.

(5) Industrial trucks must not be parked and left unattended in areas of possible excessive heat or sources of ignition.

NEW SECTION

WAC 296-306A-42527 How must LP-gas-fueled vehicles be garaged? (1) LP-gas-fueled vehicles may be stored or serviced inside garages if there are no leaks in the fuel system and the fuel tanks are not filled beyond the maximum filling capacity allowed.

(2) LP-gas-fueled vehicles being repaired in garages must have the container shut-off valve closed except when fuel is required for engine operation.

(3) Such vehicles must not be parked near sources of heat, open flames, or similar sources of ignition or near open pits unless such pits are adequately ventilated.

PERMANENT

NEW SECTION

WAC 296-306A-430 Storage of containers awaiting use or resale.

NEW SECTION

WAC 296-306A-43001 What does this section cover? WAC 296-306A-430 applies to the storage of portable containers a maximum of 1,000 pounds water capacity, filled or partially filled, at user location but not connected for use, or in storage for resale by dealers or resellers. This section does not apply to containers stored at charging plants or at plants devoted primarily to the storage and distribution of LP-gas or other petroleum products.

NEW SECTION

WAC 296-306A-43003 What general requirements apply to storage of containers? (1) Containers in storage must be located to minimize exposure to excessive temperature rise, physical damage, or tampering.

(2) Containers stored inside must be located away from exits, stairways, or in areas normally used or intended for the safe exit of people.

(3) Container valves must be protected while in storage as follows:

(a) By setting into recess of container to prevent the possibility of their being struck if the container is dropped upon a flat surface; or

(b) By ventilated cap or collar, fastened to container capable of withstanding blow from any direction equivalent to that of a thirty-pound weight dropped four feet. Construction must be such that a blow will not be transmitted to a valve or other connection.

(4) The outlet valves of containers in storage must be closed.

(5) Empty containers that have been in LP-gas service should preferably be stored in the open. When stored inside, they must be considered full containers for the purpose of determining the maximum quantity of LP-gas permitted by this section.

NEW SECTION

WAC 296-306A-43005 How must containers be stored within buildings frequented by the public? DOT containers with a maximum individual water capacity of 2-1/2 pounds, used with completely self-contained hand torches and similar applications, may be stored or displayed in a building frequented by the public. The display of such containers must be limited to a total of 24 units of each brand and size. The total quantity on display and in storage must not exceed 200 pounds LP-gas.

NEW SECTION

WAC 296-306A-43007 How must containers be stored in buildings not frequented by the public? (1) The quantity of LP-gas stored must be a maximum of 300 pounds (approximately 2,550 cubic feet in vapor form), except when stored within special buildings or rooms.

(2) Containers carried as a part of service equipment on highway mobile vehicles are not considered in the total storage capacity if the vehicles are stored in private garages, and are limited to one container per vehicle with a maximum LP-gas capacity of 100 pounds. All container valves must be closed.

NEW SECTION

WAC 296-306A-43009 How must containers be stored within special buildings or rooms? (1) The quantity of LP-gas stored in special buildings or rooms must be a maximum of 10,000 pounds.

(2) The walls, floors, and ceilings of container storage rooms that are within or adjacent to other parts of the building must be constructed of material having at least a two-hour fire resistance rating.

(3) At least 10% of the exterior walls or roof must be of explosion relieving construction.

(4) Each opening from storage rooms to other parts of the building must be protected by a listed one and one-half hour "(B)" fire door.

(5) Such rooms must have no open flames for heating or lighting.

(6) Such rooms must be adequately ventilated both top and bottom to the outside only. The openings from such vents must be at least five feet away from any other opening into any building.

(7) The floors of such rooms must not be below ground level. Any space below the floor must be of solid fill or properly ventilated to the open air.

(8) Such storage rooms must not be located adjoining the line of property occupied by schools, churches, hospitals, athletic fields or other points of public gathering.

NEW SECTION

WAC 296-306A-43011 How must containers be stored outdoors? (1) Storage outside of buildings, for containers awaiting use or resale, must be located according to the table below with respect to:

(a) The nearest important building or group of buildings;

(b) The line of adjoining property that may be built on;

(c) Busy thoroughfares;

(d) The line of adjoining property occupied by schools, churches, hospitals, athletic fields, or other points of public gathering.

Quantity of LP-Gas Stored	Distance
500 pounds or less	0
501 to 2,500 pounds	0*
2,501 to 6,000 pounds	10 feet
6,001 to 10,000 pounds	20 feet
Over 10,000 pounds	25 feet

*Containers must be at least ten feet from any building on adjoining property, any sidewalk, or any of the exposures described in (c) or (d) of this subsection.

(2) Containers must be in a suitable enclosure or otherwise protected against tampering.

PERMANENT

NEW SECTION

WAC 296-306A-43013 What fire protection must be provided for stored containers? Storage locations other than supply depots separated and located apart from dealer, reseller, or user establishments must have at least one approved portable fire extinguisher having a minimum rating of 8-B, C.

NEW SECTION

WAC 296-306A-435 LP-gas system installations on commercial vehicles.

NEW SECTION

WAC 296-306A-43501 What does this section cover? (1) WAC 296-306A-435 applies to:

(a) LP-gas system installations on vehicles (self-propelled, trailers, or semitrailers) used for commercial or construction purposes;

(b) All exchangeable container systems with container capacities greater than 105 pounds water capacity (approximately 45 pounds LP-gas capacity); and

(c) Systems using containers permanently mounted on vehicles.

(2) All LP-gas installations on commercial vehicles must meet all requirements of WAC 296-306A-410 (unless otherwise indicated) and the additional requirements of this section. When such a vehicle is permanently parked, and LP-gas is supplied from a system not mounted on and secured to the unit, WAC 296-306A-415 and 296-306A-420 also apply.

(3) This section does not apply to LP-gas motor fuel systems covered by WAC 296-306A-425.

NEW SECTION

WAC 296-306A-43503 How must containers be constructed? Containers must be constructed according to WAC 296-306A-41011, and marked according to the applicable requirements of WAC 296-306A-41015, and must also meet the following:

(1) Containers designed for use as portable cylinders must be constructed according to DOT specifications.

(2) All other containers whether designed for permanent mounting, or for portable or semiportable use (such as skid tanks), must be constructed as provided for by WAC 296-306A-41009(4) and 296-306A-41011(1).

(3) Nonrecessed container fittings and accessories must be protected against damage by either:

(a) Their location;

(b) The vehicle frame or bumper; or

(c) Protective housing. The housing must meet the requirements under which the tanks are fabricated with respect to design and construction and must be designed to withstand static loading in any direction equal to twice the weight of the tank and attachments when filled with the lading at a safety factor of at least four, based on the ultimate strength of the material used. The housing must have a weather cover if necessary to ensure proper operation of valves and safety devices.

(4) Manually operated shut-off valves or self-closing internal valves must be closed except during transfer operations.

(5) Permanently installed containers must meet the following requirements:

(a) Tank motor vehicles with frames not made integral with the tank, as by welding, must have turnbuckles or similar positive devices for drawing the tank down tight on the frame. In addition, suitable stops or anchors must be attached to the frame and/or the tank to prevent relative motion between them from starting, stopping, and turning. The stops and anchors must be installed to be accessible for inspection and maintenance.

(b) Any tank motor vehicle designed and constructed so that the cargo tank constitutes the stress member used instead of a frame must be supported by external cradles enclosing at least 120 degrees of the shell circumference. The design calculations must include beam stress, shear stress, torsion stress, bending moment, and acceleration stress for the cargo tank as a whole using a factor of safety of four, based on the ultimate tensile strength of the material. Maximum concentrated stresses that might be created at pads and cradles due to shear, bending, and torsion shall also be calculated according to Appendix G of the American Society of Mechanical Engineers, Unfired Pressure Vessel Code, 1968. Fully loaded vehicles must be assumed to be operating under highway conditions equal to two "g" loading. The effects of fatigue shall be taken into consideration. Cargo tanks mounted on frames may be supported by upright supports attached to pads if these factors are taken into account.

(c) Where any tank support is attached to any part of a tank head, the stresses imposed upon the head must be provided for as required above.

(d) Tank supports, stops, anchors, and bumpers must not be welded directly to the tank but must be attached by means of pads of the same material as the tank. The pad thickness must be at least 1/4 inch, or the thickness of the shell material if less, and no greater than the shell material. Each pad must extend at least four times its thickness, in each direction, beyond the weld attaching the support, bumper, stop, or anchor. Each pad must be preformed to an inside radius no greater than the outside radius of the tank at the place of attachment. Each pad corner must be rounded to a radius at least one-fourth the width of the pad, and no greater than one-half the width of the pad. Weepholes and tell-tale holes, if used, must be drilled or punched before the pads are attached to the tank. Each pad must be attached to the tank by continuous fillet welding using filler material having properties that meet the recommendations of the maker of the shell and head material.

(6) Portable or semiportable containers must meet the applicable requirements of WAC 296-306A-42507(3). Containers designed for permanent installation as part of systems under WAC 296-306A-420 are prohibited.

(a) Filling connections must have an approved automatic back pressure check valve, excess flow check valve, or quick closing internal valve to prevent excessive escape of gas in case the filling connection is broken.

Exception: Where the filling and discharge connect on a common opening in the container shell, and the opening is fitted with a quick-closing internal valve, the automatic valve is not required.

Every inlet and outlet connection must have a manually or automatically operated shut-off valve. Liquid discharge openings, except those for engine fuel lines, on tanks built after September 1, 1965, must be fitted with a remotely controlled internal shut-off valve. Valves must meet the following requirements:

(i) The seat of the valve must be inside the tank, or in the opening nozzle or flange, or in a companion flange bolted to the nozzle or flange.

(ii) All parts of the valve inside the tank, nozzle, or companion flange must be made of material that protects against corrosion or other deterioration in the presence of the lading.

(iii) The parts must be arranged so that damage to parts exterior to the tank will not prevent effective seating of the valve.

(iv) The valve may be operated mechanically, by hydraulically, or by air, or gas pressure.

(v) The valve must have remote means of automatic closure, both mechanical and thermal, in at least two places for tanks over 3,500 gallons water capacity. These remote control stations must be located at each end of the tank and diagonally opposite. The thermal control mechanism must have a fusible element with a melting point between 220°F and 208°F. At least one remote control station must be provided for tanks of 3,500 gallons water capacity or less, and such actuating means may be mechanical.

(b) All other connections to containers, except those used for gauging devices, thermometer wells, safety-relief devices, and plugged openings, must have suitable automatic excess flow valves, or may instead be fitted with quick-closing internal valves.

The control mechanism for the internal valve must have a secondary control, remote from the fill or discharge connections (for use in the event of accidents or fire during delivery operations), and such control mechanism must have a fusible element with a melting point not over 220°F or less than 208°F.

(c) Excess flow valves must close automatically at the rated flow of vapor or liquid as specified by the valve manufacturers. The flow rating of the piping beyond the excess flow valve must be greater than that of the excess flow valve and such rating must include valves, fittings, and hose.

Exception: When branching or necessary restrictions are incorporated in a piping system so that flow ratings are less than that of the excess flow valve and the tank, then additional excess flow valves must be installed in the piping where such flow rate is reduced.

(d) Container inlets and outlets, except those used for safety-relief valves, liquid-level gauging devices, and pressure gauges, must be labeled to designate whether they communicate with vapor or liquid space when the container is filled to maximum permitted filling density. Labels may be on the valves.

NEW SECTION

WAC 296-306A-43505 What is the maximum capacity allowed for LP-gas installations on commercial vehicles? A single fuel container used on passenger carrying vehicles must not exceed 200 gallons water capacity.

NEW SECTION

WAC 296-306A-43507 Where must systems be located? (1) Containers must not be installed, transported, or stored (even temporarily) inside any vehicle covered by these standards except as provided by the DOT regulations.

(2) Containers, control valves, and regulating equipment comprising a complete system must be suitably protected against damage and weather. Systems may be installed in a recess vaportight to the inside of the vehicle and accessible from and vented to the outside.

(3) Systems installed outside of mobile units must be located so that discharge from safety-relief devices must be at least 3 feet horizontally away from any opening into the unit below the level of such discharge. When the system is located in a recess vaportight to the inside, vent openings in the recess must be at least 3 feet horizontally away from any opening into the mobile unit below the level of these vents.

(4) There must be no fuel connection between tractor and trailer or other vehicle units.

(5) The container or container carrier must be secured in place by fastenings designed and constructed with a minimum safety factor of four to withstand loading in any direction equal to twice the weight of the container when filled to normal capacity with LP-gas.

NEW SECTION

WAC 296-306A-43509 What requirements apply to valves and accessories? Container valves and accessories must be provided, protected and mounted as follows:

(1) Systems using DOT cylinders according to WAC 296-306A-41511.

(2) All other systems according to WAC 296-306A-42005 (2) through (8).

(3) Portable, semiportable and permanently mounted containers shall be mounted and protected as provided under WAC 296-306A-43503 (2), (5), and (6).

NEW SECTION

WAC 296-306A-43511 What requirements apply to safety devices? (1) DOT containers must have safety-relief devices as required by DOT regulations.

(2) A final stage regulator of an LP-gas system (excluding any appliance regulator) must have, on the low-pressure side, a relief valve that is set to start to discharge within the limits specified in Table U-7.

(3) The relief valve and space above the regulator and relief valve diaphragms must be vented to the outside air and terminate at a position to minimize the possibility of vapors accumulating at sources of ignition.

(4) Whenever equipment such as a cargo heater or cooler on commercial vehicles is designed to be in operation while in transit, suitable means to stop the flow such as an excess flow valve or other device, must be installed. This device will be actuated to stop the flow in the event of the break in the fuel supply line. All excess flow valves must comply with WAC 296-306A-41019(3).

PERMANENT

NEW SECTION

WAC 296-306A-43513 What types of systems may be used on commercial vehicles? Commercial vehicles must use either vapor withdrawal or liquid withdrawal systems.

NEW SECTION

WAC 296-306A-43515 What requirements apply to enclosures and mounting? (1) Housing or enclosures must be designed to provide proper ventilation.

(2) Hoods, domes, or removable portions of cabinets must have means to keep them firmly in place during transit.

(3) The assembly must hold the containers firmly in position and prevent their movement during transit according to WAC 296-306A-42507(3).

(4) Containers must be mounted on a substantial support or base secured firmly to the vehicle chassis. Neither the container nor its support must extend below the frame.

NEW SECTION

WAC 296-306A-43517 What requirements apply to piping, tubing, and fittings? (1) Regulators must be connected directly to the container valve outlet or mounted securely by means of support bracket and connected to the container valve or valves with a listed high pressure flexible connector.

(2) Provision must be made between the regulator outlet and the gas service lines by either a flexible connector or a tubing loop to provide for expansion, contraction, jarring, and vibration.

(3) Aluminum alloy piping is prohibited. Steel tubing must have a minimum wall thickness of 0.049 inch. Steel piping or tubing must be adequately protected against exterior corrosion.

(4) Approved gas tubing fittings must be used for tubing connections.

(5) The fuel line must be firmly fastened in a protected location and where under the vehicle and outside and below any insulation or false bottom, fastenings must prevent abrasion or damage to the gas line due to vibration. Where the fuel line passes through structural members or floors, a rubber grommet or equivalent must be installed to prevent chafing.

(6) The fuel line must be installed to enter the vehicle through the floor directly beneath or adjacent to the appliance that it serves. When a branch line is required, the tee connection must be in the main fuel line and located under the floor and outside the vehicle.

(7) All parts of the system assembly must be designed and secured to preclude such parts working loose during transit.

NEW SECTION

WAC 296-306A-43519 What requirements apply to appliances? (1) LP-gas appliances must be approved for use on commercial vehicles.

(2) In vehicles not intended for human occupancy, where the gas-fired heating appliance is used to protect the cargo, such heater may be unvented, but provision must be made to dispose of the products of combustion to the outside.

(3) In vehicles intended for human occupancy, all gas-fired heating appliances, including water heaters, must be designed or installed to provide for complete separation of the combustion system from the atmosphere of the living space. Such appliances must be installed with the combustion air inlet assembly furnished as a component of the appliance, and with either:

(a) The flue gas outlet assembly furnished as a component of the appliance; or

(b) A listed roof jack if the appliance is listed for such use.

The combustion air inlet assembly, flue gas outlet assembly, and roof jack must extend to the outside atmosphere.

(4) Provision must be made to ensure an adequate supply of outside air for combustion.

(5) All gas-fired heating appliances and water heaters must have an approved automatic device designed to shut off the flow of gas to the main burner and to the pilot in the event the pilot flame is extinguished.

(6) Gas-fired appliances installed in the cargo space must be readily accessible.

(7) Appliances must be constructed or protected to minimize the possible damage or impaired operation resulting from cargo shifting or handling.

(8) Appliances inside the vehicle must be located so that a fire at an appliance will not block the exit route.

NEW SECTION

WAC 296-306A-43521 What general precautions must be followed for LP-gas system installations on commercial vehicles? (1) DOT containers must be marked, maintained, and requalified for use according to DOT regulations.

(2) Containers that have not been requalified according to DOT regulations must be removed from service. Requalified containers must be stamped with the date of requalification. When DOT cylinders are requalified by retesting, the retest must be made according to DOT regulations.

(3) Containers must not be charged with fuel unless they bear the proper markings of the code under which they were constructed, and with their water capacity. In the case of cylinders or portable containers filled by weight, the container must be marked with its tareweight.

(4) DOT containers that have been involved in a fire must not be recharged until they have been requalified for service according to DOT regulations.

(5) API-ASME containers or ASME containers that have been involved in a fire must not be recharged until they have been retested according to the requirements for their original hydrostatic test and found to be suitable for continued service.

"API-ASME (ASME) container" means a container constructed according to the Rules for Construction of Unfired Pressure Vessels, section VIII, Division 1, American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, 1968 edition.

(6) Containers must not be charged without the consent of the owner.

(7) A permanent caution plate must be provided on the appliance or adjacent to the container outside of any enclosure. It must include the word "caution" and the following or similar instructions.

(a) Be sure all appliance valves are closed before opening container valve.

(b) Connections at appliances, regulators, and containers must be checked periodically for leaks with soapy water or its equivalent.

(c) A match or flame must not be used to check for leaks.

(d) Container valves must be closed except when the equipment is in use.

NEW SECTION

WAC 296-306A-43523 How must containers be charged? Containers must be charged according to DOT specifications.

NEW SECTION

WAC 296-306A-43525 What fire protection must be provided for mobile cook units? Mobile cook units must have at least one approved portable fire extinguisher having a minimum rating of 8-B, C.

NEW SECTION

WAC 296-306A-440 LP-gas service stations.

NEW SECTION

WAC 296-306A-44001 What does this section cover? WAC 296-306A-440 applies to storage containers, dispensing devices, and pertinent equipment in service stations where LP-gas is stored and dispensed into fuel tanks of motor vehicles. LP-gas service stations must meet all requirements of WAC 296-306A-410 and the requirements of this section.

NEW SECTION

WAC 296-306A-44003 How must storage containers be designed and classified? Storage containers must be designed and classified according to the following table:

		Minimum design pressure of container lb. per sp. in. gauge	
Container type	**For gases with vapor press. Not to exceed lb. per sp. in. gauge 100°F (37.8°C.)**	**1949 and earlier editions of ASME Code (Par. U-68, U-69)**	**1949 edition of ASME Code (Par. U-200, U-201); 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of ASME Code; All editions of API-ASME Code[2]**
200[1]	215	200	250

[1]Container type may be increased by increments of 25. The minimum design pressure of containers shall be 100% of the container type designation when constructed under 1949 or earlier editions of ASME Code (Par. U-68 and U-69). The minimum design pressure of containers shall be 125% of the container type designation when constructed under: 1. The 1949 ASME Code (Par. U-200 and U-201), 2. 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of the ASME Code, and 3. All editions of the API-ASME Code.

[2]Construction of containers under the API-ASME Code is not authorized after July 1, 1961.

NEW SECTION

WAC 296-306A-44005 What requirements apply to valves and accessories? (1) A filling connection on the container must be fitted with one of the following:

(a) A combination back-pressure check and excess flow valve.

(b) One double or two single back-pressure valves.

(c) A positive shut-off valve, in conjunction with either:

(i) An internal back-pressure valve; or

(ii) An internal excess flow valve.

Instead of an excess flow valve, filling connections may be fitted with a quick-closing internal valve that only opens during operating periods. The mechanism for such valves may have a secondary control that will close automatically in case of fire. The melting point for a fusible plug must be a maximum of 220°F.

(2) A filling pipe inlet terminal off the container must have a positive shut-off valve and either:

(a) A back pressure check valve; or

(b) An excess flow check valve.

(3) All openings in the container must have approved excess flow check valves.

Exceptions:

(a) Filling connections;
(b) Safety-relief connections;
(c) Liquid-level gauging devices; and
(d) Pressure gauge connections.

(4) All container inlets and outlets must be labeled to designate whether they connect with vapor or liquid (labels may be on valves).

Exceptions:

(a) Safety-relief valves;
(b) Liquid-level gauging devices; and
(c) Pressure gauges.

(5) Each storage container must have a suitable pressure gauge.

NEW SECTION

WAC 296-306A-44007 What requirements apply to safety devices? (1) All safety-relief devices must be installed as follows:

(a) On the container and directly connected with the vapor space.

(b) Safety-relief valves and discharge piping shall be protected against physical damage. The outlet must have loose-fitting rain caps. There shall be no return bends or restrictions in the discharge piping.

(c) The discharge from two or more safety-relief valves with the same pressure settings may be run into a common discharge header. The cross-sectional area of such header must be at least equal to the sum of the individual discharges.

(d) Discharge from a safety-relief device that terminates in or beneath any building is prohibited.

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(2) Aboveground containers must have safety-relief valves as follows:

(a) The rate of discharge, which may be provided by one or more valves, must be at least that specified in WAC 296-306A-41025(2).

(b) The discharge from safety-relief valves must be vented upward to the open air to prevent impingement of escaping gas upon the container. You must use loose-fitting rain caps. On a container having a water capacity greater than 2,000 gallons, the discharge from the safety-relief valves must be vented upward away from the container to a point at least 7 feet above the container. Provisions must be made so that any liquid or condensate accumulation inside the relief valve or its discharge pipe will not render the valve inoperative. If a drain is used, you must protect the container, adjacent containers, piping, or equipment against impingement of flame resulting from ignition of the product escaping from the drain.

(3) Underground containers must have safety-relief valves as follows:

(a) The discharge from safety-relief valves must be piped upward to a point at least 10 feet above the ground. The discharge lines or pipes must be adequately supported and protected against physical damage.

(b) In areas where the manhole or housing may flood, the discharge from regulator vent lines should be above the highest probable water level.

(c) If no liquid is put into a container until after it is buried and covered, the rate of discharge of the relief valves may be reduced to at least 30 percent of the rate shown in WAC 296-306A-41025(2). If liquid fuel is present during installation of containers, the rate of discharge must be the same as for aboveground containers. Only empty containers may be uncovered.

NEW SECTION

WAC 296-306A-44009 What is the maximum capacity allowed for containers? Individual storage containers must be a maximum of 30,000 gallons water capacity.

NEW SECTION

WAC 296-306A-44011 How must storage containers be installed? (1) Each storage container used exclusively in service station operation must comply with the following table. This table outlines the minimum distances from a container to a building, group of buildings, or adjoining property lines that may be built on.

Minimum distances

Water capacity per container (gallons)	Aboveground and underground (feet)	Between aboveground containers (feet)
Up to 2,000	25	3
Over 2,000	50	5

Note: The above distances may be reduced to at least 10 feet for service station buildings of other than wood frame construction.

(a) Readily ignitible material including weeds and long dry grass, must be removed within 10 feet of containers.

(b) The minimum separation between LP-gas containers and flammable liquid tanks must be 20 feet and the minimum separation between a container and the centerline of the dike must be 10 feet.

(c) LP-gas containers located near flammable liquid containers must be protected against the flow or accumulation of flammable liquids by diking, diversion curbs, or grading.

(d) LP-gas containers located within diked areas for flammable liquid containers are prohibited.

(e) Field welding is permitted only on saddle plates or brackets that were applied by the container manufacturer.

(f) When permanently installed containers are interconnected, you must allow for expansion, contraction, vibration, and settling of containers and interconnecting piping. Where flexible connections are used, they must be approved and designed for a bursting pressure of at least five times the vapor pressure of the product at 100°F. Using nonmetallic hose is prohibited for interconnecting containers.

(g) Where high water table or flood conditions may be encountered, you must protect against container flotation.

(2) Aboveground containers must be installed according to this section.

(a) Containers may be installed horizontally or vertically.

(b) Containers must be protected by crash rails or guards to prevent physical damage unless they are protected by location. Servicing vehicles within 10 feet of containers is prohibited.

(c) Container foundations must be of substantial masonry or other noncombustible material. Containers must be mounted on saddles that permit expansion and contraction, and must provide against excess stresses. Corrosion protection must be provided for tank-mounting areas. Structural metal container supports must be protected against fire.

Exception: This protection is not required on prefabricated storage and pump assemblies, mounted on a common base, with container bottom a maximum of 24 inches above ground with water capacity of 2,000 gallons or less, if the piping connected to the storage and pump assembly is flexible enough to minimize breakage or leakage in case container supports fail.

(3) Underground containers must be installed according to this section.

(a) Containers must be given a protective coating before being placed underground. This coating must be equivalent to hot-dip galvanizing or to two coatings of red lead followed by a heavy coating of coal tar or asphalt. During installation, take care to minimize abrasion or other damage to the coating. Repair coating damage before back-filling.

(b) Containers must be set on a firm foundation (firm earth may be used) and surrounded with earth or sand firmly tamped in place. Backfill should be free of rocks or other abrasive materials.

(c) A minimum of 2 feet of earth cover must be provided. Where ground conditions make impractical, equivalent protection against physical damage must be provided. The portion of the container to which manhole and other connections are attached may be left uncovered. If there is vehicle traffic at the site, containers must be protected by a concrete slab or other cover to prevent the

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weight of a loaded vehicle imposing a load on the container shell.

NEW SECTION

WAC 296-306A-44013 What equipment must be protected against tampering? Valves, regulators, gauges, and other container fittings must be protected against tampering and physical damage.

NEW SECTION

WAC 296-306A-44015 What requirements apply to the transport truck unloading point? (1) During unloading, the transport truck must not be parked on public thoroughfares and must be at least 5 feet from storage containers. The truck must be positioned so that shut-off valves are accessible.

(2) The filling pipe inlet terminal must not be located within a building nor within 10 feet of any building or driveway. It must be protected against physical damage.

NEW SECTION

WAC 296-306A-44017 What requirements apply to piping, valves, and fittings? (1) Piping may be underground, aboveground, or a combination of both. It must be well supported and protected against physical damage and corrosion.

(2) Piping laid beneath driveways must be installed to prevent physical damage by vehicles.

(3) Piping must be wrought iron or steel (black or galvanized), brass or copper pipe; or seamless copper, brass, or steel tubing and must be suitable for a minimum pressure of 250 psig. Pipe joints may be screwed, flanged, brazed, or welded. The use of aluminum alloy piping or tubing is prohibited.

(4) All shut-off valves (liquid or gas) must be suitable for LP-gas service and designed for at least the maximum pressure to which they may be subjected. Valves that may be subjected to container pressure must have a rated working pressure of at least 250 psig.

(5) All materials used for valve seats, packing, gaskets, diaphragms, etc., must be resistant to the action of LP-gas.

(6) Fittings must be steel, malleable iron, or brass having a minimum working pressure of 250 psig. Cast iron pipe fittings, such as ells, tees and unions must not be used.

(7) All piping must be tested after assembly and proved free from leaks at least at the normal operating pressures.

(8) You must allow for expansion, contraction, jarring, and vibration, and for settling. You may use flexible connections.

NEW SECTION

WAC 296-306A-44019 What requirements apply to pumps and accessory equipment? All pumps and accessory equipment must be suitable for LP-gas service, and designed for at least the maximum pressure to which they may be subjected. Accessories must have a minimum rated working pressure of 250 psig. Positive displacement pumps must have suitable pressure actuated bypass valves permitting flow from pump discharge to storage container or pump suction.

NEW SECTION

WAC 296-306A-44021 What requirements apply to LP-gas dispensing devices? (1) Meters, vapor separators, valves, and fittings in the dispenser must be suitable for LP-gas service and must be designed for a minimum working pressure of 250 psig.

(2) Provisions must be made for venting LP-gas from a dispensing device to a safe location.

(3) Pumps used to transfer LP-gas must allow control of the flow and to prevent leakage or accidental discharge. Means must be provided outside the dispensing device to readily shut off the power in the event of fire or accident.

(4) A manual shut-off valve and an excess flow check valve must be installed downstream of the pump and ahead of the dispenser inlet.

(a) Dispensing hose must be resistant to the action of LP-gas in the liquid phase and designed for a minimum bursting pressure of 1,250 psig.

(b) An excess flow check valve or automatic shut-off valve must be installed at the terminus of the liquid line at the point of attachment of the dispensing hose.

(5) LP-gas dispensing devices must be located at least 10 feet from aboveground storage containers greater than 2,000 gallons water capacity. The dispensing devices must be at least 20 feet from any building (not including canopies), basement, cellar, pit, or line of adjoining property that may be built on and at least 10 feet from sidewalks, streets, or thoroughfares. No drains or blowoff lines must be directed into or in proximity to the sewer systems used for other purposes.

(a) LP-gas dispensing devices must be installed on a concrete foundation or as part of a complete storage and dispensing assembly mounted on a common base, and must be adequately protected from physical damage.

(b) LP-gas dispensing devices must not be installed within a building.

Exception: Dispensing devices may be located under a weather shelter or canopy if the area is not enclosed on more than two sides. If the enclosing sides are adjacent, the area shall be properly ventilated.

(6) Dispensing LP-gas into the fuel container of a vehicle shall be performed by a competent attendant who shall remain at the LP-gas dispenser during the entire transfer operation.

NEW SECTION

WAC 296-306A-44023 Is smoking allowed at LP-gas service stations? Smoking is prohibited on the driveway of service stations in the dispensing areas or transport truck unloading areas. Conspicuous signs prohibiting smoking must be posted within sight of the customer being served. Letters on such signs must be at least 4 inches high. The motors of all vehicles being fueled must be shut off during the fueling operations.

NEW SECTION

WAC 296-306A-44025 What fire protection must be provided at LP-gas service stations? Each service station must have at least one approved portable fire extinguisher with at least an 8-B, C, rating.

PERMANENT

PART U3
OTHER HAZARDOUS MATERIALS

NEW SECTION

WAC 296-306A-450 Other hazardous materials.

NEW SECTION

WAC 296-306A-45001 What general requirements apply to hazardous materials and flammable and combustible liquids? (1) Fuel must be stored, handled and marked according to the recommendations of the National Fire Protection Association (NFPA) or other agencies with jurisdiction.

(2) You must ensure that compressed gas cylinders under your control are in a safe condition to the extent that you can determine by visual inspection. Inspections must be conducted according to the hazardous materials regulations of the Department of Transportation (49 CFR Parts 171-179 and 14 CFR Part 103).

Exception: Where those regulations are not applicable, inspections must be conducted according to the Compressed Gas Association Pamphlets C-6-1968 and C-8-1962.

(3) Compressed gas cylinders, portable tanks, and cargo tanks must have pressure relief devices installed and maintained according to Compressed Gas Association Pamphlets S-1.1-1963 and 1965 addenda and S-1.2-1963.

(4) The following equipment must be shut down during refueling:

- Tractors;
- Agricultural equipment employing open flames; and
- Equipment with integral containers, such as flame cultivators, weed burners.

NEW SECTION

WAC 296-306A-45003 What requirements apply to dip tanks containing flammable or combustible liquids? Dip tanks containing flammable or combustible liquids must meet the requirements of WAC 296-306A-450.

NEW SECTION

WAC 296-306A-45005 What definitions apply to this section? "Dip tank" means a tank, vat, or container of flammable or combustible liquid in which articles or materials are immersed for coating, finishing, treating, or similar processes.

"Vapor area" means any area containing dangerous quantities of flammable vapors in the vicinity of dip tanks, drainboards or other drying, conveying, or other equipment during operation or shutdown.

NEW SECTION

WAC 296-306A-45007 What requirements must ventilation systems meet? (1) Vapor areas must be limited to the smallest practical space by maintaining a properly designed ventilation system arranged to move air from all directions towards the vapor area and to a safe outside location. Ventilating systems must meet the requirements of the Standards for Blower and Exhaust Systems (NFPA Pamphlet No. 91-1969).

(2) For drying operations that use a heating system that is a potential source of ignition, the ventilation system must have a preventilation process that must operate before the heating system can be started. The failure of any ventilating fan must automatically shut down the heating system. The installation must meet the requirements of the Standard for Ovens and Furnaces (NFPA No. 86A-1969).

NEW SECTION

WAC 296-306A-45009 What general requirements apply to the construction of dip tanks? (1) Dip tanks and drainboards must be constructed of substantial noncombustible material, and their supports must be of heavy metal, reinforced concrete, or masonry. Where dip tanks extend through a floor to the story below or where the weakening of the tank supports by fire may result in the tank collapse, supports should be of material with at least 1-hour fire resistance.

(2) The capacity of the salvage tank must be greater than the capacity of the dip tanks to which they are connected.

(3) All dip tanks exceeding 150 gallons liquid capacity or having a liquid surface area exceeding 4 square feet must be protected by at least one of the automatic extinguishing facilities in WAC 296-306A-45021 (2), (3), (4), (5) or (6).

Exception: Hardening and tempering tanks must meet the requirements of WAC 296-306A-45023.

(4) Dip tanks that use a conveyor system must be arranged so that, in the event of fire, the conveyor system must automatically stop and the bottom drains shall open. Conveyor systems must automatically stop unless required ventilation is in full operation.

(5) When dip tank liquids are heated by dipping heated articles or by other application of heat to the liquid, you must prevent a temperature rise greater than 50°F below the flashpoint of the liquid.

NEW SECTION

WAC 296-306A-45011 How must overflow pipes for dip tanks be constructed? (1) Dip tanks of over 150 gallons in capacity or 10 square feet in liquid surface area must have a properly trapped overflow pipe leading to a safe location outside buildings. When practical, smaller dip tanks should be equipped the same way.

(2) The location and arrangement of the discharge of the overflow pipe must prevent hazards if the combustible contents of the dip tank overflows through the overflow pipe from fire fighting water. The overflow pipe should be large enough to conduct the maximum amount of water expected to be applied from automatic sprinklers or other sources in a fire.

(3) Overflow pipes must be large enough to overflow the maximum delivery of dip tank liquid fill pipes. They must be at least 3 inches in diameter or larger depending on the area of the liquid surface and the length and pitch of pipe.

(4) Piping connections on drains and overflow lines must be designed to allow access for inspection and cleaning of the interior.

PERMANENT

(5) The bottom of the overflow connection must be at least 6 inches below the top of the tank.

NEW SECTION

WAC 296-306A-45013 How must the bottom drains of dip tanks be constructed? (1) Dip tanks over 500 gallons in liquid capacity must have bottom drains that are automatically and manually arranged to quickly drain the tank in the event of fire. Manual operation must be from a safely accessible location. Where gravity flow is not practical, automatic pumps are required.

Exception: This requirement does not apply if the viscosity of the liquid at normal atmospheric temperature makes this impractical.

(2) Bottom drains must be trapped and discharged to a closed properly vented salvage tank or to a safe location outside.

(3) According to tank capacity, the diameter of the bottom drainpipe must be at least the following:

Gallons	Inches
500 to 750	3
750 to 1,000	4
1,000 to 2,500	5
2,500 to 4,000	6
Over 4,000	8

NEW SECTION

WAC 296-306A-45015 How must liquids used in dip tanks be stored and handled? The storage of flammable and combustible liquids in connection with dipping operations must meet the requirements of the National Fire Protection Association Standard for Drycleaning Plants, NFPA No. 32-1970; the National Fire Protection Association Standard for the Manufacture of Organic Coatings, NFPA No. 35-1970; the National Fire Protection Association Standard for Solvent Extraction Plants, NFPA No. 36-1967; and the National Fire Protection Association Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, NFPA No. 37-1970.

Where portable containers are used to replenish flammable and combustible liquids, you must ensure that both the container and tank are positively grounded and electrically bonded to prevent static electric sparks.

NEW SECTION

WAC 296-306A-45017 What measures must an employer take to prevent hazards from electrical and other ignition sources? (1) In vapor areas, there must be no open flames, spark producing devices, or heated surfaces hot enough to ignite vapors. Electrical wiring and equipment in any vapor area must be explosion proof as required in chapter 296-306A WAC Part T for Class I locations and must meet the requirements of chapter 296-306A WAC Part T.

Exception: The requirements for electrostatic apparatus are in WAC 296-306A-45027.

(2) Electrical equipment is prohibited in the vicinity of dip tanks, drainboards, or drying operations that are subject to splashing or dripping of dip tank liquids, unless the equipment is approved for locations containing deposits of readily ignitable residues and explosive vapors.

Exception: Wiring in rigid conduit or in threaded boxes or fittings containing no taps, splices, or terminal connections are permitted. Other exceptions are in WAC 296-306A-45027.

(3) In any floor space outside a vapor area but within 20 feet and not separated by tight partitions, open flames or spark producing devices are prohibited. Electrical wiring and equipment must meet the requirements of chapter 296-306A WAC Part T.

Exception: Open flames are only allowed as specifically permitted in NFPA Standard No. 86A-1969, Ovens and Furnaces, paragraph 200-7.

NEW SECTION

WAC 296-306A-45019 How must dip tanks be operated and maintained? (1) The area around dip tanks must be kept as clear of combustible stock as practical and must be kept entirely free of combustible debris.

(2) When waste or rags are used in connection with dipping operations, approved metal waste cans must be provided. All impregnated rags or waste must be deposited in the cans immediately after use. The contents of waste cans must be properly disposed of at least once daily at the end of each shift.

(3) You must periodically inspect or test all dip tank facilities, including covers, overflow pipe inlets and discharge, bottom drains and valves, electrical wiring and equipment and grounding connections, ventilating facilities, and all extinguishing equipment. Any defects found must be promptly corrected.

(4) "No smoking" signs in large letters on contrasting color background must be conspicuously posted in the vicinity of dip tanks.

NEW SECTION

WAC 296-306A-45021 What requirements must fire extinguishing systems meet? (1) Dip tank areas must have portable fire extinguishers suitable for flammable and combustible liquid fires, and that meet the requirements of WAC 296-306A-085.

(2) Automatic water spray extinguishing systems must meet the requirements of ANSI/NFPA No. 13, Sprinkler Systems, and NFPA No. 13, Sprinkler Systems Maintenance, and shall be arranged to protect tanks, drainboards, and stock over drainboards.

(3) Automatic foam extinguishing systems must meet the requirements of ANSI/NFPA No. 11, Foam Extinguishing Systems.

(a) The foam-producing material must be suitable for intended use, taking into account the characteristics of the dip tank liquid.

(b) The overflow pipe must be arranged to prevent foam from floating away and clogging the overflow pipe. You must use one of the following methods:

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(i) The overflow pipe may be extended through tank wall and terminated in an ell pointing downward. The bottom of the overflow pipe at the point it enters the tank wall should be a maximum of 2 inches above the opening or the face of the ell.

(ii) The overflow pipe inlet may have a removable screen of 1/4-inch mesh with an area at least twice the cross-sectional area of overflow pipe. Screens that may be clogged by dip tank ingredients must be inspected and cleaned periodically.

(4) Automatic carbon dioxide systems must meet the requirements of ANSI/NFPA No. 12, Carbon Dioxide, and must be arranged to protect dip tanks and drainboards. The system must be arranged to protect stock over drainboards unless the stock is otherwise protected with automatic extinguishing facilities.

(5) Dry chemical extinguishing systems must meet the requirements of ANSI/NFPA No. 17, Dry Chemical Systems, and must be arranged to protect dip tanks and drainboards. The system must be arranged to protect stock over drainboards unless the stock is otherwise protected with automatic extinguishing facilities.

(6) Dip tank covers must meet the following requirements:

(a) Covers arranged to close automatically in the event of fire must be actuated by approved automatic devices and shall also be designed for manual operation.

(b) Covers must be of substantial noncombustible material or tin-clad with enclosing metal applied with locked joints.

(c) Chains or wire rope must be used for the cover support or operating mechanism where a burnt cord would interfere with the device action.

(d) Covers must be kept closed when tanks are not in use.

NEW SECTION

WAC 296-306A-45023 What requirements apply to hardening and tempering tanks? (1) Tanks must be located as far as practical from furnaces and away from combustible floors.

(2) Tanks must have a noncombustible hood and vent or other equivalent means of venting to the outside of the building that will serve as a vent in case of fire. All vent ducts must be treated as flues and be kept away from combustible roofs or materials.

(3) Tanks must be designed so that the maximum workload is incapable of raising the temperature of the cooling medium to within 50°F below its flashpoint, or tanks must have circulating cooling systems that will provide equal protection.

(4) Tanks must have a high temperature limit switch arranged to sound an alarm when the temperature of the quenching medium reaches within 50°F below the flashpoint. If practical from an operating standpoint, such limit switches must also shut down conveying equipment supplying work to the tank.

(5) All hardening and tempering tanks exceeding 500 gallons liquid capacity or having a liquid surface area exceeding 25 square feet must be protected with at least one of the automatic extinguishing facilities conforming to WAC 296-306A-45021 (2), (3), (4), (5) or (6).

(6) Using air under pressure to fill or to agitate oil tanks is prohibited.

(7) Bottom drains may be combined with the oil circulating system or arranged independently to drain the oil to a safe location. The drain valve must be operated automatically with approved heat actuated devices or manually. The valve of a manual device must be operated from a safe distance.

NEW SECTION

WAC 296-306A-45025 What requirements apply to flow coat applications? (1) All dip tank requirements must apply to flow coat operations.

(2) All piping must be strongly erected and rigidly supported.

(3) Paint must be supplied by direct low-pressure pumping arranged to automatically shut down by an approved heat actuated device in the case of fire, or paint may be supplied by a gravity tank with a maximum capacity of 10 gallons.

(4) The sump area and any areas on which paint flows should be considered the area of dip tank.

NEW SECTION

WAC 296-306A-45027 What requirements apply to electrostatic apparatus? (1) All requirements of WAC 296-306A-450 apply to electrostatic detearing equipment unless otherwise specified.

(2) Electrostatic apparatus and devices used in connection with paint detearing operations must be approved.

(3) Transformers, powerpacks, control apparatus, and all other electrical portions of the equipment must be located outside the vapor area or must meet the requirements of WAC 296-306A-45017.

Exception: This requirement does not apply to high voltage grids and their connections.

(4) Electrodes must be substantially constructed, rigidly supported in permanent locations, and insulated from ground. Insulators must be nonporous and noncombustible.

(5) High voltage leads to electrodes must be permanently supported on suitable insulators, and guarded against accidental contact or grounding. An automatic means must be provided for grounding and discharging any accumulated residual charge on the electrode assembly or the secondary circuit of the high voltage transformer when the transformer primary is disconnected from the supply source.

(6) Maintain space between goods being deteared and electrodes or conductors of at least twice the sparking distance. A sign stating the sparking distance must be conspicuously posted near the assembly.

(7) Goods being deteared using the electrostatic process must be supported on conveyors. The conveyors must be arranged to maintain safe distances between the goods and the electrodes at all times. All goods must be supported to prevent any swinging or movement that would reduce the clearance to less than twice the sparking distance.

Exception: The electrostatic process is prohibited where goods being deteared are manipulated by hand.

(8) Electrostatic apparatus must have automatic controls that will operate immediately to disconnect the power supply to the high voltage transformer and to signal the operator under any of the following conditions:

(a) The ventilating fans stop or the ventilating equipment fails for any cause;

(b) The conveyor carrying goods past the high voltage grid stops;

(c) A ground or imminent ground at any point on the high voltage system occurs; or

(d) Clearance is reduced below twice the sparking distance.

(9) Adequate fencing, railings, or guards must be placed so that they ensure that the process is safely isolated from plant storage or employees. Such railings, fencing and guards must be of conducting material, adequately grounded, and should be at least 5 feet from processing equipment.

(10) Electrode insulators must be kept clean and dry.

(11) The detearing area must be ventilated according to WAC 296-306A-45007.

(12) All areas for detearing must be protected by automatic sprinklers where this protection is available. Where this protection is not available, other approved automatic extinguishing equipment must be provided.

(13) Drip plates and screens subject to paint deposits must be removable and shall be taken to a safe place for cleaning.

NEW SECTION

WAC 296-306A-45029 What requirements apply to roll coating applications? Sparks from static electricity must be prevented by electrically bonding and grounding all rotating metal and other machinery, and by the installation of static collectors or maintaining a conductive atmosphere such as a high relative humidity.

PART V
WELDING

NEW SECTION

WAC 296-306A-475 Welding, cutting, and brazing.

NEW SECTION

WAC 296-306A-47501 What definitions apply to this part? "Welder" and "welding operator" mean any operator of electric or gas welding and cutting equipment.

All other welding terms are defined according to American Welding Society, Terms and Definitions, A3.0-1969.

NEW SECTION

WAC 296-306A-480 Installation and operation of oxygen fuel gas systems for welding and cutting.

NEW SECTION

WAC 296-306A-48001 What general requirements apply to oxygen fuel gas systems? (1) Explosive mixtures of fuel gases and air or oxygen must be guarded against. No accessory that allows air or oxygen to mix with flammable gases prior to use must be allowed unless approved for that purpose.

Exception: Air or oxygen may mix with flammable gases at the burner or in a standard torch.

(2) Acetylene must never be generated, piped (except in approved cylinder manifolds) or used at a pressure in excess of 15 psi gauge pressure or 30 psi absolute pressure. (The 30 psi absolute pressure limit is intended to prevent unsafe use of acetylene in pressurized chambers such as caissons, underground excavations or tunnel construction.) Using liquid acetylene is prohibited.

Exception: This requirement does not apply to storage of acetylene dissolved in a suitable solvent in cylinders manufactured and maintained according to DOT requirements, or to acetylene for chemical use.

(3) Only approved apparatus such as torches, regulators or pressure-reducing valves, acetylene generators, and manifolds must be used. Replacement tips may be used on approved torches, if the replacement tips are made to the same specifications as the original, or when replacements are used with convertor/adaptors that meet the same specifications.

(4) Before leaving any employee in charge of the oxygen or fuel-gas supply equipment, including generators, and oxygen or fuel-gas distribution piping systems, you must ensure that the employee has received proper instruction and is competent to do the work. Rules and instructions covering the operation and maintenance of oxygen or fuel-gas supply equipment including generators, and oxygen or fuel-gas distribution piping systems must be readily available.

NEW SECTION

WAC 296-306A-48003 What requirements apply to portable cylinders? All portable cylinders used for storing and shipping compressed gases must be constructed and maintained according to DOT regulations.

(1) Compressed gas cylinders must be legibly marked with either the chemical or the trade name of the gas. The marking must be a permanent stencil, stamp, or label. Whenever practical, the marking must be located on the shoulder of the cylinder.

(2) Compressed gas cylinders must have connections that meet the requirements of the American National Standard Compressed Gas Cylinder Valve Outlet and Inlet Connections, ANSI B 57.1-1965.

(3) All cylinders with a water weight capacity greater than thirty pounds must have means of connecting a valve protection cap or with a collar or recess to protect the valve.

NEW SECTION

WAC 296-306A-48005 What general requirements apply to storing compressed gas cylinders? (1) Cylinders must be kept away from radiators and other sources of heat.

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(2) Indoors, cylinders must be stored in a well-protected, well-ventilated, dry area, at least twenty feet from highly combustible materials such as oil or excelsior. Cylinders should be stored in assigned places away from elevators, stairs, or gangways. Assigned storage spaces must be located where cylinders will not be knocked over or damaged by passing or falling objects, or subject to tampering. All cylinder enclosures must be ventilated.

(3) Empty cylinders must have their valves closed.

(4) Valve protection caps on cylinders designed to accept a cap, must always be in place and hand-tight, except when cylinders are in use or connected for use.

NEW SECTION

WAC 296-306A-48007 How must fuel-gas cylinders be stored? Cylinders stored indoors, except those in use or attached ready for use, must be limited to a total gas capacity of 2,000 cubic feet or 300 pounds of LP-gas.

(1) Cylinders in excess of 2,000 cubic feet total gas capacity or 300 pounds of LP-gas, must be stored in a separate room or compartment that meets the requirements of 252 (a)(8) and (9) CFR, or cylinders must be kept outside or in a special building. Special buildings, rooms or compartments must be free from open flame for heating or lighting and must be well ventilated. They may also be used for storage of a maximum of 600 pounds of calcium carbide, when contained in metal containers complying with 252 (a)(7)(a) and (b) CFR. Signs should be conspicuously posted in such rooms reading, "Danger—No smoking, matches or open lights," or other equivalent wording.

(2) Acetylene cylinders must be stored valve end up.

NEW SECTION

WAC 296-306A-48009 How must oxygen cylinders be stored? (1) Oxygen cylinders must not be stored near highly combustible material, especially oil and grease; or near reserve stocks of carbide and acetylene or other fuel-gas cylinders, or near any other substance likely to cause or accelerate fire; or in an acetylene generator compartment.

(2) Oxygen cylinders stored in outside generator houses must be separated from the generator or carbide storage rooms by a noncombustible partition having a fire-resistance rating of at least one hour. This partition must be without openings and must be gastight.

(3) Oxygen cylinders in storage must be separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum of 20 feet or by a noncombustible barrier at least five feet high having a fire-resistance rating of at least one-half hour. (Cylinders "in-use," secured to a hand truck or structural member, with regulators, hoses, and torch temporarily removed for security purposes overnight or weekends, are not considered "in-storage.")

(4) Where a liquid oxygen system is to be used to supply gaseous oxygen for welding or cutting and the system has a storage capacity of more than 13,000 cubic feet of oxygen (measured at 14.7 psi(a) and 70°F), connected in service or ready for service, or more than 25,000 cubic feet of oxygen (measured at 14.7 psi(a) and 70°F), including unconnected reserves on hand at the site, it must meet the requirements of the Standard for Bulk Oxygen Systems at Consumer Sites, NFPA No. 566-1965.

NEW SECTION

WAC 296-306A-48011 What general operating procedures apply to working with cylinders and containers? (1) The numbers and markings stamped into cylinders must not be tampered with.

(2) Cylinders, cylinder valves, couplings, regulators, hose, and apparatus must be kept free from oily or greasy substances. Oxygen cylinders or apparatus must not be handled with oily hands or gloves. A jet of oxygen must never be permitted to strike an oily surface, greasy clothes, or enter a fuel oil or other storage tank.

(3) Cylinders must be kept far enough away from the actual welding or cutting operation so that sparks, hot slag, or flame will not reach them, or fire-resistant shields must be provided.

(4) No person, other than the gas supplier, may attempt to mix gases in a cylinder. No one, except the owner of the cylinder or person authorized by the owner, may refill a cylinder.

(5) Cylinders must not be placed where they might become part of an electric circuit. Contacts with third rails, trolley wires, etc., must be avoided.

(6) Fuel-gas cylinders must be placed with valve end up whenever they are in use. Liquefied gases must be stored and shipped with the valve end up.

(7) A suitable cylinder truck, chain, or other steadying device must be used to prevent cylinders from being knocked over while in use.

NEW SECTION

WAC 296-306A-48013 What requirements apply to safety devices on cylinders? (1) Valve-protection caps must not be used for lifting cylinders from one vertical position to another. Bars must not be used under valves or valve-protection caps to pry cylinders loose when frozen to the ground or otherwise fixed; we recommend using warm (not boiling) water. Valve-protection caps are designed to protect cylinder valves from damage.

(2) Cylinders without fixed hand wheels must have keys, handles, or nonadjustable wrenches on valve stems while these cylinders are in service. In multiple cylinder installations only one key or handle is required for each manifold.

(3) No one may tamper with safety devices in cylinders or valves.

(4) Nothing may be placed on top of an acetylene cylinder when in use that may damage the safety device or interfere with the quick closing of the valve.

(5) Where a special wrench is required it must be left in position on the stem of the valve while the cylinder is in use so that the fuel-gas flow can be quickly turned off in case of emergency. In the case of manifolded or coupled cylinders at least one such wrench must always be available for immediate use.

(6) Cylinders with leaking fuse plugs or other leaking safety devices should be plainly marked with a warning not to approach them with a lighted cigarette or other source of ignition. You should notify the supplier promptly and follow the supplier's instructions as to their return.

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NEW SECTION

WAC 296-306A-48015 How must cylinders be transported? (1) When transporting cylinders by a crane or derrick, a cradle, boat, or suitable platform must be used. Slings or electric magnets are prohibited for this purpose. Valve-protection caps, where cylinder is designed to accept a cap, must always be in place.

(2) Unless cylinders are secured on a special truck, regulators must be removed and valve-protection caps, when provided for, must be put in place before cylinders are moved.

(3) When cylinders are transported by powered vehicle they must be secured in a vertical position.

NEW SECTION

WAC 296-306A-48017 How must cylinders be handled? (1) Cylinders must not be dropped or struck or permitted to strike each other violently.

(2) Cylinders must be handled carefully. Cylinders must not be subjected to rough handling, knocks, or falls that are liable to damage the cylinder, valve or safety devices and cause leakage.

(3) Cylinders must never be used as rollers or supports, whether full or empty.

NEW SECTION

WAC 296-306A-48019 What requirements apply to cylinder valves? (1) Cylinder valves must be closed before moving cylinders.

(2) Cylinder valves must be closed when work is finished.

(3) Valves of empty cylinders must be closed.

(4) A hammer or wrench must not be used to open cylinder valves. If valves cannot be opened by hand, the supplier must be notified.

(5) Cylinder valves must not be tampered with nor should any attempt be made to repair them. If you have trouble with a cylinder, you should send a report to the supplier indicating the character of the trouble and the cylinder's serial number. You must follow the supplier's instructions on what to do with the cylinder.

(6) Complete removal of the stem from a diaphragm-type cylinder valve must be avoided.

(7) If cylinders are found to have leaky valves or fittings that cannot be stopped by closing of the valve, the cylinders must be taken outdoors away from sources of ignition and slowly emptied.

(8) The cylinder valve must always be opened slowly.

(9) An acetylene cylinder valve must not be opened more than one and one-half turns of the spindle, and preferably no more than three-fourths of a turn.

NEW SECTION

WAC 296-306A-48021 What requirements apply to cylinder regulators? (1) Unless connected to a manifold, oxygen from a cylinder must first have an oxygen regulator attached to the cylinder valve.

(2) Before connecting a regulator to a cylinder valve, the valve must be opened slightly and closed immediately. The valve must be opened while standing to one side of the outlet; never in front of it. Fuel-gas cylinder valves must not be cracked near other welding work or near sparks, flame, or other possible sources of ignition.

(3) Before a regulator is removed from a cylinder valve, the cylinder valve must be closed and the gas released from the regulator.

(4) Fuel-gas must not be used from cylinders through torches or other devices equipped with shut-off valves without reducing the pressure through a suitable regulator attached to the cylinder valve or manifold.

NEW SECTION

WAC 296-306A-48023 What requirements apply to fuel-gas manifolds? (1) Manifolds must be approved either separately for each component part or as an assembled unit.

(2) Fuel-gas cylinders connected to one manifold inside a building must be limited to a maximum total capacity of 300 pounds of LP-gas or 3,000 cubic feet of other fuel-gas. More than one such manifold with connected cylinders may be located in the same room if the manifolds are at least 50 feet apart or separated by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour.

(3) Exception: Fuel-gas cylinders connected to one manifold having an aggregate capacity exceeding 300 pounds of LP-gas or 3,000 cubic feet of other fuel-gas must be located outdoors, or in a separate building or room constructed according to 252 (a)(8) and (9) CFR.

(4) Separate manifold buildings or rooms may also be used for the storage of drums of calcium carbide and cylinders containing fuel gases as provided in WAC 296-306A-48007. Such buildings or rooms must have no open flames for heating or lighting and must be well ventilated.

(5) High-pressure fuel-gas manifolds must have approved pressure regulating devices.

NEW SECTION

WAC 296-306A-48025 What requirements apply to high pressure oxygen manifolds? This section applies to cylinders with a DOT service pressure above 200 psig.

(1) Manifolds must be approved either separately for each component or as an assembled unit.

(2) Oxygen manifolds must not be located in an acetylene generator room. Oxygen manifolds must be separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour.

(3) Oxygen cylinders connected to one manifold must be limited to a total gas capacity of 6,000 cubic feet. More than one such manifold with connected cylinders may be located in the same room if the manifolds are at least 50 feet apart or separated by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour.

(4) Exception: An oxygen manifold, to which cylinders having an aggregate capacity of more than 6,000 cubic feet of oxygen are connected, should be located outdoors or in a separate noncombustible building. Such a manifold, if located inside a building having other occupancy, must be located in a separate room of noncombustible construction having a fire-resistance rating of at least one-half hour or in

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an area with no combustible material within 20 feet of the manifold.

(5) An oxygen manifold or oxygen bulk supply system that has storage capacity of more than 13,000 cubic feet of oxygen (measured at 14.7 psia and 70°F), connected in service or ready for service, or more than 25,000 cubic feet of oxygen (measured at 14.7 psia and 70°F), including unconnected reserves on hand at the site, must meet the requirements of the Standard for Bulk Oxygen Systems at Consumer Sites, NFPA No. 566-1965.

(6) High-pressure oxygen manifolds must have approved pressure-regulating devices.

NEW SECTION

WAC 296-306A-48027 What requirements apply to low pressure oxygen manifolds? This section applies to cylinders with a maximum DOT service pressure of 200 psig.

(1) Manifolds must be of substantial construction suitable for use with oxygen at a pressure of 250 psig. They must have a minimum bursting pressure of 1,000 psig and must be protected by a safety-relief device that will relieve at a maximum pressure of 500 psig.

Note: DOT-4L200 cylinders have safety devices that relieve at a maximum pressure of 250 psig (or 235 psig if vacuum insulation is used).

(2) Hose and hose connections subject to cylinder pressure must meet the requirements of WAC 296-306A-48049. Hose must have a minimum bursting pressure of 1,000 psig.

(3) The assembled manifold including leads must be tested and proven gas-tight at a pressure of 300 psig. The fluid used for testing oxygen manifolds must be oil-free and not combustible.

(4) The location of manifolds must meet the requirements of WAC 296-306A-48025.

(5) The following sign must be conspicuously posted at each manifold:
Low-Pressure Manifold
Do Not Connect High-Pressure Cylinders
Maximum Pressure—250 PSIG

NEW SECTION

WAC 296-306A-48029 What requirements apply to manifolding portable outlet headers? (1) Portable outlet headers must not be used indoors except for temporary service where the conditions preclude a direct supply from outlets located on the service piping system.

(2) Each outlet on the service piping from which oxygen or fuel-gas is withdrawn to supply a portable outlet header must have a readily accessible shut-off valve.

(3) Hose and hose connections used for connecting the portable outlet header to the service piping must meet the requirements of WAC 296-306A-48051.

(4) Master shut-off valves for both oxygen and fuel-gas must be provided at the entry end of the portable outlet header.

(5) Portable outlet headers for fuel-gas service must have an approved hydraulic back-pressure valve installed at the inlet and preceding the service outlets, unless an approved pressure-reducing regulator, an approved backflow check valve, or an approved hydraulic back-pressure valve is installed at each outlet. Outlets provided on headers for oxygen service may be fitted for use with pressure-reducing regulators or for direct hose connection.

(6) Each service outlet on portable outlet headers must have a valve assembly that includes a detachable outlet seal cap, chained or otherwise attached to the body of the valve.

(7) Materials and fabrication procedures for portable outlet headers must comply with WAC 296-306A-48033, 296-306A-48035, and 296-306A-48041.

(8) Portable outlet headers must have frames that will support the equipment securely in the correct operating position and protect them from damage during handling and operation.

NEW SECTION

WAC 296-306A-48031 What operating procedures apply to cylinder manifolds? (1) Cylinder manifolds must be installed under the supervision of someone familiar with the proper practices of construction and use.

(2) All component parts used in the methods of manifolding described in WAC 296-306A-48023 must have the materials, design and construction approved either separately or as an assembled unit.

(3) All manifolds and parts used in methods of manifolding must be used only for the gas or gases for which they are approved.

(4) When acetylene cylinders are coupled, approved flash arresters must be installed between each cylinder and the coupler block. For outdoor use only, and when the number of cylinders coupled does not exceed three, one flash arrester installed between the coupler block and regulator is acceptable.

(5) Each fuel-gas cylinder lead should have a backflow check valve.

(6) The maximum aggregate capacity of fuel-gas cylinders connected to a portable manifold inside a building must be 3,000 cubic feet of gas.

(7) Acetylene and liquefied fuel-gas cylinders must be manifolded vertically.

(8) The pressure in the gas cylinders connected to and discharged simultaneously through a common manifold must be approximately equal.

NEW SECTION

WAC 296-306A-48033 How must service piping systems be designed? (1) Piping and fittings must comply with Section 2, Industrial Gas and Air Piping Systems, of the American National Standard Code for Pressure Piping, ANSI B 31.1-1967, if they do not conflict with subsections (2) and (3) of this section.

(2) Pipe must be at least Schedule 40 and fittings must be at least standard weight in sizes up to and including 6-inch nominal.

(3) Copper tubing must be Types K or L according to the Standard Specification for Seamless Copper Water Tube, ASTM B88-66a.

(4) Piping must be steel, wrought iron, brass or copper pipe, or seamless copper, brass or stainless steel tubing,

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except as provided in subsections (5) through (9) of this section.

(5) Oxygen piping and fittings at pressures in excess of 700 psig, must be stainless steel or copper alloys.

(6) Hose connections and hose complying with WAC 296-306A-48051 may be used to connect the outlet of a manifold pressure regulator to piping if the working pressure of the piping is 250 psig or less and the length of the hose is a maximum of 5 feet. Hose must have a minimum bursting pressure of 1,000 psig.

(7) When oxygen is supplied to a service piping system from a low-pressure oxygen manifold without an intervening pressure regulating device, the piping system must have a minimum design pressure of 250 psig. A pressure regulating device must be used at each station outlet when the connected equipment is for use at pressures less than 250 psig.

(8) Piping for acetylene or acetylenic compounds must be steel or wrought iron.

(9) Unalloyed copper must only be used for acetylene or acetylenic compounds in listed equipment.

NEW SECTION

WAC 296-306A-48035 What requirements apply to piping joints? (1) Joints in steel or wrought iron piping must be welded, threaded or flanged. Fittings, such as ells, tees, couplings, and unions, must be rolled, forged or cast steel, malleable iron or nodular iron. Gray or white cast iron fittings are prohibited.

(2) Joints in brass or copper pipe must be welded, brazed, threaded, or flanged. Socket type joints must be brazed with silver-brazing alloy or similar high melting point (not less than 800°F) filler metal.

(3) Joints in seamless copper, brass, or stainless steel tubing must be approved gas tubing fittings or the joints must be brazed. Socket type joints must be brazed with silver-brazing alloy or similar high melting point (not less than 800°F) filler metal.

NEW SECTION

WAC 296-306A-48037 How must service piping systems be installed? (1) Distribution lines must be installed and maintained in a safe operating condition.

(2) Piping may be above or below ground. All piping must be run as directly as practical, protected against physical damage, with an allowance for expansion and contraction, jarring and vibration. Pipe laid underground in earth must be below the frost line and protected against corrosion. After assembly, piping must be thoroughly blown out with air or nitrogen to remove foreign materials. For oxygen piping, only oil-free air, oil-free nitrogen, or oil-free carbon dioxide must be used.

(3) Only piping that has been welded or brazed must be installed in tunnels, trenches or ducts. Shut-off valves must be located outside such conduits. Oxygen piping may be placed in the same tunnel, trench or duct with fuel-gas pipelines, if there is good natural or forced ventilation.

(4) Low points in piping carrying moist gas must be drained into drip pots constructed to permit pumping or draining out the condensate at necessary intervals. Drain valves must be installed for this purpose having outlets normally closed with screw caps or plugs. Open end valves or petcocks are prohibited, except that in drips located outdoors, underground, and not readily accessible, valves may be used at such points if they have means to secure them in the closed position. Pipes leading to the surface of the ground must be cased or jacketed where necessary to prevent loosening or breaking.

(5) Gas cocks or valves must be provided for all buildings at points where they will be readily accessible for shutting off the gas supply to these buildings in any emergency. Underground valve boxes or manholes should be avoided wherever possible. There must be a shut-off valve in the discharge line from the generator, gas holder, manifold or other source of supply.

(6) Shut-off valves must not be installed in safety-relief lines in such a manner that the safety-relief device can be rendered ineffective.

(7) Fittings and lengths of pipe must be examined internally before assembly and, if necessary, freed from scale or dirt. Oxygen piping and fittings must be washed out with a suitable solution that will effectively remove grease and dirt but will not react with oxygen.

Note: Hot water solutions of caustic soda or trisodium phosphate are effective for this purpose.

(8) Piping must be thoroughly blown out after assembly to remove foreign materials. For oxygen piping, oil-free air, oil-free nitrogen, or oil-free carbon dioxide must be used. For other piping, air or inert gas may be used.

(9) When flammable gas lines or other parts of equipment are being purged of air or gas, open lights or other sources of ignition are prohibited near uncapped openings.

(10) No welding or cutting must be performed on an acetylene or oxygen pipeline, including the attachment of hangers or supports, until the line has been purged. Only oil-free air, oil-free nitrogen, or oil-free carbon dioxide must be used to purge oxygen lines.

NEW SECTION

WAC 296-306A-48039 How must service piping systems be painted and marked? (1) Underground pipe and tubing and outdoor ferrous pipe and tubing must be covered or painted with a suitable material for protection against corrosion.

(2) Aboveground piping systems must be marked according to the American National Standard Scheme for the Identification of Piping Systems, ANSI A 13.1-1956.

(3) Station outlets must be marked to indicate the name of the gas.

NEW SECTION

WAC 296-306A-48041 How must service piping systems be tested? (1) Piping systems must be tested and proved gastight at 1-1/2 times the maximum operating pressure, and must be thoroughly purged of air before being placed in service. The material used for testing oxygen lines must be oil free and noncombustible. Flames must not be used to detect leaks.

(2) When flammable gas lines or other parts of equipment are being purged of air or gas, sources of ignition are prohibited near uncapped openings.

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NEW SECTION

WAC 296-306A-48043 How must equipment be installed? Equipment shall be installed and used only in the service for which it is approved and as recommended by the manufacturer.

NEW SECTION

WAC 296-306A-48045 How must service piping systems be protected? Service piping systems must be protected by pressure relief devices set to function at not more than the design pressure of the systems and discharging upwards to a safe location.

NEW SECTION

WAC 296-306A-48047 What requirements apply to piping protective equipment? (1) The fuel-gas and oxygen piping systems, including portable outlet headers must incorporate the protective equipment shown in Figures V-1, V-2, and V-3.

When only a portion of a fuel-gas system is to be used with oxygen, only that portion must meet this requirement.

(2) Approved protective equipment (designated PF in Figs. V-1, V-2, and V-3) must be installed in fuel-gas piping to prevent:

(a) Backflow of oxygen into the fuel-gas supply system;

(b) Passage of a flash back into the fuel-gas supply system; and

(c) Excessive back pressure of oxygen in the fuel-gas supply system. The three functions of the protective equipment may be combined in one device or may be provided by separate devices.

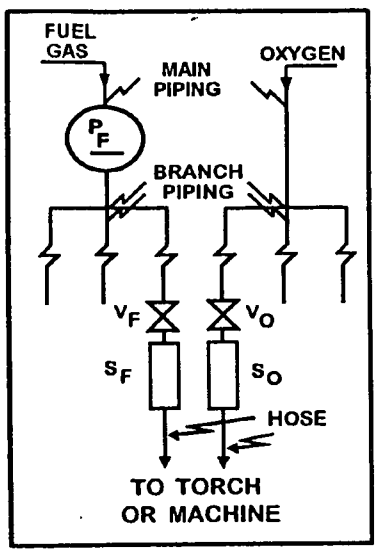

Fig. 1

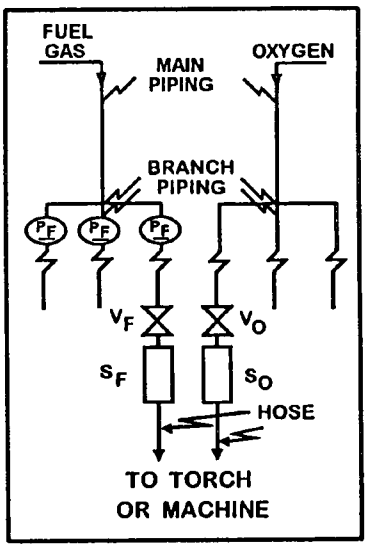

Fig. 2

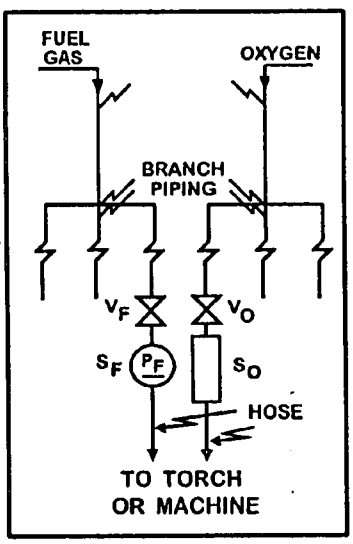

Fig. 3

PF = Protective equipment in fuel-gas piping
VF = Fuel-gas station outlet valve
VO = Oxygen station outlet valve
SF = Backflow prevention device(s) at fuel-gas station outlet
SO = Backflow prevention device(s) at oxygen station outlet

(3) The protective equipment must be located in the main supply line, as in Figure 1 or at the head of each branch line, as in Figure 2 or at each location where fuel-gas is withdrawn, as in Figure 3. Where branch lines are of 2-inch pipe size or larger or of substantial length, protective equipment (designated as PF) shall be located as shown in either 2 or 3.

(4) Backflow protection must be provided by an approved device that will prevent oxygen from flowing into the fuel-gas system or fuel from flowing into the oxygen system (see SF, Figs. 1 and 2).

(5) Flash-back protection must be provided by an approved device that will prevent flame from passing into the fuel-gas system.

(6) Back-pressure protection must be provided by an approved pressure-relief device set at a pressure not greater than the pressure rating of the backflow or the flashback protection device, whichever is lower. The pressure-relief device must be located on the downstream side of the backflow and flashback protection devices. The vent from the pressure-relief device must be at least as large as the relief device inlet and must be installed without low points that may collect moisture. If low points are unavoidable, drip pots with drains closed with screw plugs or caps shall be installed at the low points. The vent terminus must not endanger personnel or property through gas discharge; must be located away from ignition sources; and must terminate in a hood or bend.

(7) If pipeline protective equipment incorporates a liquid, the liquid level must be maintained, and a suitable antifreeze may be used to prevent freezing.

(8) Fuel-gas for use with equipment not requiring oxygen must be withdrawn upstream of the piping protective devices.

NEW SECTION

WAC 296-306A-48049 What requirements apply to station outlet protective equipment? (1) A check valve pressure regulator, hydraulic seal, or combination of these devices must be provided at each station outlet, including those on portable headers, to prevent backflow, as shown in Figures 1, 2, and 3 and designated as SF and SO.

(2) When approved pipeline protective equipment (designated PF) is located at the station outlet as in Figure 3, no additional check valve, pressure regulator, or hydraulic seal is required.

(3) Each station outlet must have a shut-off valve (designated VF and VO) installed on the upstream side of other station outlet equipment.

(4) If the station outlet is equipped with a detachable regulator, the outlet must terminate in a union connection that meets the requirements of the Regulator Connection Standards, 1958, Compressed Gas Association.

(5) If the station outlet is connected directly to a hose, the outlet must terminate in a union connection that meets the requirements of the Standard Hose Connection Specifications, 1957, Compressed Gas Association.

(6) Station outlets may terminate in pipe threads to which permanent connections are to be made, such as to a machine.

(7) Station outlets must have a detachable outlet seal cap secured in place. This cap must be used to seal the outlet except when a hose, a regulator, or piping is attached.

(8) Where station outlets are equipped with approved backflow and flashback protective devices, as many as four torches may be supplied from one station outlet through rigid piping, if each outlet from such piping, is equipped with a shut-off valve and if the fuel-gas capacity of any one torch does not exceed 15 cubic feet per hour. This rule does not apply to machines.

NEW SECTION

WAC 296-306A-48051 What requirements apply to hose and hose connections? (1) Hose for oxy-fuel gas service must meet the requirements of the Specification for Rubber Welding Hose, 1958, Compressed Gas Association and Rubber Manufacturers Association.

(2) The generally recognized colors are red for acetylene and other fuel-gas hose, green for oxygen hose, and black for inert-gas and air hose.

(3) When parallel lengths of oxygen and acetylene hose are taped together for convenience and to prevent tangling, a maximum of 4 inches out of 12 inches must be covered by tape.

(4) Hose connections must meet the requirements of the Standard Hose Connection Specifications, 1957, Compressed Gas Association.

(5) Hose connections must be clamped or otherwise securely fastened so they will withstand, without leakage, twice the pressure to which they are normally subjected in service, but never less than a pressure of 300 psi. Oil-free air or an oil-free inert gas must be used for the test.

(6) Hose showing leaks, burns, worn places, or other defects rendering it unfit for service must be repaired or replaced.

NEW SECTION

WAC 296-306A-48053 What requirements apply to pressure-reducing regulators? (1) Pressure-reducing regulators must be used only for the gas and pressures for which they are intended. The regulator inlet connections must meet the requirements of the Regulator Connection Standards, 1958, Compressed Gas Association.

(2) When regulators or parts of regulators, including gauges, need repair, the work must be performed by skilled mechanics who have been properly instructed.

(3) Gauges on oxygen regulators must be marked "USE NO OIL."

(4) Union nuts and connections on regulators must be inspected before use to detect faulty seats that may cause leakage of gas when the regulators are attached to the cylinder valves. Damaged nuts or connections must be destroyed.

NEW SECTION

WAC 296-306A-485 Installation and operation of resistance welding equipment.

NEW SECTION

WAC 296-306A-48501 What general requirements apply to resistance welding equipment? (1) All equipment must be installed by a qualified electrician according to the requirements of chapter 296-306A WAC Part T. There must be a safety-type disconnecting switch or a circuit breaker or circuit interrupter to open each power circuit to the machine, conveniently located at or near the machine, so that the power can be shut off when the machine or its controls are to be serviced.

(2) Ignitron tubes used in resistance welding equipment must have a thermal protection switch.

(3) Employees designated to operate resistance welding equipment must have been properly instructed and judged competent to operate such equipment.

(4) Controls of all automatic or air and hydraulic clamps must be arranged or guarded to prevent the operator from accidentally activating them.

NEW SECTION

WAC 296-306A-48503 What requirements apply to portable welding machines? (1) All portable welding guns must have suitable counter-balanced devices for supporting the guns, including cables, unless the design of the gun or fixture makes counterbalancing impractical or unnecessary.

(2) All portable welding guns, transformers, and related equipment that is suspended from overhead structures, eye beams, or trolleys must have safety chains or cables. Safety chains or cables shall be able to support the total shock load in the event of failure of any component of the supporting system.

(3) When trolleys are used to support portable welding equipment, they must have suitable forged steel clevis for the attachment of safety chains. Each clevis must be able to

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support the total shock load of the suspended equipment in the event of trolley failure.

(4) All initiating switches, including retraction and dual schedule switches, located on the portable welding gun must have suitable guards able to prevent accidental initiation through contact with fixturing, operator's clothing, etc. Initiating switch voltage must be a maximum of 24 volts.

(5) The movable holder, where it enters the gun frame, must have enough clearance to prevent the shearing an operator's fingers if placed on the operating movable holder.

(6) The secondary and case of all portable welding transformers must be grounded. Secondary grounding may be by center tapped secondary or by a center tapped grounding reactor connected across the secondary.

NEW SECTION

WAC 296-306A-48505 What requirements apply to flash welding equipment? (1) Flash welding machines must have a hood to control flying flash. In cases of high production, where materials may contain a film of oil and where toxic elements and metal fumes are given off, ventilation must be provided according to WAC 296-306A-50009 through 296-306A-50029.

(2) For the protection of the operators of nearby equipment, fire-resistant curtains or suitable shields must be set up around the machine and in such a manner that the operator's movements are not hampered.

(3) If the welding process cannot be isolated, anyone who may be exposed to the hazard of arc flash must be properly protected.

NEW SECTION

WAC 296-306A-48507 Who must perform a job hazard analysis? A qualified person must perform a job hazard analysis on the operations to be performed on each welding machine to determine the safeguards and personal protective equipment that shall be used for each job.

NEW SECTION

WAC 296-306A-48509 What maintenance requirements apply to resistance welding equipment? Qualified maintenance personnel must periodically inspect the equipment and maintain records of the inspections. The operator must be instructed to report any equipment defects to the supervisor and the use of the equipment must be discontinued until safety repairs have been completed.

NEW SECTION

WAC 296-306A-490 Application, installation, and operation of arc welding and cutting equipment.

NEW SECTION

WAC 296-306A-49001 What environmental conditions must be taken into account when selecting arc welding equipment?

Note: You may ensure that your equipment is designed for safety by choosing equipment that complies with the Requirements for Electric Arc-Welding Apparatus, NEMA EW-1-1962, National Electrical Manufacturers Association or the Safety Standard for Transformer-Type Arc-Welding Machines, ANSI C33.2-1956, Underwriters' Laboratories.

(1) Standard machines for arc welding service must be designed and constructed to carry their rated load with rated temperature rises where the temperature of the cooling air is a maximum of 40°C (104°F) and where the altitude is a maximum of 3,300 feet, and must be suitable for operation in atmospheres containing gases, dust, and light rays produced by the welding arc.

(2) When exposed to the following or other conditions, machines must be designed to safely meet the requirements of the service.

- Unusually corrosive fumes;
- Steam or excessive humidity;
- Excessive oil vapor;
- Flammable gases;
- Abnormal vibration or shock;
- Excessive dust;
- Weather;
- Unusual seacoast or shipboard conditions.

NEW SECTION

WAC 296-306A-49003 What voltages must arc welding equipment use? Open circuit (no load) voltages of arc welding and cutting machines should be as low as possible consistent with satisfactory welding or cutting being done. Following are the maximum limits:

(1) For alternating-current machines:

(a) Manual arc welding and cutting—80 volts.

(b) Automatic (machine or mechanized) arc welding and cutting—100 volts.

(2) For direct-current machines:

(a) Manual arc welding and cutting—100 volts.

(b) Automatic (machine or mechanized) arc welding and cutting—100 volts.

(3) When special welding and cutting processes require values of open circuit voltages higher than the above, means must be provided to prevent the operator from making accidental contact with the high voltage by adequate insulation or other means.

Note: For a.c. welding under wet conditions or warm surroundings where perspiration is a factor, the use of reliable automatic controls for reducing no load voltage is recommended to reduce the shock hazard.

NEW SECTION

WAC 296-306A-49005 How must arc welding equipment be designed? (1) A controller integrally mounted in an electric motor driven welder must be able to carry the rated motor current, must be able to make and interrupt stalled rotor current of the motor, and may serve as the running overcurrent device if provided with the number of over-current units as specified by chapter 296-306A WAC Part T. Starters with magnetic undervoltage release should be used with machines installed more than one to a circuit to prevent circuit overload caused by simultaneously starting several motors upon return of voltage.

(2) On all types of arc welding machines, control apparatus must be enclosed except for the operating wheels, levers, or handles.

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Note: Control handles and wheels should be large enough to be easily grasped by a gloved hand.

(3) Input power terminals, tap change devices, and live metal parts connected to input circuits must be completely enclosed and accessible only by tools.

(4) Terminals for welding leads should be protected from accidental electrical contact by employees or by metal objects i.e., vehicles, crane hooks, etc. You may provide protection with:

- Dead-front receptacles for plug connections;
- Recessed openings with nonremovable hinged covers;
- Heavy insulating sleeving or taping; or
- Other equivalent electrical and mechanical protection.

If a welding lead terminal that is intended to be used exclusively for connection to the work is connected to the grounded enclosure, it must be done by a conductor at least two AWG sizes smaller than the grounding conductor and the terminal must be marked to indicate that it is grounded.

(5) No connections for portable control devices (such as push buttons to be carried by the operator) must be connected to an a.c. circuit of higher than 120 volts. Exposed metal parts of portable control devices operating on circuits above 50 volts must be grounded by a grounding conductor in the control cable.

(6) Auto transformers or a.c. reactors must not be used to draw welding current directly from any a.c. power source having a voltage exceeding 80 volts.

NEW SECTION

WAC 296-306A-49007 How must arc welding equipment be installed? Arc welding equipment, including the power supply, must be installed according to the requirements of chapter 296-306A WAC Part T.

NEW SECTION

WAC 296-306A-49009 How must arc welding equipment be grounded? (1) The frame or case of the welding machine (except engine-driven machines) must be grounded according to the requirements of chapter 296-306A WAC Part T.

(2) Conduits containing electrical conductors must not be used for completing a work-lead circuit. Pipelines must not be used as a permanent part of a work-lead circuit, but may be used during construction, extension or repair if current is not carried through threaded joints, flanged bolted joints, or caulked joints and special precautions are used to avoid sparking at connection of the work-lead cable.

(3) Using chains, wire ropes, cranes, hoists, and elevators to carry welding current is prohibited.

(4) Where a structure, conveyor, or fixture is regularly used as a welding current return circuit, joints must be bonded or provided with adequate current collecting devices and appropriate periodic inspection should be conducted to ensure that no electrocution, shock, or fire hazard exists.

(5) All ground connections must be checked to determine that they are mechanically strong and electrically adequate for the required current.

NEW SECTION

WAC 296-306A-49011 What requirements apply to supply connections and conductors? (1) A disconnecting switch or controller must be provided at or near each welding machine without a switch or controller mounted as an integral part of the machine. The switch must meet the requirements of chapter 296-306A WAC Part T. Overcurrent protection must be provided as specified in chapter 296-306A WAC Part T. A disconnect switch with overload protection or equivalent disconnect and protection means, permitted by chapter 296-306A WAC Part T must be provided for each outlet intended for connection to a portable welding machine.

(2) For individual welding machines, the rated current-carrying capacity of the supply conductors must be at least that of the rated primary current of the welding machines.

(3) For groups of welding machines, the rated current-carrying capacity of conductors may be less than the sum of the rated primary currents of the welding machines supplied. The conductor rating must be determined according to the machine loading based on the use to be made of each welding machine and the allowance permissible in the event that all the welding machines supplied by the conductors will not be in use at the same time.

(4) In operations involving several welders on one structure, d.c. welding process requirements may require the use of both polarities; or supply circuit limitations for a.c. welding may require distribution of machines among the phases of the supply circuit. In such cases, no load voltages between electrode holders will be two times normal in d.c. or 1, 1.4, 1.73, or 2 times normal on a.c. machines. Similar voltage differences will exist if both a.c. and d.c. welding are done on the same structure.

(a) All d.c. machines must be connected with the same polarity.

(b) All a.c. machines must be connected to the same phase of the supply circuit and with the same instantaneous polarity.

NEW SECTION

WAC 296-306A-49013 How must arc welding equipment be operated? (1) Employees assigned to operate or maintain arc welding equipment must be acquainted with the requirements of WAC 296-306A-490, 296-306A-495, and 296-306A-500; if doing gas-shielded arc welding, also Recommended Safe Practices for Gas-Shielded Arc Welding, A6.1-1966, American Welding Society.

(2) Before starting operations, all connections to the machine must be checked to make certain they are properly made. The work lead must be firmly attached to the work; magnetic work clamps shall be freed from adherent metal particles of spatter on contact surfaces. Coiled welding cable must be spread out before use to avoid serious overheating and damage to insulation.

(3) You must ensure that the welding machine frame grounding is checked with special attention given to safety ground connections of portable machines.

(4) Cylinders must be kept away from radiators, piping systems, layout tables, etc., that may be used for grounding electric circuits. Any practice such as the tapping of an electrode against a cylinder to strike an arc is prohibited.

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(5) There must be no leaks of cooling water, shielding gas or engine fuel.

(6) You must ensure that the machine has proper switching equipment for shutting down.

(7) Printed rules and instructions covering operation of equipment supplied by the manufacturers must be strictly followed.

(8) Electrode holders when not in use must be placed so that they cannot make electrical contact with persons, conducting objects, fuel or compressed gas tanks.

(9) Cables with splices within 10 feet of the holder are prohibited. The welder should not coil or loop welding electrode cable around parts of the body.

NEW SECTION

WAC 296-306A-49015 How must arc welding equipment be maintained? (1) The operator should report any equipment defect or safety hazard to the supervisor and discontinue using the equipment until its safety is ensured. Repairs must be made only by qualified persons.

(2) Machines that have become wet must be thoroughly dried and tested before being used.

(3) Work and electrode lead cables should be frequently inspected for wear and damage. Cables with damaged insulation or exposed bare conductors must be replaced. Lengths of work and electrode cables must be joined by connecting means specifically intended for the purpose. The connecting means must have insulation adequate for the service conditions.

NEW SECTION

WAC 296-306A-495 Fire prevention and protection.

NEW SECTION

WAC 296-306A-49501 What basic fire prevention precautions must be taken? For more information on these basic precautions and the special precautions of WAC 296-306A-49503, including fire protection and prevention responsibilities of welders, cutters, their supervisors (including outside contractors), and management, see the Standard for Fire Prevention in Use of Cutting and Welding Processes, NFPA Standard 51B, 1962.

The basic precautions for fire prevention in welding or cutting work are:

(1) If the object to be welded or cut cannot readily be moved, all movable fire hazards in the vicinity must be taken to a safe place.

(2) If the object to be welded or cut cannot be moved and if all the fire hazards cannot be removed, then guards must be used to confine the heat, sparks, and slag, and to protect the fire hazards.

(3) If the requirements of this section cannot be met, then welding and cutting are prohibited.

NEW SECTION

WAC 296-306A-49503 What special fire prevention precautions must be taken? When the nature of the work to be performed falls within the scope of WAC 296-306A-49501(2), certain additional precautions may be necessary:

(1) Wherever there are floor openings or cracks in the flooring that cannot be closed, precautions must be taken so that no readily combustible materials on the floor below will be exposed to sparks that drop through. The same precautions must be observed with regard to cracks or holes in walls, open doorways, and open or broken windows.

(2) Suitable fire extinguishing equipment must be maintained in a state of readiness for instant use. Such equipment may consist of pails of water, buckets of sand, hose, or portable extinguishers depending upon the nature and quantity of the combustible material exposed.

(3) The following requirements apply to fire watch:

(a) Fire watchers are required whenever welding or cutting is performed in locations where other than a minor fire might develop, or any of the following conditions exist:

(i) Appreciable combustible material, in building construction or contents, closer than 35 feet to the point of operation.

(ii) Appreciable combustibles are more than 35 feet away but are easily ignited by sparks.

(iii) Wall or floor openings within a 35-foot radius expose combustible material in adjacent areas including concealed spaces in walls or floors.

(iv) Combustible materials are adjacent to the opposite side of metal partitions, walls, ceilings, or roofs and are likely to be ignited by conduction or radiation.

(b) Fire watchers must have fire extinguishing equipment readily available and be trained in its use. They must be familiar with facilities for sounding an alarm in the event of a fire. They must watch for fires in all exposed areas, try to extinguish them only when obviously within the capacity of the equipment available, or otherwise sound the alarm. A fire watch must be maintained for at least a half hour after completion of welding or cutting operations to detect and extinguish possible smoldering fires.

(4) Before cutting or welding is permitted, the area must be inspected by the individual responsible for authorizing cutting and welding operations. The responsible individual must designate precautions to be followed in granting authorization to proceed, preferably in the form of a written permit.

(5) Where combustible materials such as paper clippings, wood shavings, or textile fibers are on the floor, the floor must be swept clean for a radius of 35 feet. Combustible floors must be kept wet, covered with damp sand, or protected by fire-resistant shields. Where floors have been wet down, employees operating arc welding or cutting equipment must be protected from possible shock.

(6) Cutting and welding are prohibited in the following situations:

(a) In areas not authorized by management.

(b) In sprinklered buildings while such protection is impaired.

(c) In the presence of explosive atmospheres (mixtures of flammable gases, vapors, liquids, or dusts with air), or where explosive atmospheres may develop inside uncleaned or improperly prepared tanks or equipment that have previously contained such materials, or that may develop in areas with an accumulation of combustible dusts.

(d) In areas near the storage of large quantities of exposed, readily ignitable materials such as bulk sulphur, baled paper, or cotton.

(7) Where practical, all combustibles must be relocated at least 35 feet from the worksite. Where relocation is impractical, combustibles must be protected with flameproofed covers or otherwise shielded with metal or asbestos guards or curtains. Edges of covers at the floor should be tight to prevent sparks from going under them. This precaution is also important at overlaps where several covers are used to protect a large pile.

(8) Ducts and conveyor systems that might carry sparks to distant combustibles must be suitably protected or shut down.

(9) Where cutting or welding is done near walls, partitions, ceiling, or roof of combustible construction, fire-resistant shields or guards must be provided to prevent ignition.

(10) If welding is to be done on a metal wall, partition, ceiling, or roof, precautions must be taken to prevent ignition of combustibles on the other side, due to conduction or radiation, preferably by relocating combustibles. Where combustibles are not relocated, a fire watch on the opposite side from the work must be provided.

(11) Welding must not be attempted on a metal partition, wall, ceiling, or roof having a combustible covering nor on walls or partitions of combustible sandwich-type panel construction.

(12) Cutting or welding on pipes or other metal in contact with combustible walls, partitions, ceilings or roofs must not be undertaken if the work is close enough to cause ignition by conduction.

(13) You are responsible for the safe use of cutting and welding equipment on your property and:

(a) Based on fire potentials of plant facilities, you must establish areas and procedures for cutting and welding;

(b) You must designate an individual responsible for authorizing cutting and welding operations in areas not specifically designed for such processes;

(c) You must insist that cutters or welders and their supervisors are suitably trained in the safe operation of their equipment and the safe use of the process; and

(d) You must advise all contractors about flammable materials or hazardous conditions of which they may not be aware.

(14) The supervisor must:

(a) Ensure that cutting and welding equipment is handled and used safely.

(b) Determine the combustible materials and hazardous areas present or likely to be present in the work location.

(c) Protect combustibles from ignition by the following:

(i) Have the work moved to a location free from dangerous combustibles;

(ii) If the work cannot be moved, have the combustibles moved to a safe distance from the work or have the combustibles properly shielded against ignition; and

(iii) See that cutting and welding are so scheduled that plant operations that might expose combustibles to ignition are not started during cutting or welding.

(d) Secure authorization for the cutting or welding operations from the designated management representative.

(e) Determine that the cutter or welder secures their approval that conditions are safe before going ahead;

(f) Determine that fire protection and extinguishing equipment are properly located at the site; and

(g) Ensure fire watches are available at the site when required.

(15) Cutting or welding is permitted only in areas that are or have been made fire safe. Within the confines of an operating plant or building, cutting and welding should preferably be done in a specific area designed for such work, such as a maintenance shop or a detached outside location. Such areas should be of noncombustible or fire-resistive construction, essentially free of combustible and flammable contents, and suitably segregated from adjacent areas. When work cannot be moved practically, as in most construction work, the area must be made safe by removing combustibles or protecting combustibles from ignition sources.

NEW SECTION

WAC 296-306A-49505 What precautions must be taken when welding or cutting containers? (1) No welding, cutting, or other hot work may be performed on used drums, barrels, tanks or other containers until they have been cleaned thoroughly enough to be certain that there are no flammable materials present or any substances such as greases, tars, acids, or other materials which when subjected to heat, might produce flammable or toxic vapors. Any pipe lines or connections to the drum or vessel must be disconnected or blanked.

(2) All hollow spaces, cavities, or containers must be vented to permit the escape of air or gases before preheating, cutting or welding. Purging with inert gas is recommended.

NEW SECTION

WAC 296-306A-49507 What precautions must be taken when welding in confined spaces? (1) When arc welding work is stopped for a substantial time, such as during lunch or overnight, all electrodes must be removed from the holders and the holders carefully located so that accidental contact cannot occur and the machine be disconnected from the power source.

(2) In order to eliminate the possibility of gas escaping through leaks or improperly closed valves, when gas welding or cutting, the torch valves must be closed and the gas supply to the torch positively shut off at some point outside the confined area whenever the torch is not to be used for a substantial period of time, such as during lunch hour or overnight. Where practical, the torch and hose must also be removed from the confined space.

NEW SECTION

WAC 296-306A-500 Protection of employees.

NEW SECTION

WAC 296-306A-50001 How must eye protection be selected? (1) Helmets or hand shields must be used during all arc welding or arc cutting operations, excluding submerged arc welding. Goggles should also be worn during arc welding or cutting operations to provide protection from injurious rays from adjacent work, and from flying objects. The goggles may have either clear or colored glass, depending on the amount of exposure to adjacent welding operations. Helpers or attendants must have proper eye protection.

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(2) Goggles or other suitable eye protection must be used during all gas welding or oxygen cutting operations. Spectacles without side shields, with suitable filter lenses are permitted for use during gas welding operations on light work, for torch brazing, or for inspection.

(3) All operators and attendants of resistance welding or resistance brazing equipment must use transparent face shields or goggles, depending on the job, to protect their faces or eyes as required.

(4) Suitable goggles must be provided where needed for brazing operations not above.

NEW SECTION

WAC 296-306A-50003 What specifications must eye protection meet? (1) Helmets and hand shields must be made of a material that is an insulator for heat and electricity. Helmets, shields and goggles must be not readily flammable and must be able to be sterilized.

(2) Helmets and hand shields must be arranged to protect the face, neck and ears from direct radiant energy from the arc.

(3) Helmets must have filter plates and cover plates designed for easy removal.

(4) All parts must be constructed of a material that will not readily corrode or discolor the skin.

(5) Goggles must be ventilated to prevent fogging of the lenses as much as practical.

(6) Cover lenses or plates should be provided to protect each helmet, hand shield, or goggle filter lens or plate.

(7) All glass for lenses must be tempered, substantially free from scratches, air bubbles, waves and other flaws. Except when a lens is ground to provide proper optical correction for defective vision, the front and rear surfaces of lenses and windows must be smooth and parallel.

(8) Lenses must be marked with the source and shade.

(9) Following is a guide to select proper shade numbers. Individual needs may vary.

Welding Operation	Shade No.
Shielded metal-arc welding—1/16-, 3/32-, 1/8-, 5/32-inch electrodes	10
Gas-shielded arc welding (nonferrous)—1/16-, 3/32-, 1/8-, 5/32-inch electrodes	11
Gas-shielded arc welding (ferrous)—1/16-, 3/32-, 1/8-, 5/32-inch electrodes	12
Shielded metal-arc welding: 3/16-, 7/32-, 1/4-inch electrodes	12
5/16-, 3/8-inch electrodes	14
Atomic hydrogen welding	10-14
Carbon arc welding	14
Soldering	2
Torch brazing	3 or 4
Light cutting, up to 1 inch	3 or 4
Medium cutting, 1 inch to 6 inches	4 or 5
Heavy cutting, 6 inches and over	5 or 6
Gas welding (light) up to 1/8 inch	4 or 5
Gas welding (medium) 1/8 inch to 1/2 inch	5 or 6
Gas welding (heavy) 1/2 inch and over	6 or 8

Note: In gas welding or oxygen cutting where the torch produces a high yellow light it is desirable to use a filter or lens that absorbs the yellow or sodium line in the visible light of the operation.

(10) All filter lenses and plates must meet the test for transmission of radiant energy prescribed in ANSI Z 87.1-1968—American National Standard Practice for Occupational and Educational Eye and Face Protection.

(11) Where the work permits, an arc welder should be enclosed in an individual booth painted with a finish of low-reflectivity such as zinc oxide (an important factor for absorbing ultraviolet radiations) and lamp black, or must be enclosed with noncombustible screens similarly painted. Booths and screens must permit circulation of air at floor level. Employees or other persons adjacent to the welding areas must be protected from the rays by noncombustible or flameproof screens or shields or must be required to wear appropriate goggles.

NEW SECTION

WAC 296-306A-50005 What protective clothing must welders wear? (1) Employees exposed to the hazards created by welding, cutting, or brazing operations must be protected by personal protective equipment according to the requirements of chapter 296-306A WAC Part H. Appropriate protective clothing required for any welding operation will vary with the size, nature and location of the work to be performed.

(2) The following suggestions may be helpful when choosing protective clothing:

(a) Except when engaged in light work, all welders should wear flameproof gauntlet gloves.

(b) Flameproof aprons made of leather, asbestos, or other suitable material may help to protect against radiated heat and sparks.

(c) Woolen clothing is better than cotton because it is less easily ignited and helps to protect the welder from changes in temperature. Cotton clothing, if used, should be chemically treated to reduce its combustibility. All outer clothing such as jumpers or overalls should be reasonably free from oil or grease.

(d) Sparks may lodge in rolled-up sleeves, pockets, or cuffs. Therefore sleeves and collars should be buttoned, and clothing should have no front pockets. Trousers or overalls should be uncuffed.

(e) For heavy work, fire-resistant leggings, high boots, or other equivalent means should be used.

(f) In production work a sheet metal screen in front of the employee's legs can provide further protection against sparks and molten metal in cutting operations.

(g) Capes or shoulder covers made of leather or other suitable materials should be worn during overhead welding or cutting operations. Leather skull caps may be worn under helmets to prevent head burns.

(h) For welding and cutting overhead or in extremely confined spaces, ear protection is sometimes desirable.

(i) Where there is exposure to sharp or heavy falling objects, or a hazard of bumping in confined spaces, hard hats or head protectors must be used.

NEW SECTION

WAC 296-306A-50007 What other requirements apply to employee protection? (1) You must ensure that a welder or helper working on platforms, scaffolds, or runways is protected against falling by using railings, safety belts, life lines, or other equally effective safeguards.

(2) Welders must place welding cable and other equipment so that it is clear of passageways, ladders, and stairways.

NEW SECTION

WAC 296-306A-50009 What employee protection must be provided in confined spaces? "Confined space" means a relatively small or restricted space such as a tank, boiler, pressure vessel, or small compartment of a ship.

(1) Confined spaces must be ventilated. For ventilation requirements see WAC 296-306A-50011 through 296-306A-50029.

(2) When welding or cutting in a confined space, the gas cylinders and welding machines must be left outside. Before operations are started, heavy portable equipment mounted on wheels must be securely blocked to prevent accidental movement.

(3) Where a welder must enter a confined space through a manhole or other small opening, means must be provided for quickly removing the welder in case of emergency. When safety belts and lifelines are used, they must be attached so that the welder's body cannot be jammed in a small exit opening. An attendant with a preplanned rescue procedure must be stationed outside to observe the welder at all times and be able to put rescue operations into effect.

(4) After welding operations are completed, the welder must mark the hot metal or provide some other means of warning other employees.

NEW SECTION

WAC 296-306A-50011 What general requirements apply to welding ventilation? (1) The following three factors in arc and gas welding must be considered when determining the amount of contamination to which welders may be exposed:

(a) Dimensions of space in which welding is to be done (especially ceiling height);

(b) Number of welders; and

(c) The possibility of hazardous fumes, gases, or dust according to the metals involved.

(2) Other factors involved may require ventilation or respiratory protective devices as needed to meet the requirements of this section. Such factors include:

(a) Atmospheric conditions;

(b) Heat generated; and

(c) Presence of volatile solvents.

(3) When welding must be performed in a space entirely screened on all sides, the screens must be arranged so that no serious restriction of ventilation exists. The screens should be mounted so that they are about 2 feet above the floor unless the work is performed at so low a level that the screen must be extended nearer to the floor to protect nearby employees from the glare of welding.

(4) Local exhaust or general ventilating systems must be provided and arranged to keep the amount of toxic fumes, gases, or dusts below the maximum allowable in chapter 296-62 WAC.

Note: A number of potentially hazardous materials are employed in fluxes, coatings, coverings, and filler metals used in welding and cutting or are released to the atmosphere during welding and cutting. These include but are not limited to the materials itemized in WAC 296-306A-50019 through 296-306A-50029.

(5) You must determine which potentially hazardous materials are associated with welding and cutting and inform employees through signs, labels or other appropriate means.

(a) Welding may produce fumes and gases hazardous to health. Avoid breathing these fumes and gases. Use adequate ventilation. See ANSI Z 49.1-1967, Safety in Welding and Cutting, published by the American Welding Society.

(b) Brazing (welding) filler metals containing cadmium in significant amounts must carry the following notice on tags, boxes, or other containers:

WARNING
CONTAINS CADMIUM—POISONOUS FUMES MAY BE FORMED ON HEATING

- Do not breathe fumes. Use only with adequate ventilation such as fume collectors, exhaust ventilators, or air-supplied respirators. See ANSI Z 49.1-1967.
- If chest pain, cough, or fever develops after use call physician immediately.
- Keep children away when using.

(c) Brazing and gas welding fluxes containing fluorine compounds must have a cautionary wording to indicate that they contain fluorine compounds. The American Welding Society recommends the following for brazing and gas welding fluxes:

CAUTION
CONTAINS FLUORIDES

This flux when heated gives off fumes that may irritate eyes, nose and throat.

- Avoid fumes. Use only in well-ventilated spaces.
- Avoid contact of flux with eyes or skin.
- Do not take internally.

NEW SECTION

WAC 296-306A-50013 What ventilation must be provided for general welding and cutting? (1) Mechanical ventilation must be provided when welding or cutting is done on metals not covered in WAC 296-306A-50019 through 296-306A-50029 in the following locations:

(a) In a space of less than 10,000 cubic feet per welder.

(b) In a room with a ceiling height of less than 16 feet.

(c) In confined spaces or where the welding space contains partitions, balconies, or other structural barriers to the extent that they significantly obstruct cross-ventilation.

(2) Ventilation must be at the minimum rate of 2,000 cubic feet per minute per welder.

Exception: This requirement does not apply where local exhaust hoods and booths that meet the requirements of WAC 296-306A-50015, or airline respirators approved by the Mine Safety and Health Administration (MSHA) and the

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National Institute for Occupational Safety and Health (NIOSH) for such purposes are provided. Natural ventilation is considered sufficient for welding or cutting operations where the restrictions in subsection (1) of this section are not present.

NEW SECTION

WAC 296-306A-50015 What requirements apply to local exhaust hoods and booths? Mechanical local exhaust ventilation may be provided by either of the following:

(1) Freely movable hoods intended to be placed by the welder as near as practical to the work being welded and provided with a rate of airflow sufficient to maintain a velocity in the direction of the hood of 100 linear feet per minute in the zone of welding when the hood is at its most remote distance from the point of welding. The rates of ventilation required to accomplish this control velocity using a 3-inch wide flanged suction opening are shown in the following table:

Welding zone	Minimum air flow cubic feet/minutes	Duct diameter inches
4 to 6 inches from arc or torch	150	3
6 to 8 inches from arc or torch	275	3-1/2
8 to 10 inches from arc or torch	425	4-1/2
10 to 12 inches from arc or torch	600	5-1/2

1 When brazing with cadmium bearing materials or when cutting on such materials increased rates of ventilation may be required.

2 Nearest half-inch duct diameter based on 4,000 feet per minute velocity in pipe.

(2) A fixed enclosure with a top and at least two sides that surround the welding or cutting operations and with a rate of airflow sufficient to maintain a velocity away from the welder of not less than 100 linear feet per minute.

NEW SECTION

WAC 296-306A-50017 What ventilation must be provided in confined spaces? (1) All welding and cutting operations carried on in confined spaces must be adequately ventilated to prevent the accumulation of toxic materials or possible oxygen deficiency. This applies to welders, helpers, and other employees in the immediate vicinity. All replacement air must be clean and respirable.

(2) In circumstances where it is impossible to provide such ventilation, airline respirators or hose masks approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH) for this purpose must be used.

(3) In areas immediately hazardous to life, hose masks with blowers or self-contained breathing equipment must be used. The breathing equipment must be approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH).

(4) Where welding operations are carried on in confined spaces and where welders and helpers are provided with hose masks, hose masks with blowers or self-contained breathing equipment approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH), an employee must be stationed on the outside of such confined spaces to ensure the safety of those working within.

(5) Oxygen must not be used for ventilation.

NEW SECTION

WAC 296-306A-50019 What requirements apply to welding fluorine compounds? In confined spaces, welding or cutting involving fluxes, coverings, or other materials that contain fluorine compounds must be done according to WAC 296-306A-50017.

"Fluorine compound" means a compound that contains fluorine as an element in chemical combination, not as a free gas.

Note: The need for local exhaust ventilation or airline respirators for welding or cutting in other than confined spaces will depend on the circumstances. However, such protection is desirable for fixed-location production welding and for all production welding on stainless steels. Where air samples taken at the welding location indicate that the fluorides liberated are below the maximum allowable concentration, such protection is not necessary.

NEW SECTION

WAC 296-306A-50021 What requirements apply to welding zinc? (1) In confined spaces welding or cutting involving zinc-bearing base or filler metals or metals coated with zinc-bearing materials must be done according to WAC 296-306A-50017.

(2) Indoors, welding or cutting involving zinc-bearing base or filler metals coated with zinc-bearing materials must be done according to WAC 296-306A-50015.

NEW SECTION

WAC 296-306A-50023 What requirements apply to welding lead? (1) In confined spaces, welding involving lead-base metals (erroneously called lead-burning) must be done according to WAC 296-306A-50017.

(2) Indoors, welding involving lead-base metals must be done according to WAC 296-306A-50015.

(3) In confined spaces or indoors, welding or cutting involving metals containing lead, other than as an impurity, or involving metals coated with lead-bearing materials, including paint, must be done using local exhaust ventilation or airline respirators. Outdoors, such operations must be done using respiratory protective equipment approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH) for such purposes. In all cases, employees in the immediate vicinity of the cutting operation must be protected as necessary by local exhaust ventilation or airline respirators.

Note: See chapter 296-62 WAC for additional requirements on lead.

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NEW SECTION

WAC 296-306A-50025 What requirements apply to welding beryllium? Welding or cutting indoors, outdoors, or in confined spaces involving beryllium-containing base or filler metals must be done using local exhaust ventilation and airline respirators unless atmospheric tests under the most adverse conditions have established that employee exposure is within the acceptable concentrations defined by chapter 296-62 WAC. In all cases, employees in the immediate vicinity of the welding or cutting operations must be protected as necessary by local exhaust ventilation or airline respirators.

NEW SECTION

WAC 296-306A-50027 What requirements apply to welding cadmium? (1) Welding or cutting indoors or in confined spaces involving cadmium-bearing or cadmium-coated base metals must be done using local exhaust ventilation or airline respirators unless atmospheric tests under the most adverse conditions have established that employee exposure is within the acceptable concentrations defined by chapter 296-62 WAC. Outdoors, such operations must be done using respiratory protective equipment such as fume respirators approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH) for such purposes.

(2) Welding (brazing) involving cadmium-bearing filler metals must be done using ventilation as prescribed in WAC 296-306A-50015 or 296-306A-50017 if the work is to be done in a confined space.

Note: See chapter 296-62 WAC for additional requirements on cadmium.

NEW SECTION

WAC 296-306A-50029 What requirements apply to welding mercury? Welding or cutting indoors or in a confined space involving metals coated with mercury-bearing materials, including paint, must be done using local exhaust ventilation or airline respirators unless atmospheric tests under the most adverse conditions have established that employee exposure is within the acceptable concentrations defined by chapter 296-62 WAC. Outdoors, such operations must be done using respiratory protective equipment approved by the Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH) for such purposes.

PART W
POWERED INDUSTRIAL TRUCKS (FORKLIFTS)

NEW SECTION

WAC 296-306A-520 Powered industrial trucks (forklifts).

NEW SECTION

WAC 296-306A-52001 What does this section cover? WAC 296-306A-520 applies to all powered industrial trucks used in agricultural operations.

NEW SECTION

WAC 296-306A-52003 What is a "powered industrial truck"? "Powered industrial truck" (or "truck") means a fork truck, industrial tractor, platform lift truck, motorized hand truck, or other specialized industrial trucks, powered by electric motors or internal combustion engines. The definition does not include compressed gas-operated industrial trucks, farm vehicles, or vehicles intended primarily for earth moving or over-the-road hauling.

NEW SECTION

WAC 296-306A-52005 What manufacturer's requirements apply to powered industrial trucks? (1) All powered industrial trucks must meet the design and construction requirements for powered industrial trucks established in the ANSI B56.1-1969, "Powered Industrial Trucks."

(2) Approved trucks must have a label indicating approval by the testing laboratory as meeting the specifications and requirements of ANSI B56.1-1969.

(3) Modifications or additions must only be performed with the manufacturer's prior written approval. When modifications or additions are made, capacity, operation, and maintenance instruction plates, tags, or decals must be changed accordingly.

(4) If the truck is equipped with front-end attachments other than factory installed attachments, it shall be marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with the load centered from side to side.

(5) The user must ensure that all nameplates and markings are in place and legible.

NEW SECTION

WAC 296-306A-52007 What are the classifications of powered industrial trucks? Powered industrial trucks are identified according to the following classifications:

(1) "D" units are similar to G units except that they are diesel engine powered instead of gasoline engine powered.

(2) "DS" units are diesel powered units with additional safeguards to the exhaust, fuel, and electrical systems. They may be used in some locations where a D unit may not be considered suitable.

(3) "DY" units are diesel powered units that have all the safeguards of the DS units; in addition, they do not have any electrical equipment, including the ignition, and are equipped with temperature limitation features.

(4) "E" units are electrically powered units with minimum acceptable safeguards against inherent fire hazards.

(5) "ES" units are electrically powered units that, in addition to all of the requirements for the E units, are provided with additional safeguards to the electrical system to prevent emission of hazardous sparks and to limit surface temperatures. They may be used in some locations where the use of an E unit may not be considered suitable.

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(6) "EE" units are electrically powered units that have, in addition to all of the requirements for the ES units, electric motors and all other electrical equipment completely enclosed. The EE unit may be used where the use of an E or ES unit may not be considered suitable.

(7) "EX" units are electrically powered units that differ from E, ES, or EE units in that the electrical fittings and equipment are so designed, constructed, and assembled that the units may be used in certain atmospheres containing flammable vapors or dusts.

(8) "G" units are gasoline powered units having minimum acceptable safeguards against inherent fire hazards.

(9) "GS" units are gasoline powered units with additional safeguards to the exhaust, fuel, and electrical systems. They may be used in some locations where the use of a G unit may not be considered suitable.

(10) "LP" units are similar to G units except that LP-gas is used for fuel instead of gasoline.

(11) "LPS" units are LP-gas powered units with additional safeguards to the exhaust, fuel, and electrical systems. They may be used in some locations where the use of an LP unit may not be considered suitable.

NEW SECTION

WAC 296-306A-52009 What must a user consider before choosing a powered industrial truck? Before choosing the industrial truck to use, the user must determine whether the atmosphere or location is hazardous or nonhazardous. The type of industrial truck shall be chosen according to the requirements of WAC 296-306A-52011.

NEW SECTION

WAC 296-306A-52011 What requirements determine which trucks to use in specific hazardous environments? Following are the minimum truck types required in specific hazardous environments. You may choose to use industrial trucks having greater safeguards.

(1) Powered industrial trucks are prohibited in atmospheres with a hazardous concentration of acetylene, butadiene, ethylene oxide, hydrogen (or gases or vapors equivalent in hazard to hydrogen, such as manufactured gas), propylene oxide, acetaldehyde, cyclopropane, diethyl ether, ethylene, isoprene, or unsymmetrical dimenthyl hydrazine (UDMH).

(a) Approved EX trucks must be used in atmospheres containing hazardous concentrations of metal dust, including aluminum, magnesium, and their commercial alloys; other metals of similarly hazardous characteristics; or in atmospheres containing carbon black, coal, or coke dust.

(b) In atmospheres where dust of magnesium, aluminum or aluminum bronze may be present, fuses, switches, motor controllers, and circuit breakers of trucks must have enclosures specifically approved for such locations.

(2) Approved EX trucks must be used in atmospheres containing acetone, acrylonitrile, alcohol, ammonia, benzine, bensol, butane, ethylene dichloride, gasoline, hexane, lacquer solvent vapors, naphtha, natural gas, propane, propylene, styrene, vinyl acetate, vinyl chloride, or xylenes in quantities sufficient to produce explosive or ignitable mixtures.

(3) Approved DY, EE, or EX trucks must be used in locations where volatile flammable liquids or flammable gases are handled, processed or used, if the hazardous liquids, vapors or gases are normally confined within closed containers or closed systems from which they can escape only in case of accidental rupture or breakdown, or in case of abnormal equipment operation.

Approved DY, EE, or EX trucks may also be used in locations in which hazardous concentrations of gases or vapors are normally prevented by mechanical ventilation but that might become hazardous through failure or abnormal operation of the ventilating equipment.

(4) Approved DS, ES, GS, or LPS trucks must be used in locations used for the storage of hazardous liquids in sealed containers or liquefied or compressed gases in containers. This classification includes locations where volatile flammable liquids or flammable gases or vapors are used but are hazardous only in case of an accident or an unusual operation condition.

The quantity of hazardous material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the business's history of explosions or fires are all factors that should be considered in determining which truck has sufficient safeguards for the location.

(a) Approved EX trucks must be used in atmospheres in which combustible dust is or may be suspended in quantities sufficient to produce explosive or ignitable mixtures, or where mechanical failure or abnormal operation of machinery or equipment might cause such mixtures to be produced.

(b) The EX classification usually includes the working areas of: Grain handling and storage plants, rooms containing grinders or pulverizers, cleaners, graders, scalpers, open conveyors or spouts, open bins or hoppers, mixers or blenders, automatic or hopper scales, packing machinery, elevator heads and boots, stock distributors, dust and stock collectors (except all-metal collectors vented to the outside), and all similar dust producing machinery and equipment in grain processing plants, starch plants, sugar pulverizing plants, malting plants, hay grinding plants, and other similar locations; and areas where combustible dust may, under normal operating conditions, be present in the air in quantities sufficient to produce explosive or ignitable mixtures.

(5) Approved DY, EE, or EX trucks must be used in atmospheres in which deposits or accumulations of combustible dust may be ignited by arcs or sparks from the truck, if combustible dust will not normally be suspended or thrown into suspension by the normal operation of equipment or apparatus in quantities sufficient to produce explosive or ignitable mixtures.

(6) Approved DY, EE, or EX trucks must be used in locations with easily ignitable fibers or flyings if the fibers or flyings are not likely to be suspended in quantities sufficient to produce ignitable mixtures.

(7) Approved DS, DY, ES, EE, EX, GS, or LPS trucks must be used in locations, including outside storage, where easily ignitable fibers are stored or handled, but are not processed or manufactured. E trucks that have been previously used in these locations may continue to be used.

(8) If storage warehouses and outside storage locations are hazardous, the specified approved truck must be used. If not classified as hazardous, any approved D, E, G, or LP truck may be used, or trucks meeting the requirements for these types may be used.

The Uses of Industrial Trucks in Hazardous Locations

Unclassified & Class I

Classes	Unclassified	Class I locations			
Description of classes	Locations not possessing atmospheres as described in other columns	Locations in which flammable gases or vapors are, or may be, present in the air in quantities sufficient to produce explosive or ignitible mixtures			
Groups in classes	None	A	B	C	D
Examples of locations or atmospheres in classes and groups	Piers and wharves, inside and outside general storage, general industrial or commercial properties	Acetylene	Hydrogen	Ethyl ether	Gasoline Naphtha Alcohols Acetone Lacquer solvent Benzene
		1			2
Divisions (nature of hazardous conditions)	None	Above condition exists continuously, intermittently, or periodically under normal operating conditions		Above condition may occur accidentally due to a puncture of a storage drum	

Class II & III

Classes	Class II location			Class III locations	
Description of classes	Locations that are hazardous because of the presence of combustible dust			Locations where easily ignitible fibers or flyings are present but not likely to be in suspension in quantities sufficient to produce ignitible mixtures	
Groups in classes	E	F	G	None	
Examples of locations or atmospheres in classes and groups	Metal dust Coal dust Coke dust	Carbon black Starch dust Organic dust	Grain dust Flour dust	Baled waste, cocoa fiber, cotton, excelsior, hemp, istle, jute, kapok, oakum, sisal, Spanish moss, synthetic fibers, tow.	
	1		2	1	2
Divisions (nature of hazardous conditions)	Explosive mixture may be present under normal operating conditions, or where failure of equipment may cause the condition to exist simultaneously with arcing or sparking of electrical equipment, or where dusts of an electrically conducting nature may be present		Explosive mixture not normally present, but where deposits of dust may cause heat rise in electrical equipment, or where such deposits may be ignited by arcs or sparks from electrical equipment	Locations in which easily ignitible fibers or materials producing combustible flyings are handled, manufactured, or used	Locations in which easily ignitible fibers are stored or handled (except in the process of manufacture)

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PERMANENT

Groups in classes--None, A, B, C, and D

Groups in classes	None	A	B	C	D	A	B	C	D
Types of trucks authorized:									
Diesel:									
Type D	D*								
Type DS									DS
Type DY									DY
Electric:									
Type E	E*								
Type ES									ES
Type EE									EE
Type EX					EX				EX
Gasoline:									
Type G	G*								
Type GS									GS
LP-Gas:									
Type LP	LP*								
Type LPS									LPS

*These types of trucks may also be used.

Groups in class--E, F, G, and None

Groups in classes	E	F	G	E	F	G	None	None
Types of trucks authorized:								
Diesel:								
Type D								
Type DS						DS		DS
Type DY						DY	DY	DY
Electric:								
Type E								E
Type ES						ES		ES
Type EE						EE	EE	EE
Type EX		EX	EX			EX	EX	EX
Gasoline:								
Type G								
Type GS						GS		GS
LP-Gas:								
Type LP								
Type LPS						LPS		LPS

NEW SECTION

WAC 296-306A-52013 In what environments may converted trucks be used? When powered industrial trucks that were originally approved to use gasoline are converted to use LP-gas according to WAC 296-306A-52047(12), they may be used in locations where G, GS or LP, and LPS trucks are specified.

NEW SECTION

WAC 296-306A-52015 What requirements apply to overhead safety guards? (1) High-lift rider trucks must be fitted with an overhead guard manufactured according to WAC 296-306A-52005(1), unless operating conditions do not permit.

(2) An overhead guard must be used as protection against falling objects.

Note: An overhead guard is intended to offer protection from the impact of small packages, boxes, bagged material, and other objects involved in the job, but not to withstand the impact of a falling capacity load.

NEW SECTION

WAC 296-306A-52017 What requirements apply to load backrests? (1) A load backrest extension must be used whenever necessary to minimize the possibility of the load or part of it from falling rearward.

(2) If the type of load presents a hazard, the user must equip fork trucks with a vertical load backrest extension manufactured according to WAC 296-306A-52005(1).

NEW SECTION

WAC 296-306A-52019 What requirements apply to fuel handling and storage? (1) You must ensure that liquid fuels such as gasoline and diesel fuel are stored and handled according to NFPA Flammable and Combustible Liquids Code (NFPA No. 30-1969).

(2) You must ensure that LP-gas fuel is stored and handled according to NFPA Storage and Handling of Liquefied Petroleum Gases (NFPA No. 58-1969).

NEW SECTION

WAC 296-306A-52021 What requirements apply to lighting for operating areas? (1) Adequate lighting should be provided in operating areas. (See ANSI Practice for Industrial Lighting, All.1-1965 (R1970).)

(2) Where general lighting is inadequate, directional lighting must be provided on the truck.

NEW SECTION

WAC 296-306A-52023 What level of carbon monoxide gas is allowed?

Concentration levels of carbon monoxide gas created by truck operations must not exceed the levels specified in WAC 296-62-075 (general occupational health standards).

Note: Questions concerning degree of concentration and methods of sampling should be referred to a qualified industrial hygienist.

NEW SECTION

WAC 296-306A-52025 What requirements apply to dockboards (bridge plates)? (1) Portable and powered dockboards must be strong enough to support the load carried on them.

(2) Portable dockboards must be secured in position, either by anchors or anti-slipping devices.

(3) Powered dockboards must meet the design and construction requirements of Commercial Standard CS202-56 (1956) "Industrial Lifts and Hinged Loading Ramps" published by the U.S. Department of Commerce.

(4) Dockboard or bridge plates must be driven over carefully and slowly and their rated capacity never exceeded.

(5) Portable dockboards must have handholds for safe handling.

(6) Railroad cars must be kept stationary while dockboards or bridge plates are in position.

NEW SECTION

WAC 296-306A-52027 What rules apply to loading trucks, trailers, and railroad cars with powered industrial trucks? (1) Wheel stops or other positive protection must be provided to prevent railroad cars from moving during loading or unloading.

(2) Fixed jacks may be necessary to support a semi-trailer and prevent up-ending during loading or unloading if the trailer is not coupled to a tractor.

(3) Many truck-trailers are equipped with a rear-end protection device to prevent cars from wedging underneath during a collision. These protection devices must be used with equipment that secures the truck-trailer to the loading dock. Wheel chocks are not required under the following conditions:

(a) Trucks or trailers are secured to the loading dock with a mechanical system that prevents movement away from the dock during loading, unloading, and boarding.

(b) All of the mechanical equipment is installed, maintained, and used as recommended by the manufacturer.

(c) Any damaged mechanical equipment is removed from service immediately and is not used to secure trucks and trailers.

(4) The flooring of trucks, trailers, and railroad cars must be checked for breaks and weakness before use.

NEW SECTION

WAC 296-306A-52029 Who may operate powered industrial trucks? You must only allow trained and authorized operators to operate powered industrial trucks. You must provide training in the safe operation of powered industrial trucks to employee-operators.

NEW SECTION

WAC 296-306A-52031 What requirements apply to operating powered industrial trucks? (1) No operator may drive a truck up to anyone standing in front of a fixed object.

(2) No one may stand or pass under the elevated portion of any truck, whether loaded or empty.

(3) Only authorized personnel may ride on powered industrial trucks. The truck must have a safe place to ride when riding is authorized.

(4) You must prohibit employees from placing their arms or legs between the uprights of the mast or outside the running lines of the truck.

(5) When an operator leaves a powered industrial truck unattended:

(a) The load must be fully lowered;

(b) The controls must be neutralized;

(c) The power must be shut off; and

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(d) The brakes must be set.

(e) If the truck is parked on an incline, the wheels must be blocked.

A powered industrial truck is "unattended" when the operator is 25 feet or more away from the vehicle, which remains in view, or whenever the operator leaves the vehicle and it is not in view.

(6) When a truck operator is dismounted, within 25 feet of the truck, and still in view, the load must be fully lowered, the controls must be neutralized, and the brakes must be set to prevent movement.

(7) The operator must maintain a safe distance from the edge of ramps or platforms while operating on any elevated dock, or platform or freight car.

(8) There must be enough headroom for trucks to operate under overhead installations, lights, pipes, sprinkler systems, or other overhead projections.

NEW SECTION

WAC 296-306A-52033 When may trucks be used to open or close freight car doors? Trucks may only be used for opening or closing freight car doors with an approved device that meets the following requirements:

(1) The door opening or closing device requires that the force applied by the device to the door is parallel to the door travel.

(2) The truck operator is trained in the use of the door opening or closing device and keeps the operation in full view while opening and closing.

(3) The area is clear of people while the door is moved with a device.

NEW SECTION

WAC 296-306A-52035 What requirements apply to lifting employees on the forks of trucks? Employees may be lifted on the lifting carriage or forks of a powered industrial truck under the following conditions:

(1) The truck is equipped with vertical only, or vertical and horizontal controls elevatable with the lifting carriage or forks.

(2) A safety platform is firmly secured to the lifting carriage and/or forks.

(3) Employees on the platform have a mechanism to shut off power to the truck.

(4) Employees on the platform are protected from falling objects according to the operating conditions.

NEW SECTION

WAC 296-306A-52037 What requirements apply to using platforms for hoisting employees? A platform built specifically for hoisting people may be used to lift employees when:

(1) The platform is securely attached to the forks and has standard guardrails and toeboards installed on all sides.

(2) The hydraulic system is designed so that the lift mechanism will not drop faster than 135 feet per minute in the event of a failure in any part of the system. Forklifts used for elevating work platforms are identified as meeting this requirement.

(3) A safety strap is installed or the control lever is locked to prevent the boom from tilting.

(4) An operator attends the lift equipment while employees are on the platform.

(5) The operator is in the normal operating position while raising or lowering the platform.

(6) The vehicle remains stationary while employees are on the platform.

Exception: Inching or maneuvering at very slow speed is permissible.

(7) The area between employees on the platform and the mast is adequately guarded to prevent contact with chains or other shear points.

NEW SECTION

WAC 296-306A-52039 What requirements apply to traveling in a powered industrial truck? (1) The operator must maintain a safe distance of approximately three truck lengths from the truck ahead. The truck must be kept under control at all times.

(2) The operator must yield the right of way to ambulances, fire trucks, or other vehicles in emergency situations.

(3) Passing other trucks traveling in the same direction at intersections, blind spots, or other dangerous locations is prohibited.

(4) Railroad tracks must be crossed diagonally wherever possible. The operator must not park closer than 8 feet from the center of railroad tracks.

(5) The operator must look in the direction of, and keep a clear view of, the path of travel.

(6) Stunt driving and horseplay are prohibited.

(7) The operator must approach elevators slowly, and then enter squarely after the elevator car is properly leveled. Once on the elevator, the operator must neutralize controls, shut off power, and set the brakes.

(8) Motorized hand trucks must enter elevator or other confined areas with load end forward.

(9) The operator must avoid running over loose objects on the roadway surface.

NEW SECTION

WAC 296-306A-52041 What requirements apply to traveling speeds of powered industrial trucks? (1) The operator must observe all traffic regulations, including authorized plant speed limits.

(2) The operator must slow down and sound the horn at cross aisles and other locations where vision is obstructed. If the load obstructs a forward view, the driver must travel with the load trailing.

Exception: If traveling with the load trailing creates new hazards, it is not required.

(3) The operator must ascend and descend grades slowly.

(a) At grades over 10 percent, loaded trucks must be driven with the load upgrade.

(b) Unloaded trucks should be operated on all grades with the load carrier downgrade.

(c) On all grades the load and load carrier must be tilted back if applicable, and raised only as far as necessary to clear the road surface.

(4) Under all travel conditions, the truck must be operated at a speed that will permit it to be stopped safely.

(5) The driver must slow down for wet and slippery floors.

(6) While negotiating turns, the operator must slow to a safe speed and turn the wheel in a smooth, sweeping motion.

NEW SECTION

WAC 296-306A-52043 What requirements apply to loading powered industrial trucks? (1) All loads must be stable or safely arranged. Exercise caution when handling off-center loads that cannot be centered.

(2) All loads must be within the rated capacity of the truck.

(3) Take care securing, manipulating, positioning, and transporting loads when attachments are used. Trucks with attachments must be operated as partially loaded trucks when not handling a load.

(4) Place the load carrier under the load as far as possible. Tilt the mast backward to stabilize the load.

(5) Use extreme care when tilting the load forward or backward, particularly when high tiering. Avoid tilting the load forward with the load carrier elevated except to pick up a load, or when the load is in a deposit position over a rack or stack. When stacking or tiering, use only enough backward tilt to stabilize the load.

NEW SECTION

WAC 296-306A-52045 What requirements apply to servicing powered industrial trucks? (1) Powered industrial trucks that need repairs, are defective, or in any way unsafe must be taken out of service until restored to safe operating condition.

(2) Stop the engine before filling fuel tanks. Avoid spilling fuel.

(3) When oil or fuel spills, wash the spill away carefully or evaporate the spill completely and replace the fuel tank cap before restarting engine.

(4) No truck may be operated with a leak in the fuel system.

(5) Open flames are prohibited for checking electrolyte level in storage batteries or gasoline level in fuel tanks.

NEW SECTION

WAC 296-306A-52047 What requirements apply to maintaining powered industrial trucks? (1) Powered industrial trucks must be removed from service when not in safe operating condition. All repairs must be made by an authorized employee.

(2) No repairs may be made in Class I, II, and III locations.

(3) When repairs to fuel and ignition systems of industrial trucks involve fire hazards, the repairs must be conducted only in designated locations.

(4) Trucks in need of repairs to the electrical system must have the battery disconnected prior to repair.

(5) Industrial truck parts must be replaced only by parts of equivalent safety.

(6) Industrial trucks must not be altered so that the relative positions of parts are different from when they were manufactured. Industrial trucks must not have parts added or eliminated, except as provided in WAC 296-306A-52005. Fork trucks must not have additional counterweighting added unless approved by the truck manufacturer.

(7) Industrial trucks must be examined at least daily before being placed in service. Industrial trucks must not be placed in service if the examination shows any unsafe condition.

Where industrial trucks are used on a round-the-clock basis, they shall be examined after each shift. Defects must be immediately reported and corrected.

(8) Water mufflers must be filled daily or as frequently as necessary to prevent the water supply from dropping below 75 percent. Vehicles must not be operated if muffler screens or other parts are clogged. Any vehicle that emits hazardous sparks or flames from the exhaust system must immediately be removed from service until the emission of such sparks and flames has been eliminated.

(9) When the temperature of any part of any truck exceeds its normal operating temperature, the vehicle must be removed from service until the cause for overheating has been eliminated.

(10) Industrial trucks must be kept clean and free of excess accumulations of combustible materials, oil, and grease. Noncombustible agents should be used for cleaning trucks. Low flash point (below 100°F) solvents must not be used. High flash point (at or above 100°F) solvents may be used. Take precautions regarding toxicity, ventilation, and fire hazard according to the agent or solvent used.

(11) Glycol base antifreeze must be used in the engine cooling system.

(12) Industrial trucks originally approved to use gasoline fuel may be converted to use LP-gas fuel if the converted truck has the features specified for LP or LPS designated trucks. The converted equipment must be approved. You may find a description of the conversion system and the recommended method of installation in the "listed by report" of a nationally recognized testing laboratory.

PART X
RIM WHEEL SERVICING

NEW SECTION

WAC 296-306A-530 Rim wheel servicing.

NEW SECTION

WAC 296-306A-53001 What does this section cover? WAC 296-306A-530 applies to the servicing of multipiece and single-piece rim wheels used on large vehicles such as trucks, tractors, trailers, buses and off-road machines. It does not apply to servicing rim wheels used on automobiles, or on pickup trucks and vans with automobile tires or truck tires designated "LT."

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NEW SECTION

WAC 296-306A-53003 What definitions apply to rim wheel servicing? "Barrier" means a fence, wall, or structure placed between a single-piece rim wheel and an employee during tire inflation, to contain the rim wheel components in the event of the sudden release of the contained air of the single-piece rim wheel.

"Charts" means the United States Department of Labor, Occupational Safety and Health Administration (OSHA) publications entitled "Demounting and Mounting Procedures for Truck/Bus Tires" and "Multi-Piece Rim Matching Chart," the National Highway Traffic Safety Administration (NHTSA) publications entitled "Demounting and Mounting Procedures for Truck/Bus Tires" and "Multi-Piece Rim Matching Chart," or any other poster that contains at least the same instructions, safety precautions and other information contained in the charts that is applicable to the types of wheels being serviced.

"Installing a rim wheel" means the transfer and attachment of an assembled rim wheel onto a vehicle axle hub. "Removing" means the opposite of installing.

"Mounting a tire" means the assembly or putting together of the wheel and tire components to form a rim wheel, including inflation. "Demounting" means the opposite of mounting.

"Multipiece rim wheel" means the assembly of a multipiece wheel with the tire tube and other components.

"Multipiece wheel" means a vehicle wheel consisting of two or more parts, one of which is a side or locking ring designed to hold the tire on the wheel by interlocking components, when the tire is inflated.

"Restraining device" means a cage, rack, assembly of bars, or other components that will constrain all rim wheel components during an explosive separation of a multipiece rim wheel, or during the sudden release of the contained air of a single-piece rim wheel.

"Rim manual" means a publication containing instructions from the manufacturer or other qualified organization for correct mounting, demounting, maintenance, and safety precautions peculiar to the type of wheel being serviced.

"Rim wheel" means an assembly of tire, tube and liner (where appropriate), and wheel components.

"Service" or "servicing" means the mounting and demounting of rim wheels, and related activities such as inflating, deflating, installing, removing, and handling.

"Service area" means that part of an employer's premises used for the servicing of rim wheels, or any other place where an employee services rim wheels.

"Single-piece rim wheel" means the assembly of single-piece rim wheel with the tire and other components.

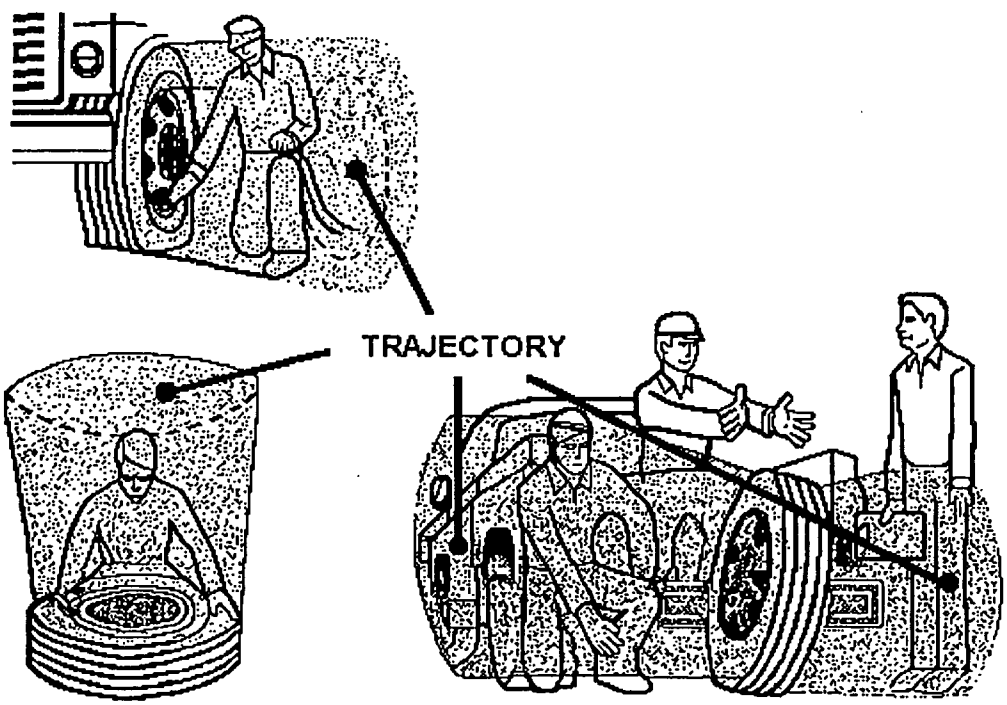
"Single-piece wheel" means a vehicle wheel consisting of one part, designed to hold the tire on the wheel when the tire is inflated.

"Trajectory" means:

• Any potential path that a rim wheel component may travel during an explosive separation, or the sudden release of the pressurized air; or

• An area at which an air blast from a single-piece rim wheel may be released.

The trajectory may deviate from paths that are perpendicular to the assembled position of the rim wheel. (See Figure for examples of trajectories.)



"Wheel" means the part of a rim wheel that provides the method of attachment of the assembly to the axle of a vehicle and also provides the means to contain the inflated portion of the assembly (i.e., the tire and/or tube).

NEW SECTION

WAC 296-306A-53005 What training must an employer provide for employees who service rim wheels? (1) You must implement a training program that covers at least the following:

(a) The hazards involved in servicing rim wheels;

(b) The safe operating procedures for the types of wheel serviced, described in WAC 296-306A-53013 and 296-306A-53015; and

(c) The applicable data contained in the charts (rim manuals) and the contents of this standard.

(2) You must ensure that each employee demonstrates and maintains the ability to service rim wheels safely, including the following:

(a) Demounting tires (including deflation);

(b) Inspecting and identifying the rim wheel components;

(c) Mounting tires (including inflation with a restraining device or other safeguard required by this section);

(d) Using the restraining device and other equipment required by this section;

(e) Handling rim wheels;

(f) Inflating the tire when a single-piece rim wheel is mounted on a vehicle;

(g) Understanding the necessity of standing outside the trajectory both during inflation of the tire and during inspection of the rim wheel following inflation; and

(h) Installing and removing rim wheels.

(3) If you believe that any employee is unable to read and understand the charts or rim manual, you must instruct the employee in the contents of the charts and rim manual in a manner that the employee can understand.

(4) You must evaluate each employee's ability to perform these tasks safely, and provide additional training as necessary to ensure that each employee maintains proficiency.

NEW SECTION

WAC 296-306A-53007 What requirements apply to restraining devices? (1) You must furnish a restraining device for inflating tires on multipiece wheels.

(2) You must provide a restraining device for inflating tires on single-piece wheels unless the rim wheel will be bolted onto a vehicle during inflation.

(3) Restraining devices must:

(a) Withstand the force of a rim wheel separation occurring at 150% of the maximum tire pressure for the rim wheel being serviced.

(b) Prevent the rim wheel components from being thrown out of the device.

(c) The restraining device is visually inspected before each day's use and after any rim wheel separation or sudden release of contained air. Any damaged restraining device is immediately removed from service.

(d) If the restraining device is removed from service, it is not returned to service until repaired and reinspected. If the restraining device requires structural repair, it is not returned to service until certified by either the manufacturer or a registered professional engineer to meet the strength requirements of (a) of this subsection.

NEW SECTION

WAC 296-306A-53009 What other equipment must an employer provide for rim wheel servicing? (1) You must furnish an air line assembly and ensure that employees use it for inflating tire.

(2) The air line assembly must contain the following components:

(a) A clip-on chuck;

(b) An in-line valve with a pressure gauge or a presettable regulator; and

(c) Enough hose between the clip-on chuck and the in-line valve (if one is used) to allow the employee to stand outside the trajectory.

(3) Current charts or rim manuals for the types of wheels being serviced shall be available in the service area.

(4) You must furnish the tools recommended in the rim manual for the type of wheel being serviced and ensure that they are the only tools used to service rim wheels.

NEW SECTION

WAC 296-306A-53011 What requirements apply to wheel component assembly? (1) You must ensure that multipiece wheel components are not interchanged except as provided in the charts or rim manual.

(2) Multipiece wheel components and single-piece wheels must be inspected prior to assembly. Any wheel or wheel component that is bent out of shape, pitted from corrosion, broken, or cracked shall not be used. Mark damaged wheels or components "unserviceable" and remove from the service area. Replace damaged or leaky valves.

(3) Rim flanges, rim gutters, rings, bead seating surfaces and the bead areas of tires must be free of any dirt, surface rust, scale or loose or flaked rubber build-up prior to mounting and inflation.

(4) The size (bead diameter and tire/wheel widths) and type of both the tire and the wheel must be checked for compatibility before assembly.

NEW SECTION

WAC 296-306A-53013 What are the safe operating procedures for servicing multipiece rim wheels? You must establish safe operating procedures for servicing multipiece rim wheels, and ensure that employees are instructed in and follow the procedures. Your procedures must include at least the following:

(1) Before demounting, remove the valve core to completely deflate the tire.

(2) Remove the valve core to completely deflate the tire before removing a rim wheel from the axle whenever:

(a) The tire has been driven on underinflated at eighty percent or less of its recommended pressure; or

(b) There is obvious or suspected damage to the tire or wheel components.

(3) Apply rubber lubricant to bead and rim mating surfaces during wheel assembly and tire inflation, unless the tire or wheel manufacturer recommends against it.

(4) A tire on a vehicle underinflated at more than eighty percent of the recommended pressure may be inflated while the rim wheel is on the vehicle, only if remote control

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inflation equipment is used and no employees remain in the trajectory during inflation.

(5) Tires may be inflated outside a restraining device only to pressure sufficient to force the tire bead onto the rim ledge and to create an airtight seal with the tire and bead.

(6) Whenever a rim wheel is in a restraining device, the employee must not rest any part of the body or equipment on the restraining device.

(7) After tire inflation, inspect the tire and wheel components while still within the restraining device. Ensure that they are properly seated and locked. If further adjustment to the tire or wheel components is necessary, deflate the tire by removing the valve core before making adjustments.

(8) Never correct the seating of side and lock rings by hammering, striking, or forcing the components while the tire is pressurized.

(9) Cracked, broken, bent, or otherwise damaged rim components shall not be reworked, welded, brazed, or otherwise heated.

(10) When handling multipiece rim wheels, employees must stay out of the trajectory unless the performance of the servicing makes the employee's presence in the trajectory necessary.

(11) Do not apply heat to a multipiece wheel or wheel component.

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NEW SECTION

WAC 296-306A-53015 What are the safe operating procedures for servicing single-piece rim wheels? You must establish safe operating procedures for servicing single-piece rim wheels, and ensure that employees are instructed in and follow the procedures. Your procedures must include at least the following:

(1) Before demounting, remove the valve core to completely deflate the tire.

(2) Mount and demount tires only from the narrow ledge side of the wheel. Take care to avoid damaging the tire beads while mounting. Only mount tires on compatible wheels of matching bead diameter and width.

(3) Apply nonflammable rubber lubricant to bead and wheel mating surfaces before rim wheel assembly, unless the tire or wheel manufacturer recommends against it.

(4) When using a tire changing machine, inflate tires only to the minimum pressure necessary to force the tire bead onto the rim ledge while on the tire changing machine.

(5) When using a bead expander, remove the bead expander before the valve core is installed and as soon as the rim wheel becomes airtight (the tire bead slips onto the bead seat).

(6) Always inflate tires within a restraining device, positioned behind a barrier, or bolted on the vehicle with the lug nuts fully tightened.

(7) Inflate tires only when the trajectory area is clear of flat, solid objects.

(8) Employees stay out of the trajectory when inflating a tire.

(9) Tires must not be inflated to more than the inflation pressure stamped in the sidewall unless a higher pressure is recommended by the manufacturer.

(10) Tires must not be inflated above the maximum pressure recommended by the manufacturer to seat the tire bead firmly against the rim flange.

(11) Heat must not be applied to a single-piece wheel.

(12) Cracked, broken, bent, or otherwise damaged wheels must not be reworked, welded, brazed, or otherwise heated.

NEW SECTION

WAC 296-306A-53017 How can an employer order the OSHA charts? OSHA charts are available through OSHA area offices. You may find the address and telephone number of the nearest OSHA office in the local telephone directory under U.S. Government, U.S. Department of Labor, Occupational Safety and Health Administration. Single copies are available without charge.

If you want multiple copies of these charts, you may order them from the Publications Office, U.S. Department of Labor, Room N3101, Washington, D.C. 20210. Telephone: (202) 523-9667.

WSR 96-22-057
PERMANENT RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 96-17—Filed November 1, 1996, 3:55 p.m.]

Date of Adoption: October 30, 1996.

Purpose: The purpose is to amend chapter 392-151 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 392-151-025 and 392-151-030.

Statutory Authority for Adoption: RCW 46.61.385.

Adopted under notice filed as WSR 96-19-096 on September 18, 1996.

Changes Other than Editing from Proposed to Adopted Version: Rules bring the definition of controlled crossings and school patrol assisted crossings into conformance with the Department of Transportation definitions.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 2, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 2, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 30, 1996
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-151-025 Route plans. Suggested route plans shall be developed for each elementary school that has students who walk to and from school. It shall recommend school routes based on considerations of traffic patterns, existing traffic controls, and other crossing protection aids such as school patrols. These route plans shall limit the number of school crossings so that students move through the crossings in groups, allowing only one entrance-exit from each block to and from school. The ((~~safe~~)) route to school ((~~map~~)) plan shall be distributed to all students with instructions that it be taken home and discussed with the parents.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-151-030 Controlled crossings. "School patrol controlled" crosswalks are defined as any crosswalk which is attended by a student or adult guard, and which is not controlled by a traffic signal or stop sign. School patrol controlled crossings shall not be operated unless proper traffic control devices are in place as depicted in Washington state department of ((~~highways~~)) transportation, *Sign Fabrication Manual* and *Manual on Uniform Traffic Control Devices,* as now or hereafter amended. As a minimum, these shall consist of:

(1) School crossing warning signs S1-1 and S2-1

(2) Marked crosswalks

(3) School speed limit sign

"School patrol assisted" crosswalks are defined as any crosswalk which is attended by a student or adult crossing guard and controlled by a stop sign, traffic signal or law enforcement officer. When crossings are controlled by stop signs, the S2-1 may be omitted. When crossings are controlled by a traffic signal or by a stop sign, the use of the school speed limit sign may be necessary following an engineering study.

Contact shall be made by school authorities with the governmental agency having jurisdiction over the street or highway in question in order to secure the necessary signs. The state department of ((~~highways~~)) transportation shall be contacted concerning all state highways outside of incorporated towns and cities and on those state highways within the incorporated limits of towns and cities with a population of ((~~15,000~~)) 22,500 or less. On state highways within the incorporated limits of cities with a population of 22,500 or more, the city public works department shall be contacted.

The county highway department shall be contacted regarding all county roads ((~~and for towns or cities under 15,000 population. The local highway department shall be contacted on streets other than state highways. In towns and cities over 15,000 population, the local highway department shall be contacted for assistance whether or not a state highway is involved~~)). On city and town streets, which are not state highways, within the incorporated limits of cities and towns, the city or town street or public works department shall be contacted.

When school officials and/or the safety advisory committee determines that vehicular traffic volumes are such that adequate safe gaps in the traffic flow do not occur in reasonable frequent intervals to allow safe crossings by students, this condition, as well as any other related traffic ((~~problems~~)) issues, shall be ((~~reported to the traffic engineering~~)) evaluated cooperatively with the traffic engineering authorities having jurisdiction in order that necessary studies can be conducted for the purpose of ((~~determining corrective~~)) developing possible alternative measures.

Where conditions are such that a patrol member cannot be seen at least as far away as the safe stopping distance for the legal speed at the location, one of the following procedures shall be carried out:

(1) Select a safer location for the crossing at which the patrol is to serve.

(2) ((~~The condition shall be taken up with the traffic authorities having jurisdiction for the purpose of devising a solution.~~)) Cooperatively evaluate the condition with traffic authorities having jurisdiction for the purpose of developing possible alternative measures.

PERMANENT

WSR 96-22-058
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 4, 1996, 8:43 a.m.]

Date of Adoption: November 4, 1996.

Purpose: To adopt the 1995 version of the pasteurized milk ordinance (PMO) to update requirements and standards for the production and processing of milk as directed by RCW 15.36.021(3).

Citation of Existing Rules Affected by this Order: Amending WAC 16-101-700.

Statutory Authority for Adoption: RCW 15.36.021(3).

Adopted under notice filed as WSR 96-18-084 on September 3, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 1, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 4, 1996
James M. Jesernig
Director

AMENDATORY SECTION (Amending Order 5021, filed 11/30/93, effective 12/31/93)

WAC 16-101-700 Adoption of the pasteurized milk ordinance as the standard for production of milk and milk products. ((~~(1)~~)) The Grade "A" Pasteurized Milk Ordinance ((~~1989~~)) 1995 Recommendation of the United

States Public Health Service/Food and Drug Administration is adopted by reference as additional Washington state standards for the production of milk and milk products under chapter 15.36 RCW with the exception of the following portions.

(a) Part 1. Grade A Pasteurized Milk Ordinance:

(i) Section 3, Permits, paragraphs 3 and 4, page 8.

(ii) Section 7. Table 1, line 1, Temperature. . . . Cooled to 7°C (45°F) or less within two hours after milking, provided that the blend temperature after the first and subsequent milkings does not exceed 10°C (50°F); line 2, Bacterial Limits. . . . Individual producer milk not to exceed 100,000 per ml prior to commingling with other producer milk, page ((~~13~~)) 14.

((~~(ii)~~)) (iii) Item 19r Cooling, page ((~~17~~)) 19.

(b) Part II. Administrative Procedures:

(i) Section 3, Permits, paragraphs 3 and 4, page ((~~31~~)) 38.

(ii) Section 7. Table 1, line 1, Temperature. . . . Cooled to 7°C (45°F) or less within two hours after milking, provided that the blend temperature after the first and subsequent milkings does not exceed 10°C (50°F); line 2, Bacterial Limits. . . . Individual producer milk not to exceed 100,000 per ml prior to commingling with other producer milk; page ((~~42~~)) 51.

(iii) Section 7, Item 19r Cooling, paragraph 1, page ((~~58~~)) 70.

(iv) Section 7, Item 18r Cooling, paragraph 1, page 69A.

(v) Section 7, Item 19r Cooling, Administrative Procedures (1), page ((~~58~~)) 70.

((~~(v)~~)) (vi) Section 7, Item 18r Cooling, Administrative Procedures (1), page 70A.

(vii) Sections 9, page ((~~105~~)) 121, 15, 16, and 17, page ((~~108~~)) 126.

((~~(vi)~~)) (viii) Appendix E, pages ((~~171-172~~)) 189-190.

((~~(vii)~~)) (ix) Appendix K, page ((~~241-242~~)) 261-262.

((~~(viii)~~)) (x) Appendix N: (((~~1/1/92 addition~~))) Regulatory Agency Responsibilities, B. Enforcement: ((~~Penalties.~~

~~(2) In lieu of the penalties provided under Appendix N, the following penalties for the adulteration of milk found in tanker screening samples are adopted. These penalties shall not apply to samples taken under provisions of RCW 15.36.110.~~

~~Penalties. The regulatory agency shall immediately suspend the Grade A permit of the responsible producer for a minimum of two days or equivalent penalty as determined by the regulatory agency. On the second occurrence of violative drug residues in a twelve-month period, the producer's permit shall be suspended for a minimum of four days or equivalent penalty as determined by the regulatory agency. For a third occurrence of violative drug residues in a twelve-month period, the regulatory agency shall initiate administrative procedures pursuant to revocation of the producer's permit.~~

~~As the Grade "A" Pasteurized Milk Ordinance 1989 Recommendation of the United States Public Health Service/Food and Drug Administration will not be codified, it should be noted that it may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402~~)) Reinstatement, page 316.

WSR 96-22-059
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 4, 1996, 8:47 a.m.]

Date of Adoption: November 4, 1996.

Purpose: Adopt the following documents covering the federal/state cooperative agreement for interstate shipment of milk. 1. Dry Milk Ordinance (DMO). 2. Standards for the Fabrication of Single Service Containers and Closures. 3. Procedures governing the Cooperative State-Public Health Service/FDA program for certification of Interstate Milk Shippers. 4. Methods of Making Sanitation Ratings. 5. Evaluation of Milk Laboratories.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-101-715, 16-101-720, 16-101-725, 16-101-730, 16-101-735, and 16-101-740.

Statutory Authority for Adoption: RCW 15.36.021(3).

Adopted under notice filed as WSR 96-18-085 on September 3, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 6, amended 0, repealed 6; or Recently Enacted State Statutes: New 6, amended 0, repealed 6.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 6, amended 0, repealed 6.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 6, amended 0, repealed 6.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 4, 1996
James M. Jesernig
Director

NEW SECTION

WAC 16-101-705 Adoption of the dry milk ordinance as the standard for production of condensed and dry milk products and condensed and dry whey. The Grade "A" Condensed and Dry Milk Ordinance Grade "A" Condensed and Dry Milk Products and Condensed and Dry Whey—Supplement I to the Grade "A" Pasteurized Milk Ordinance, 1995 Recommendations of the United States Department of Health and Human Services Public Health Service/Food and Drug Administration is adopted by reference as additional Washington state standards for the production of condensed milk and dry milk products and condensed and dry whey products under chapter 15.36 RCW with the exception of the following portions.

(a) Part 1. Grade A Condensed and Dry Milk Ordinance:

(i) Section 3. Permits paragraphs 4, 5 and 6, page 7.

(ii) Section 7. Table 1, line 1, Temperature . . . Cooled to 7°C (45°F) or less within two hours after milking: *Provided,* That the blend temperature after the first and subsequent milkings does not exceed 10°C (50°F), page 13.

(b) Part 2. Administrative Procedures:

(i) Section 3. Permits paragraphs 4, 5 and 6, page 31.

(ii) Section 7, Table 1, line 1, Temperature . . . Cooled to 7°C (45°F) or less within two hours after milking: *Provided,* That the blend temperature of the first and subsequent milkings does not exceed 10°C (50°F), page 42.

(iii) Section 7, Item 17P Cooling of Milk, Milk Products, Whey, Whey Products, Condensed Milk Products and Condensed Whey, paragraph 1, page 79.

(iv) Section 7, Item 17P Cooling . . . . Administrative Procedures (1), page 79.

(v) Section 13 Penalties, page 88.

(vi) Appendix I, pages 183-184.

(vii) Appendix N, Regulatory Agency Responsibility, B. Enforcement: Reinstatement, page 210.

NEW SECTION

WAC 16-101-711 Adoption of the standards for the fabrication of single-service containers and closures for milk and milk products. The Standards for the Fabrication of Single-Service Containers and Closures for Milk and Milk Products 1995 Recommendations of the United States Department of Health and Human Services Public Health Service/Food and Drug Administration is adopted by reference as additional Washington state standards for the production of single-service containers and closures for milk and milk products.

NEW SECTION

WAC 16-101-716 Adoption of the Procedures Governing the Cooperative State-Public Health Service/ Food and Drug Administration Program for Certification of Interstate Milk Shippers. The Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers 1995 Revision is adopted by reference as Washington state procedures covering certification of interstate milk shippers.

NEW SECTION

WAC 16-101-721 Adoption of Methods of Making Sanitation Ratings of Milk Supplies. The Methods of Making Sanitation Ratings of Milk Supplies 1995 Revision United States Health and Human Services Public Health Service/Food and Drug Administration is adopted by reference as Washington methods for ratings of interstate milk supplies.

NEW SECTION

WAC 16-101-726 Adoption of Evaluation of Milk Laboratories. The Evaluation of Milk Laboratories 1995 Revision United States Health and Human Services Public Health Service/Food and Drug Administration is adopted by reference as the Washington state standard for accreditation of milk laboratories and Certified Industry Supervisors requesting certification and approval for uniform collection and testing required for compliance with the Grade "A" Pasteurized Milk Ordinance.

NEW SECTION

WAC 16-101-990 Where can publications adopted by WSDA under this chapter be obtained? (1) The Grade "A" Pasteurized Milk Ordinance 1995 Recommendation of the United States Public Health Service/Food and Drug Administration can be purchased from the Superintendent of Documents, U.S. Printing Office, Washington D.C.

(2) The following publications can be obtained by writing the Center for Food Safety and Applied Nutrition, Director, Office of Constituent Operations, Industry Activities Staff, HFS-S65 200 "C" Street, SW, Washington D.C. 20204.

(a) The Grade "A" Condensed and Dry Milk Ordinance Grade "A" Condensed and Dry Milk Products and Condensed and Dry Whey—Supplement I to the Grade "A" Pasteurized Milk Ordinance, 1995 Recommendations of the United States Department of Health and Human Services Public Health Service/Food and Drug Administration.

(b) The Standards for the Fabrication of Single-Service Containers and Closures for Milk and Milk Products 1995 Recommendations of the United States Department of Health and Human Services Public Health Service/Food and Drug Administration.

(c) The Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers 1995 Revision.

(d) The Methods of Making Sanitation Ratings of Milk Supplies 1995 Revision United States Department of Health and Human Services Public Health Services/Food and Drug Administration.

(e) The Evaluation of Milk Laboratories 1995 Revision United States Department of Health and Human Services Public Health Service/Food and Drug Administration.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-101-715	Aseptically processed milk and milk products.
WAC 16-101-720	Aseptic processing.
WAC 16-101-725	Labeling.
WAC 16-101-730	Aseptically processed milk—Suspension of Grade A permit.
WAC 16-101-735	Processing.
WAC 16-101-740	Sanitation requirements.

WSR 96-22-060
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 4, 1996, 8:50 a.m.]

Date of Adoption: November 4, 1996.

Purpose: The term milk vendor was changed to milk distributor in chapter 15.36 RCW, Fluid Milk Act by the 1994 legislature. This housekeeping amendment amends the rule section that sets the renewal date for the milk distributor's license from milk vendor to agree with RCW 15.36.061 and avoid confusion.

PERMANENT

Citation of Existing Rules Affected by this Order: Amending WAC 16-122-001.

Statutory Authority for Adoption: RCW 15.36.061.

Adopted under notice filed as WSR 96-18-086 on September 3, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 4, 1996
James M. Jesernig
Director

PERMANENT

Chapter 16-122 WAC
MILK ((~~VENDORS~~)) DISTRIBUTORS

AMENDATORY SECTION (Amending Order 2091, filed 7/25/91, effective 8/25/91)

WAC 16-122-001 Milk ((~~vendor~~)) distributors license expiration. Milk ((~~vendor~~)) distributors licenses issued under RCW ((~~15.32.100~~)) 15.36.061 shall expire on June 30th of each year.

WSR 96-22-061
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 4, 1996, 8:54 a.m.]

Date of Adoption: November 4, 1996.

Purpose: Housekeeping change to correct rule that establishes the renewal date for dairy technician licenses under RCW 15.36.081. Rule currently requires annual license renewal while section of statute requires biennial license renewal, this will correct error in rule.

Citation of Existing Rules Affected by this Order: Amending WAC 16-124-011.

Statutory Authority for Adoption: RCW 15.36.081.

Adopted under notice filed as WSR 96-18-087 on September 3, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 4, 1996
James M. Jesernig
Director

AMENDATORY SECTION (Amending Order 2091, filed 7/25/91, effective 8/25/91)

WAC 16-124-011 Dairy technician license. Dairy technician licenses issued under RCW ((~~15.32.584~~)) 15.36.081 shall expire December 31st ((~~of each year~~)) biennially on years ending in odd numbers.

WSR 96-22-064
PERMANENT RULES
INSURANCE COMMISSIONER'S OFFICE
[Filed November 4, 1996, 12:43 p.m.]

Date of Adoption: November 2, 1996.

Purpose: Establish the minimum standards for surplus for fraternal benefit societies that effectuate the 1996 amendments (chapter 236, Laws of 1996). Insurance Commissioner Matter No. R 96-5.

Statutory Authority for Adoption: RCW 48.02.060, 48.36A.100(7), 48.36A.290(4).

Other Authority: RCW 48.36A.100 (amended), 48.36A.282 (new), 48.36A.284 (new), 48.36A.286 (new), 48.36A.290 (amended), and 48.36A.310 (amended) — see generally: Chapter 236, Laws of 1996.

Adopted under notice filed as WSR 96-19-067 on September 17, 1996.

Changes Other than Editing from Proposed to Adopted Version: Percentage in WAC 284-36A-030 was changed from one hundred twenty-five percent to one hundred twelve and one-half percent.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 6, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 2, 1996
Greg J. Scully
Chief Deputy Commissioner

Chapter 284-36A WAC
FRATERNAL BENEFIT SOCIETIES

NEW SECTION

WAC 284-36A-005 Purpose and scope. This chapter applies to all fraternal benefit societies transacting the business of life and disability insurance in this state. The risk-based surplus standard in this chapter provide a mechanism for the commissioner to evaluate the ability of a fraternal benefit society to manage its insurance operations and to fulfill its responsibilities as tax-exempt benevolent and charitable organization for the benefit of members and others. The risk-based surplus standard of this chapter is a minimum standard. It is an estimate of the surplus level required of a fraternal benefit society that is necessary so that the entity may survive a series of catastrophic financial events. The risk-based surplus formula is the ratio of the fraternal benefit society's total adjusted surplus to its risk-based surplus.

NEW SECTION

WAC 284-36A-010 Definitions. (1) "AVR" means asset valuation reserve.

(2) "Fraternal benefit society" is defined at RCW 48.36A.010.

(3) "NAIC" means the National Association of Insurance Commissioners.

(4) "RBC" means risk-based capital.

(5) "RBS" means risk-based surplus.

(6) "RBS instructions" means the RBS report including risk-based capital instructions adopted by the NAIC, except where specifically amended in WAC 284-36A-055.

(7) "RBS level" means a fraternal benefit society's ratio of total adjusted surplus to risk-based surplus.

(8) "RBS report" means the report required in WAC 284-36A-050 and 284-36A-055.

(9) "Total adjusted surplus" means the sum of:

(a) A fraternal benefit society's statutory surplus as determined in accordance with statutory accounting applicable to the annual financial statement required to be filed under RCW 48.36A.260; and

(b) Other items, if any, as the RBS instructions may provide.

NEW SECTION

WAC 284-36A-020 Report of RBS level—Formula for determining level—Inaccurate reports adjusted by commissioner. (1) On or prior to the annual filing date, which is hereby established as March 1, every fraternal benefit society authorized to transact insurance business in this state, shall prepare and submit to the commissioner a report of its RBS level as of the end of the calendar year just ended, in a form and containing all information required by the RBS instructions.

(2) The RBS of a fraternal benefit society shall be determined in accordance with the formula set forth in the RBS instructions. The formula shall take into account and may adjust for the covariance between:

(a) The risk with respect to the assets of the fraternal benefit society;

(b) The risk of adverse insurance experience with respect to the liabilities and obligations of the fraternal benefit society;

(c) The interest rate risk with respect to the business of the fraternal benefit society; and

(d) All other business risks and other relevant risks as are set forth in the RBS instructions, determined in each case by applying the factors in the manner set forth in the RBS instructions.

(3) An excess of surplus over the amount produced by the RBS requirements and the formulas, schedules, and instructions under this chapter is desirable in the insurance business of fraternal benefit societies. Accordingly, fraternal benefit societies should seek to maintain unimpaired surplus above the RBS level required. Additional unimpaired surplus is used and useful in the insurance business of fraternal benefit societies and helps to secure a fraternal benefit society against various risks inherent in, or affecting, the insurance business of fraternal benefit societies and not accounted for or only partially measured by the RBS requirements.

(4) If a fraternal benefit society files an RBS report that in the judgment of the commissioner is inaccurate, then the commissioner shall adjust the RBS report to correct the inaccuracy and shall notify the fraternal benefit society of the adjustment. The notice shall contain a statement of the reason for the adjustment.

NEW SECTION

WAC 284-36A-025 Risk-based surplus (RBS) financial standard formula. (1) The risk-based surplus financial standard is set forth at subsection (2) of this section. This standard is based on the NAIC Risk-Based Capital formula. This formula is calculated for three major categories of risk, referred to as the C-1, C-2, and C-3 risks. For each category, the RBS is equal to factors multiplied by the amount at risk. RBS is compared to total adjusted surplus. Total adjusted surplus is equal to society surplus plus the AVR plus one-half of the dividend liability plus voluntary investment reserves. The RBS ratio is equal to the total adjusted surplus divided by total RBS.

(a) Asset Default Risk (C-1). The first category of risk is asset default (C-1). An RBS is calculated for most invested assets. For each asset type, the RBS is equal to a factor multiplied by the annual statement value of the asset. Lower asset quality and higher asset price volatility both indicate higher risk and therefore higher RBS. A size factor is used to increase the bond RBS. This size factor is based on the number of bond issuers. The idea is that risk is greater when there are fewer bond issuers. In addition, a concentration factor increases the RBS for bond and mortgage assets. Basically, the concentration factor doubles the RBS for the ten largest assets.

(b) Insurance Risk (C-2). The second category of risk is the insurance risk (C-2). RBS is required for potential fluctuation in mortality and morbidity. RBS for health insurance is equal to factors multiplied by health premium

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and claim reserves. RBS for life insurance is equal to factors multiplied by net amounts at risk.

(c) Interest Rate Risk (C-3). The third category is the interest rate risk (C-3). This is the risk of losses due to changes in the interest rate levels. The impact of interest rate changes will be greatest on those products where guarantees are most in favor of the contract holder and where the contract holder is most likely to be responsive to changes in interest rates. Therefore, risk categories vary by withdrawal provision. The amount at risk is represented by reserves for annuities, life insurance, dividend accumulations, and other fund deposits. The RBS is equal to those reserves multiplied by factors.

(d) Total Risk Based Surplus. The total RBS is not the simple sum of the three pieces. The combined risk is less than the sum to recognize that not all losses occur at the same time. The assumption is that the default (C-1) and interest rate (C-3) risks are correlated. The total RBS is equal to the square root of the following: The sum of the asset default RBS (C-1), plus interest rate RBS (C-3) squared, plus the insurance RBS (C-2) squared:

(i) C-1 plus C-3

(ii) (i) squared

(iii) C-2 squared

(iv) (ii) plus (iii)

(v) square root of (iv).

(2) The following risk-based surplus worksheet shall be provided to the commissioner in accordance with the requirements of WAC 284-36A-050(1).

(Insert current year) Insurance Management Standard

Asset Risk (C-1) - BONDS

Bond Rating Category	Annual Statement Source*	(1) Statement Value		Factor		(2) Risk-Based Surplus	
Exempt Obligations	P 46, C 1, L 1 + L 17	NAIC Diskette	X	0.000	=	Calculation Field	(1)
Asset Class 1	P 46, C 1, L 2 + L 18	NAIC Diskette	X	0.003	=	Calculation Field	(2)
Asset Class 2	P 46, C 1, L 3 + L 19	NAIC Diskette	X	0.010	=	Calculation Field	(3)
Asset Class 3	P 46, C 1, L 4 + L 20	NAIC Diskette	X	0.040	=	Calculation Field	(4)
Asset Class 4	P 46, C 1, L 5 + L 21	NAIC Diskette	X	0.090	=	Calculation Field	(5)
Asset Class 5	P 46, C 1, L 6 + L 22	NAIC Diskette	X	0.200	=	Calculation Field	(6)
Asset Class 6	P 46, C 1, L 7 + L 23	NAIC Diskette	X	0.300	=	Calculation Field	(7)
Total Bonds Before Size Factor		Calculation Field				Calculation Field	(8)
Bonds in Asset Class 1 backed at some level by a U.S. gov. agency Sch D, Part 1A, Sec 2, C 7, L 1.5		NAIC Diskette	X	0.003	=	Calculation Field	(9)
Bonds subject to size factor = L (8) - L (9)		Calculation Field				Calculation Field	(10)
Size Factor (see below)						Calculation Field	(11)
RBS for Bonds Subject to Size Factor After Size Factor Applied = L (10), C (2) x L (11)						Calculation Field	(12)
RBS for Total Bonds = L (9) + L (12)						Calculation Field	(13)

L (8) C (1) above should agree to the total bonds reported on Exh 13, L 1, C 4 plus short term bonds on Sch DA, Part 2, L 10, C 2.

Size Factor

TOTAL NUMBER OF BOND ISSUERS: [ ]

The size factor was developed as a step factor (as in a tax table) so the overall factor decreases as the portfolio size increases. Bonds should be aggregated by issuer using the first six digits of the CUSIP number. U.S. Government bonds which receive a zero AVR factor and bonds reported on Line (9) are not counted in determining the size factor. The RBS for these bonds will not be included in the base to which the size factor is applied. If this field is left blank, it will be assumed that there are less than 50 issuers and will default to the maximum bond size factor adjustment (2.5).

	Source	Number of Issuers				Weighted Issuers
First 50	Society Records	Calculation Field	X	2.5	=	Calculation Field
Next 50	Society Records	Calculation Field	X	1.3	=	Calculation Field
Next 300	Society Records	Calculation Field	X	1.0	=	Calculation Field
Over 400	Society Records	Calculation Field	X	0.9	=	Calculation Field
Total		Calculation Field				Calculation Field
Size Factor = Total Weighted Issuers/Total Number of Issuers						Calculation Field

Example: based on 450 issuers

# of issuers				Weighted Issuers
50	X	2.5	=	125
50	X	1.3	=	65
300	X	1.0	=	300
50	X	0.9	=	45
450				535
Size factor =				535/450 = 1.19

**Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line*

Page and line numbers refer to the 1995 blank. Corresponding entries from blanks from later years shall be substituted as appropriate.

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Asset Risk (C-1) - MORTGAGES

	Annual Statement Source*	(1) Statement Value		Factor		MEA Factor**		(2) Risk-Based Surplus	
Farm Mortgages	Sch B, Part 2:								
In good standing	Sec 1A, L 0399999, C 5	NAIC diskette	X	0.030	X	From Line (44)	=	Calculation Field	(14)
90 days overdue	Sec 2, L 0399999, C 5	NAIC diskette	X	0.060	X	From Line (45)	=	Calculation Field	(15)
Insured or Guaranteed Mortgages	Sch B, Part 2:								
In good standing	Sec 1A, L 0499999 + 0899999, C 5 + Sec 1B, L 0199999, C 5	NAIC diskette	X	0.001	X	From Line (44)	=	Calculation Field	(16)
90 days overdue	Sec 2, L 0499999 + 0899999, C 5	NAIC diskette	X	0.002	X	From Line (45)	=	Calculation Field	(17)
Residential Mortgages (Other than insured or guaranteed)	Sch B, Part 2:								
In good standing	Sec 1A, L 0599999 + 0699999, C 5	NAIC diskette	X	0.005	X	From Line (44)	=	Calculation Field	(18)
90 days overdue	Sec 2, L 0599999 + 0699999, C 5	NAIC diskette	X	0.010	X	From Line (45)	=	Calculation Field	(19)
Commercial Mortgages (Other than insured or guaranteed)	Sch B, Part 2:								
In good standing	Sec 1A, L 0999999 + 1099999, C 5 + Sec 1B, L 0299999 + 0399999, C 5	NAIC diskette	X	0.030	X	From Line (44)	=	Calculation Field	(20)
90 days overdue)	Sec 2, L 0999999 + 1099999, C 5	NAIC diskette	X	0.060	X	From Line (45)	=	Calculation Field	(21)
Mortgages in foreclosures	Sch B, Part 2, Sec 3, L 9999999, C 5	NAIC diskette	X	0.200	X	1	=	Calculation Field	(22)
Total Mortgages after Experience Adjustment		Calculated Field						Calculation Field	(23)
Due and unpaid taxes on overdue mortgages and mortgages in foreclosure	Sch B, Part 2, Sec 2, L 9999999, C 9 + Sec 3, L 9999999, C 9	NAIC diskette	X	1.000	=			Calculation Field	(24)
Total Mortgages (including due and unpaid taxes)		Calculated Field						Calculation Field	(25)

L (25), C(1) total should agree to annual statement P 2, L 3, C1 + Sch B, Part 2, Sec 2, L 9999999, C 9 + Sch B, Part 2, Sec 3, L 9999999, C 9

** *See page 3 to calculate the MEA Factor.*

**Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line*

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Asset Risk (C-1) - MORTGAGE EXPERIENCE ADJUSTMENT (MEA)

If your society has less than 5 years of mortgage experience, your mortgage experience adjustment factor is 1.00. Enter 0 for under 5 years experience, then continue to next section. If your society has mortgage experience of 5 years or more, you must calculate your mortgage experience adjustment factor. Enter 1 for over 5 years experience and complete this section to calculate your MEA. (0=under 5 years experience, 1 = over 5 years experience)

	Annual Statement Source*	(1) Statement Value	(2)	
Delinquent amount 1st Prior Year (Insert current year minus 1)				
Restructured mortgages	Sch B, Part 2, Sec 1B, L 9999999, C 5			(26)
Mortgages 90 days overdue	Sch B, Part 2, Sec 2, L 9999999, C 5			(26.1)
Mortgages in foreclosure	Sch B, Part 2, Sec 3, L 9999999, C 5			(27)
Mortgages foreclosed	Sch B, Part 3, L 9999999, C 4			(28)
Total Delinquent = Sum of Lines (26) - (28)		Calculation Field		(29)
Total amount 1st Prior Year (Insert current year minus 1)				
Total Mortgages	P 2, L 3, C 1			(30)
Mortgages foreclosed	Sch B, Part 3, L 9999999, C 4			(31)
Total Amount = Line (30) + Line (31)		Calculation Field		(32)
1st Prior Year Delinquency Ratio = Total delinquent/Total amount = Line (29)/Line (32)			Calculation Field	(33)
Delinquent amount 2nd Prior Year (Insert current year minus 2)				
Restructured mortgages	Sch B, Part 2, Sec 1B, L 9999999, C 5			(34)
Mortgages 90 days overdue	Sch B, Part 2, Sec 2, L 9999999, C 5			(34.1)
Mortgages in foreclosure	Sch B, Part 2, Sec 3, L 9999999, C 5			(35)
Mortgages foreclosed	Sch B, Part 3, L 9999999, C 4			(36)
Total Delinquent = Sum of Lines (34) - (36)		Calculation Field		(37)
Total amount 2nd Prior Year (Insert current year minus 2)				
Total Mortgages	P 2, L 3, C 1			(38)
Mortgages foreclosed	Sch B, Part 3, L 9999999, C 4			(39)
Total Amount = Line (38) + Line (39)		Calculation Field		(40)
2nd Prior Year Delinquency Ratio = Total delinquent/Total amount = Line (37)/Line (40)			Calculation Field	(41)
Society Delinquency Rate = (1st prior year + 2nd prior year delinquency ratio)/2 = (Line (33) + Line (41))/2			Calculation Field	(42)
Industry Composite Rate (supplied by NAIC)			0.077	(43)
Mortgage Experience Adjustment (MEA) Factor for mortgages in good standing (not more than 3.0 nor less than 0.5) = Society Delinquency Rate/Industry Composite Rate = Line (42)/Line (43)			Calculation/Decision	(44)
Mortgage Experience Adjustment (MEA) Factor for overdue mortgages (same as Line (44), but not more than 2.5 nor less than 1.0)			Calculation/Decision	(45)

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PERMANENT

Asset Risk (C-1) - PREFERRED AND COMMON STOCK

	Annual Statement Source*	(1) Statement Value		Factor		(2) Risk-Based Surplus	
Unaffiliated Preferred Stock							
Asset Class 1	P 46, C 1, L 10 (unaffil only)		X	0.023	=	Calculation Field	(46)
Asset Class 2	P 46, C 1, L 11 (unaffil only)		X	0.030	=	Calculation Field	(47)
Asset Class 3	P 46, C 1, L 12 (unaffil only)		X	0.060	=	Calculation Field	(48)
Asset Class 4	P 46, C 1, L 13 (unaffil only)		X	0.110	=	Calculation Field	(49)
Asset Class 5	P 46, C 1, L 14 (unaffil only)		X	0.220	=	Calculation Field	(50)
Asset Class 6	P 46, C 1, L 15 (unaffil only)		X	0.300	=	Calculation Field	(51)
Total Unaffiliated Preferred Stock = Sum of Lines (46) - (51)		Calculation Field				Calculation Field	(52)
C(1) should agree to Annual Statement P 2, L 2.1, C 1 less Sch D, Part 2, Sec 1, L 049999, C 6							
Unaffiliated Common Stock							
Non-Government Money Market Funds	Society records		X	0.003	=	Calculation Field	(54)
Other	Society records		X	0.300	=	Calculation Field	(55)
Total Unaffiliated Common Stock	Line (54) + (55)	Calculation Field				Calculation Field	(56)
C(1) should agree to Sch D Summary, P 43, C 3, L 54 - L 53							

Affiliated Common and Preferred Stock

RBS for insurance and investment subsidiaries should be calculated using the NAIC RBC worksheets, then multiplied by the % ownership.

Affiliated US Life insurers Sch D, Part 2, Sec 1, C 6 & Sec 2, C 5, approp. line(s)			X	(Affil RBC X % Owned)+	=	(57)
Affiliated US P/C insurers Sch D, Part 2, Sec 1, C 6 & Sec 2, C 5, approp. line(s)			X	(Affil. RBC X % Owned)#	=	(58)
Affiliated investment subs Sch D, Part 2, Sec 1, C 6 & Sec 2, C 5, approp. line(s)			X	(Affil. RBC X % Owned)+	=	(59)
Canadian & alien affil Insurers Sch D, Part 2, Sec 1, C 6 & Sec 2, C 5, approp. line(s)			X	1.000	=	Calculation Field (60)
Other affiliates Sch D, Part 2, Sec 1, C6 & Sec 2, C 5, approp. line(s)	without ins subs		X	0.300	=	Calculation Field (61.1)
	with only ins subs		X	(Affil. RBC X % Owned)+	=	Calculation Field (61.2)
	with ins & other subs or bus		X	**	=	Calculation Field (61.3)
Total Aff. Common & Pref. Stock = Sum of Lines (57) - (61.3) *C(1) should agree to Sch D Summary, P 43, C 3, L 39 + L 53*		Calculation Field				Calculation Field (62)
Total Preferred & Common Stock = Lines (52) + (56) + (62) *C(1) should agree to Annual Statement P 2, L 2.1 + 2.2, C 1*		Calculation Field				Calculation Field (63)

 # Prior to adoption of an NAIC RBC formula for P/C insurers, use 50% of the P/C subsidiary's capital and surplus.

+ RBC defined as "Company Action Level RBC" for life insurers.

*** Co action level RBC X% owned of ins sub + .30x(carrying value of other affil less carrying value of ins subs.)*

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Asset Risk (C-1) - REAL ESTATE AND OTHER LONG-TERM ASSETS

	Annual Statement Source*	(1) Statement Value		Factor		(2) Risk-Based Surplus	
Real Estate							
Company occupied	P 2, L 4.1, C 1	NAIC diskette	X	0.100	=	Calculation Field	(64)
Encumbrances	P 2, L 4.1, inside item	NAIC diskette	X	0.100	=	Calculation Field	(65)
Foreclosed	P 2, L 4.2, C 1	NAIC diskette	X	0.150	=	Calculation Field	(66)
Encumbrances	P 2, L 4.2, inside item	NAIC diskette	X	0.150	=	Calculation Field	(67)
Investment	P 2, L 4.3, C 1	NAIC diskette	X	0.100	=	Calculation Field	(68)
Encumbrances	P 2, L 4.3, inside item	NAIC diskette	X	0.100	=	Calculation Field	(69)
Total Real Estate		Calculation Field				Calculation Field	(70)
Other Long-Term Assets							
Schedule BA assets	P 2, L 9, C 1	NAIC diskette	X	0.200	=	Calculation Field	(71)

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Asset Risk (C-1) - CONCENTRATION FACTOR (see instructions on page 7 and the worksheet on page 7A)

	(1) "Name" Exposure (Issuer/Mortgagee)		(2) Type of Asset	(3) Value		(4) Factor		(5) Additional RBS	
1.		1			X		=	Calculation Field	(72a)
		2			X		=	Calculation Field	(72b)
			TOTAL	Calculation Field					
2.		1			X		=	Calculation Field	(73a)
		2			X		=	Calculation Field	(73b)
			TOTAL	Calculation Field					
3.		1			X		=	Calculation Field	(74a)
		2			X		=	Calculation Field	(74b)
			TOTAL	Calculation Field					
4.		1			X		=	Calculation Field	(75a)
		2			X		=	Calculation Field	(75b)
			TOTAL	Calculation Field					
5.		1			X		=	Calculation Field	(76a)
		2			X		=	Calculation Field	(76b)
			TOTAL	Calculation Field					
6.		1			X		=	Calculation Field	(77a)
		2			X		=	Calculation Field	(77b)
			TOTAL	Calculation Field					
7.		1			X		=	Calculation Field	(78a)
		2			X		=	Calculation Field	(78b)
			TOTAL	Calculation Field					
8.		1			X		=	Calculation Field	(79a)
		2			X		=	Calculation Field	(79b)
			TOTAL	Calculation Field					
9.		1			X		=	Calculation Field	(80a)
		2			X		=	Calculation Field	(80b)
			TOTAL	Calculation Field					
10.		1			X		=	Calculation Field	(81a)
		2			X		=	Calculation Field	(81b)
			TOTAL	Calculation Field					
	GRAND TOTAL			Calculation Field				Calculation Field	(82)

*Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line

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Purpose

The purpose of the Concentration Factor is to reflect the additional risk of high concentration in single exposures (represented by an issuer of a security or a holder of a mortgage, etc.). The Concentration Factor basically doubles the risk-based surplus factor (with a maximum of 30%) of the ten largest asset exposures excluding various low risk categories or categories which already have a 30% factor. Since the risk-based surplus of these assets has already been counted once in the basic formula, this factor itself only serves to add in the additional risk-based surplus that is required on these assets. The calculation is done on a consolidated basis to keep societies from dividing up assets between parent and subsidiaries to minimize the concentration factor. The Concentration Factor is reduced by amounts already included in the concentration factors of subsidiaries to avoid double counting.

Specifics

The ten largest assets should be developed by consolidating the assets of the parent with the assets of the company's insurance and investment subsidiaries, then deducting the concentration factor component on any assets already reflected in the subsidiary's RBS for the concentration factor. The ten largest assets should exclude affiliated and non-affiliated common stock, affiliated preferred stock, Home Office properties, policy loans, bonds for which AVR and RBS are zero, class 1 and class 6 bonds, and any other asset categories with RBS factors less than 1% (residential mortgages in good standing, insured or guaranteed mortgages, and cash and short term investments). Aggregations should be done separately for bonds and preferred stock by the first six digits of the CUSIP number, and for mortgages and real estate. Real Estate and mortgages which are part of the same deal should be aggregated. Tenant exposure is not included.

Assets should be aggregated by "issuer name" before determining the ten largest exposures, since there might be more than one asset in the same category. For example, there may be more than one class 2 bond for a particular issuer. The factor in column 4 should correspond to the factor used on previous pages in this report. The additional RBS in column 5 represents the consolidated effect of the concentration factor.

Instructions

1. Aggregate assets by issuer. (See worksheet on following page.)

2. Select the ten largest asset exposures.

3. Transfer the worksheet data for the selected ten assets to page 6 of the workbook.

Example of Worksheet Results

Issuer	Type of Asset	Value	Factor
1. Oily Motors	Class 2 Bonds	$10,000,000	0.010
	Class 5 Stock	$5,000,000	0.220
2. Ma's Soda Pop	Class 5 Bonds	$3,000,000	0.200
3. Trekky Acres	Farm Mortgages	$60,000,000	0.030
	Residential Mort - Overdue	$1,000,000	0.010
4. Quarter Horse Intl	Class 3 Stock	$50,000,000	0.060
	Real Estate Inv.	$100,000,000	0.100
5. Zappy Electric	Class 4 Bonds	$750,000	0.090
6. Fdtn Down Under	Commercial Mort.	$750,000	0.030
	Class 4 Stock	$850,000	0.110

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PERMANENT

CONCENTRATION FACTOR WORKSHEET

(Make one copy for each issuer)

(1)
Issuer Name _____

(2) Type of Asset	(3) Value	(4) Factor
Bonds - Class 2	$_____	0.010
Bonds - Class 3	$_____	0.040
Bonds - Class 4	$_____	0.090
Bonds - Class 5	$_____	0.200
Farm Mortgages - In good standing	$_____	0.030
Farm Mortgages - 90 days overdue	$_____	0.060
Residential Mortgages - 90 days overdue	$_____	0.010
Commercial Mortgages - In good standing	$_____	0.030
Commercial Mortgages - 90 days overdue	$_____	0.060
Mortgages in Foreclosure	$_____	0.200
Unaffiliated Preferred Stock - Class 1	$_____	0.023
Unaffiliated Preferred Stock - Class 2	$_____	0.030
Unaffiliated Preferred Stock - Class 3	$_____	0.060
Unaffiliated Preferred Stock - Class 4	$_____	0.110
Unaffiliated Preferred Stock - Class 5	$_____	0.220
Real Estate - Foreclosed	$_____	0.150
Real Estate - Foreclosed Encumbrances	$_____	0.150
Real Estate - Investment	$_____	0.100
Real Estate - Investment Encumbrances	$_____	0.100
Real Estate - Schedule BA Assets.	$_____	0.200
Collateral Loans	$_____	0.050
Write-Ins	$_____	0.050
Total of Issuer	$_____	

Asset Risk (C-1) - MISCELLANEOUS AND REINSURANCE

	Annual Statement Source*	(1) Statement Value		(2) Factor		Risk-Based Surplus	
Miscellaneous							
Certificate loans & liens	P 2, C 1, L 5	NAIC diskette	X	0.000	=	Calculation Field	(83)
Cash	P 2, C 1, L 7 (not less than 0)	NAIC diskette	X	0.003	=	Calculation Field	(84)
Short term invests	P 2, C 1, L 8 minus Sch DA, Part 2, L 10, C 2	NAIC diskette	X	0.003	=	Calculation Field	(85)
Collateral loans	P 2, C 1, L 6	NAIC diskette	X	0.050	=	Calculation Field	(86)
Write-ins	P 2, C 1, L 10 (not less than zero)	NAIC diskette	X	0.050	=	Calculation Field	(87)
Total Miscellaneous		Calculation Field				Calculation Field	(88)
Reinsurance							
Recov paid losses (Life & A&H)	Sch S, Part 1, C 3, L 0399999	NAIC diskette	X	0.005	=	Calculation Field	(89)
Recov unpd losses (Life & A&H)	Sch S, Part 1, C 4, L 0399999	NAIC diskette	X	0.005	=	Calculation Field	(90)
Unearned premiums (A&H)	Sch S, Part 2, C 5, L 9999999	NAIC diskette	X	0.005	=	Calculation Field	(91)
Other res credit (A&H)	Sch S, Part 2, C 6, L 9999999	NAIC diskette	X	0.005	=	Calculation Field	(92)
Reserve credit (Life)	Sch S, Part 3A, C 5a, L 9999999	NAIC diskette	X	0.005	=	Calculation Field	(93)
Reins in unauthorized companies	P 3, C 1, L 22.2	NAIC diskette	X	-0.005	=	Calculation Field	(94)
Funds held in unauthorized reins	P 3, C 1, L 22.3	NAIC diskette	X	-0.005	=	Calculation Field	(95)
Funds held in authorized reins	P 3, C 1, L 23, part.		X	-0.005	=	Calculation Field	(96)
Other reins recov/reserves "reestablished" on Page 3	P 3, C 1, L 23, part.		X	-0.005	=	Calculation Field	(97)
Complete the following only if society has reinsurers that are 100% owned subsidiaries							
Recov pd losses (Life)	Sch S, Part 1, C 3, L 0199999, part		X	-0.005	=	Calculation Field	(98)
Recov pd losses (A&H)	Sch S, Part 1, C 3, L 0299999, part		X	-0.005	=	Calculation Field	(99)
Recov unpd losses (Life)	Sch S, Part 1, C 4, L 0199999, part		X	-0.005	=	Calculation Field	(100)
Recov unpd losses (A&H)	Sch S, Part 1, C 4, L 0299999, part		X	-0.005	=	Calculation Field	(101)
Unearned prems (A&H)	Sch S, Part 2, C 5, L 9999999, part		X	-0.005	=	Calculation Field	(102)
Other res. credit (A&H)	Sch S, Part 2, C 6, L 9999999, part		X	-0.005	=	Calculation Field	(103)
Reserve Credit (Life)	Sch S, Part 3A, C5a, L9999999, part		X	-0.005	=	Calculation Field	(104)
Total Reinsurance		Calculation Field				Calculation Field	(105)

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Asset Risk (C-1) - OFF-BALANCE SHEET ITEMS

	Annual Statement Source*	(1) Statement Value		Factor	(2) Risk-Based Surplus	
Off-Balance Sheet						
Noncontrolled assets	P 25, General Interrogatories, Question 30		X	0.010	Calculation Field	(106)
Guarantees for affiliates	P 27, Notes to Financial Statements		X	0.010	Calculation Field	(107)
Contingent liabilities	P 27, Notes to Financial Statements		X	0.010	Calculation Field	(108)
Total Off-Balance Sheet		Calculation Field			Calculation Field	(109)

Noncontrolled assets are the amount of all assets not exclusively under the control of the society, or assets that have been sold or transferred subject to a put option contract currently in force.

Guarantees for affiliates include guarantees for the benefit of an affiliate which result in a material** contingent exposure of the society's assets to liability.

** *The definition of "material" exposure or financial effect is the same as annual statement disclosure requirements.*

**Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line.*
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Insurance Risk (C-2) - HEALTH INSURANCE

(Annual Statement Source*)		(1) Statement Value		Factor		(2) Risk-Based Surplus	
Medical Insurance Premiums							
Usual & customary major medical & hospital	1st 25 million	Enter Total Amount	X	0.250	=	Calculation Field	(110a)
Earned premium (Sch H, L 2, in part)	over 25 million		X	0.150	=	Calculation Field	(110b)
Medicare suppl, dental, and other limited benefits anticipating rate increases Earned prem (Sch H, L 2, in part)			X	0.120	=	Calculation Field	(111)
Hospital indemnity, AD&D, and other limited benefits not anticipating rate increases Earned prem (Sch H, L 2, in part)			X	0.080	=	Calculation Field	(112)
Disability Income Premium							
Noncancellable disability income	1st 50 million	Enter Total Amount	X	0.350	=	Calculation Field	(113a)
Earned prem (Sch H, L 2, in part)	over 50 million		X	0.150	=	Calculation Field	(113b)
Other disability income	1st 50 million	Enter Total Amount	X	0.250	=	Calculation Field	(114a)
Earned prem (Sch H, L 2, in part)	over 50 million		X	0.150	=	Calculation Field	(114b)
Total Earned Premium		Calculation Field					(115)

L (115), C (1) should agree to annual statement Schedule H, Line 2, Column 1

Claim Reserves							
Exhibit 9 individual claim reserves (Exh 9, L 15, C 1)		NAIC diskette	X	0.050	=	Calculation Field	(116)
Total Health Insurance						Calculation Field	(117)

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PERMANENT

Insurance Risk (C-2) - LIFE INSURANCE

	Annual Statement Source*	(1) Statement Value	(2) Life Risk-Based Surplus	
Net Amount at Risk				
Ordinary life inforce	P 24, C 2, L 21 (in $1 units)#	NAIC diskette		(118)
less ordinary life reserves	less Exh 8, C 4, L 0399999	NAIC diskette		(119)
Total Net Amount at Risk = L(118) - L (119)		Calculation Field		(120)
Total Life Insurance **			Calculation Field	(121)

Since this number is reported in the annual statement in thousands, the program will automatically add three zeros to convert it to $1 units.

** Formula used to calculate Life Insurance Risk-Based Surplus.

The following RBS factors are applied to Net Amount at Risk accordingly:

.00150	to the first 500 million
.00100	to the next 4,500 million
.00075	to the next 20,000 million
.00060	over 25,000 million

Example: if Net Amount at Risk = $22 billion

.00150	x	$500,000,000	=	750,000
.00100	x	$4,500,000,000	=	4,500,000
.00075	x	$17,000,000,000	=	12,750,000
		Life RBS	=	**$18,000,000**

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Interest Rate Risk (C-3)

Does your society submit an unqualified actuarial opinion under Section 8 of the revised Standard Valuation Law? 0 = No, 1 = Yes ☐

	Annual Statement Source*	(1) Statement Value		Factor		(2) Risk-Based Surplus	
Low Risk Category (High Surrender Charges)							
Annuity reserve with market value adjustment (net of reinsurance)	Notes to Financial Statements P 27, Item 9, in part		X	0.0075**	=	Calculation Field	(122)
Annuity reserve not withdrawable (net of reinsurance)	Notes to Financial Statements P 27, Item 9, in part		X	0.0075**	=	Calculation Field	(123)
Life ins reserves (net of reinsurance and policy loans)	Exh 8, Sec A, C 4, L 0399999 less P 2, L 5, C 1	NAIC diskette	X	0.0075**	=	Calculation Field	(124)
Total Low Risk		Calculation Field				Calculation Field	(125)
Medium Risk Category (Medium Surrender Charges)							
Annuity reserve with surrender charge (net of reinsurance)	Notes to Financial Statements P 27, Item 9, in part		X	0.015**	=	Calculation Field	(126)
Exhibit 10 reserve not included under Item 9, excluding any non-policyholder reserves			X	0.015**	=	Calculation Field	(127)
Total Medium Risk		Calculation Field				Calculation Field	(128)
High Risk Category (No Surrender Charges)							
Annuity reserve without adjustment (net of reinsurance)	Notes to Financial Statements P 27, Item 9, in part		X	0.030**	=	Calculation Field	(129)
Total High Risk		Calculation Field				Calculation Field	(130)
Total C-3 Risk Categories	L (125) + L (128) + L (130)	Calculation Field				Calculation Field	(131)

C (1), Line (131) should agree to annual statement reserves: Exh 8, Sec A, C 4, L 0399999 - P 2, L 5, C 1 + Exh 8, Sec B, C 4, L 0499999 + Exh 8, Sec C, C 4, L 0599999 + Exh 10, C 1, L 10 - non-policyholder reserves in Exhibit 10.

*** Factor is decreased by 1/3 if society submits an unqualified actuarial opinion under Sec 8 of revised Standard Valuation Law*

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PERMANENT

Total Risk-Based Surplus Calculation

	RBS Formula Reference	Risk-Based Surplus	
Asset Risk (C-1)			
Bonds After Size Factor	L(13), C(2)	Inserted Field	(132)
Mortgages	L(25), C(2)	Inserted Field	(133)
Preferred Stock and Common Stock	L(63), C(2)	Inserted Field	(134)
Real Estate	L(70), C(2)	Inserted Field	(135)
Other long term assets	L(71), C(2)	Inserted Field	(136)
Concentration Factor	L(82), C(5)	Inserted Field	(137)
Miscellaneous	L(88), C(2)	Inserted Field	(138)
Reinsurance	L(105), C(2)	Inserted Field	(139)
Off-Balance Sheet Items	L(109), C(2)	Inserted Field	(140)
Total C-1		Calculation Field	(141)
Insurance Risk (C-2)			
Individual Health Insurance	L(117), C(2)	Inserted Field	(142)
Individual Life Insurance	L(121), C(2)	Inserted Field	(143)
Total C-2		Calculation Field	(144)
Interest Rate Risk (C-3)			
Low Risk Category	L(125), C(2)	Inserted Field	(145)
Medium Risk Category	L(128), C(2)	Inserted Field	(146)
High Risk Category	L(130), C(2)	Inserted Field	(147)
Total C-3		Calculation Field	(148)
Risk-Based Surplus (after covariance)	Square Root of $[(C\text{-}1 + C\text{-}3)^2 + (C\text{-}2)^2]$	Calculation Field	(149)

**Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line*
Page and line numbers refer to the 1995 blank. Corresponding entries from blanks from later years shall be substituted as appropriate.

Total Adjusted Surplus

	Annual Statement Source*	(1) Statement Value		Factor		(2) Adjusted Surplus	
Company Amounts							
Capital and Surplus	P 3, L 31, C 1	NAIC diskette	X	1.000	=	Calculation Field	(150)
Asset Value Reserve	P 3, L 22.1, C 1	NAIC diskette	X	1.000	=	Calculation Field	(151)
Voluntary Investment Reserve	P 3, L 23, C 1, write-in, in part#		X	1.000	=	Calculation Field	(152)
Dividend Liability	P 3, L 7.1 + 7.2, C 1	NAIC diskette	X	0.500	=	Calculation Field	(153)
Subsidiary Company Amounts							
Asset Value Reserve	Subsidiary statements		X	1.000 X **	=	Calculation Field	(154)
Voluntary Invest Reserves	Subsidiary statements#		X	1.000 X **	=	Calculation Field	(155)
Dividend Liability	Subsidiary statements		X	0.500 X **	=	Calculation Field	(156)
Total Adjusted Surplus		Calculation Field				Calculation Field	(157)

 # Include voluntary investment reserves for default losses on real estate and mortgages.
*** Percent of Ownership*

Comparison of Total Adjusted Surplus to Risk-Based Surplus

Insurance Management Ratio	[Line (157)/Line (149)]	Calculation Field	(158)

Must be greater than or equal to 1.25 to meet the NFCA Insurance Management Standard.

ws_fin.2.96.dm
**Sources are referenced as P - page, Exh - Exhibit, Sch - Schedule, Sec - Section, C - Column, L - Line*
Page and line numbers refer to the 1995 blank. Corresponding entries from blanks from later years shall be substituted as appropriate.

NEW SECTION

WAC 284-36A-030 RBS level—Commissioner's action. If the RBS level of the fraternal benefit society is less than one hundred twelve and one-half percent, the commissioner shall, consistent with chapters 34.05 and 48.04 RCW, suspend or revoke the certificate of authority of the fraternal benefit society as being hazardous to its policyholders, members, or the people of this state.

NEW SECTION

WAC 284-36A-035 Confidentiality of RBS reports—Use of information for comparative purposes—Use of information to monitor solvency. (1) All RBS reports, to the extent the information is not required to be set forth in a publicly available annual statement schedule, including the results or report of any examination or analysis of a fraternal benefit society that are filed with the commissioner constitute information that might be damaging to the fraternal benefit society if made available to its competitors, and therefore shall be kept confidential by the commissioner. This information shall not be made public or be subject to subpoena, other than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner.

(2) The comparison of a fraternal benefit society's total adjusted surplus to its RBS level is a regulatory tool that may indicate the need for possible corrective action with respect to the fraternal benefit society, and is not a means to rank fraternal benefit societies generally. Therefore, except as otherwise required under the provisions of this chapter, the making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio or television station, or in any other way, an advertisement, announcement, or statement containing an assertion, representation, or statement with regard to the RBS level of any fraternal benefit society, or of any component derived in the calculation, by any fraternal benefit society, agent, broker, or other person engaged in any manner in the insurance business would be misleading and is therefore prohibited. However, if any materially false statement with respect to the comparison regarding a fraternal benefit society's total adjusted surplus to its RBS level or an inappropriate comparison of any other amount to the fraternal benefit society's RBS level is published in any written publication and the fraternal benefit society is able to demonstrate to the commissioner with substantial proof the falsity of such statement, or the inappropriateness, as the case may be, then the fraternal benefit society may publish an announcement in a written publication if the sole purpose of the announcement is to rebut the materially false statement.

(3) The RBS instructions and RBS reports are solely for use by the commissioner in monitoring the solvency of fraternal benefit societies and the need for possible corrective action with respect to fraternal benefit societies and shall not be used by the commissioner for ratemaking nor considered or introduced as evidence in any rate proceeding nor used by the commissioner to calculate or derive any elements of an appropriate premium level or rate of return for any line of insurance that a fraternal benefit society or any affiliate is authorized to write.

WSR 96-22-073
PERMANENT RULES
DEPARTMENT OF FISH AND WILDLIFE
(Wildlife)

[Order 96-193—Filed November 5, 1996, 9:10 a.m.]

Date of Adoption: August 10, 1996.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-284.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-14-143 on July 3, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 2, 1996
Mitchell S. Johnson, Chairman
Fish and Wildlife Commission

AMENDATORY SECTION (Amending Order 165, filed 6/1/81)

WAC 232-12-284 Bighorn sheep—((~~Branding~~)) Marking requirements. (1) For the purpose of this regulation, horns shall be defined as the permanent, paired, hollow sheath of bighorn sheep attached to the bony core and skull.

(2) It is unlawful for a person who kills or possesses a bighorn sheep taken in Washington to fail, within ten days after acquisition, to personally present the horns for inspection and ((~~branding~~)) permanent marking at a ((~~game~~)) department regional office. A department employee shall permanently ((~~brand an identification number on~~)) mark one of the horns of each lawfully acquired bighorn sheep.

(3) It is unlawful for any person to possess the horns of a bighorn sheep taken in Washington without ((~~a number so branded~~)) one of the horns being permanently marked by the department.

(4) It is unlawful for any person who transfers ownership or possession of the horns of a bighorn sheep ((~~to~~)) which ((~~an identification number has been branded~~)) has

been permanently marked to fail to give written notice of the transfer to the department within ten days after the transfer.

WSR 96-22-098
PERMANENT RULES
DEPARTMENT OF HEALTH
[Filed November 6, 1996, 10:59 a.m.]

Date of Adoption: October 8, 1996.

Purpose: To conform the definition of massage in the Washington Administrative Code with the definition found in the Revised Code of Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 246-830-005(1).

Statutory Authority for Adoption: RCW 18.108.025(1).

Other Authority: RCW 18.108.085 (1)(a).

Adopted under notice filed as WSR 96-18-095 on September 4, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

November 6, 1996
Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending WSR 95-11-108, filed 5/23/95, effective 6/23/95)

WAC 246-830-005 Definitions. For the purpose of administering chapter 18.108 RCW, the following definitions shall apply:

(1) "Massage" is as defined ((~~by~~)) in RCW 18.108.010 ((~~includes but is not limited to the techniques of Swedish massage, bodywork, soft tissue manipulation and somatic practice and education~~)).

(2) "Massage school" is an institution which has the sole purpose of offering training in massage therapy.

(3) "Massage program" is training in massage therapy offered by an academic institution which also offers training in other areas of study. A program is an established area of study offered on a continuing basis.

(4) "Apprenticeship program" is defined for the purposes of this chapter as training in massage administered by an apprenticeship trainer that satisfies the educational requirements for massage set forth in WAC 246-830-430, 246-830-440, and 246-830-450. This training shall be offered by an apprenticeship trainer to no more than three apprentices at one time and shall be completed within two years.

(5) "Apprenticeship trainer" is defined as a massage practitioner licensed in the state of Washington with not less than five current years of experience in full-time practice.

(6) "Apprentice" is defined as an individual enrolled in an apprenticeship program, and shall be held to the same standards as students in schools or programs.

(7) "Student" shall mean an individual currently enrolled in an approved school, program, or apprenticeship program, who is practicing massage solely for the purposes of education as is incidental to their current course work and who is not receiving compensation for said practice.

(8) "Direct supervision" shall mean a faculty member is on the premises, is quickly and easily available and the client has been examined by the faculty member at such time as acceptable massage practice requires.

WSR 96-22-100
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services)
(Public Assistance)
[Filed November 6, 1996, 11:07 a.m.]

Date of Adoption: November 6, 1996.

Purpose: Consider as income, for food stamp program purposes (a) state-defined energy allowances in AFDC and continuing general assistance grants; and (b) earned income of those eighteen and older attending elementary or secondary school at least half time.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-470.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: Sections 807 and 808 of H.R. 3734 (Public Law 104-193).

Adopted under notice filed as WSR 96-20-054 on September 25, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 6, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

PERMANENT

AMENDATORY SECTION (Amending Order 3802, filed 10/26/94, effective 1/1/95)

WAC 388-49-470 Income—Exclusions. (1) The department shall exclude the following income:

(a) Money withheld from an income source to repay a prior overpayment from that same income source except for money withheld to recoup an intentional noncompliance overpayment from a federal, state, or local means-tested program;

(b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;

(c) The earned income of household members who are:

(i) ((~~Twenty-one~~)) Seventeen years of age or under; and

(ii) Attending elementary or secondary school at least half time.

(d) Infrequent or irregular income, received during a three-month period by a prospectively budgeted household, that:

(i) Cannot be reasonably anticipated as available; and

(ii) Shall not exceed thirty dollars for all household members.

(e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;

(f) Nonrecurring lump sum payments;

(g) Income used for the cost of producing self-employment income;

(h) Educational assistance financed in whole or in part with Title IV funds or issued by the Bureau of Indian Affairs;

(i) Educational assistance to the extent such assistance is earmarked by the school or actually paid by the student for the following educational expenses:

(i) Tuition;

(ii) Mandatory fees, including rental or purchase of equipment, materials, and supplies related to pursuing the course of study;

(iii) Books;

(iv) Supplies;

(v) Transportation; and

(vi) Miscellaneous personal expenses.

(j) Reimbursements for past or future expenses to the extent the reimbursements do not:

(i) Exceed the actual expense; and

(ii) Represent a gain or benefit to the household.

(k) Any gain or benefit not in money;

(l) Vendor payments as defined in WAC 388-49-020;

(m) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

(n) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;

(o) Energy allowances included in ((~~AFDC, continuing general assistance, and~~)) refugee assistance grants.

((~~Number in Grant Assistance Unit — Energy Exclusion~~

~~1 — $ 55~~
~~2 — 71~~
~~3 — 86~~
~~4 — 102~~
~~5 — 117~~
~~6 — 133~~
~~7 — 154~~
~~8 or more — 170~~))

(p) Support payments owed to a household member, but specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;

(q) Support payments on behalf of a household member, not required by the support court order or other legally binding written support or alimony agreement and paid directly to a third party rather than to the household;

(r) Payments from the individual and family grant program;

(s) Public assistance payments:

(i) Over and above the regular warrant amount;

(ii) Not normally a part of the regular warrant; and

(iii) Paid directly to a third party on behalf of the household.

(t) From Jobs Training Partnership Act programs:

(i) Allowances; and

(ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.

(u) Cash donations based on need:

(i) Received directly by the household;

(ii) From one or more private, nonprofit, charitable organizations; and

(iii) Not exceeding three hundred dollars in any federal fiscal year quarter.

(v) Earned income credit;

(w) Governmental foster care payments received by households with foster care individuals who are considered to be boarders under WAC 388-49-020(10).

(2) When earnings or amount of work performed by a household member described in subsection (1)(c) of this section, cannot be differentiated from the earnings or work performed by other household members, the department shall:

(a) Prorate the earnings equally among the working members; and

(b) Exclude the household member's pro rata share.

(3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:

(a) Any identifiable portion intended and used for the care and maintenance of the person out of the household; or

(b) The lesser of:

(i) The actual amount used from a single payment for the care of a person outside the household; or

(ii) A pro rata share of the single payment when the single payment does not identify the portion intended for the care of the person outside the household.

PERMANENT

WSR 96-22-101
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed November 6, 1996, 11:08 a.m.]

Date of Adoption: November 6, 1996.

Purpose: Food stamp program utility allowances are reviewed and updated to reflect current costs. These allowances are used as income deductions to calculate food stamp benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-505 Utility allowances.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: 7 CFR 273.9 (d)(6)(v) and (vi).

Adopted under notice filed as WSR 96-20-020 on September 20, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 1, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 6, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3907, filed 10/11/95, effective 11/11/95)

WAC 388-49-505 Utility allowances. (1) The department shall:

(a) Establish the following utility allowances for use in calculating shelter costs:

(i) A standard utility allowance for households incurring any separate utility charges for heating or cooling costs;

(ii) A limited utility allowance for households, without heating or cooling costs, incurring any separate utility charges other than telephone costs; and

(iii) A telephone allowance for households incurring separate charges for phone service and not claiming the standard or limited utility allowance.

(b) Obtain food and consumer service approval of the methodology used to establish utility allowances.

(2) The standard utility allowance shall be two hundred twenty dollars.

(3) The limited utility allowance shall be one hundred ((~~fifty-six~~)) sixty-two dollars.

(4) The telephone allowance shall be twenty-nine dollars.

WSR 96-22-102
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services)
(Public Assistance)
[Filed November 6, 1996, 11:11 a.m.]

Date of Adoption: November 6, 1996.

Purpose: Counts, as unearned income used to calculate food stamp benefits, cash benefits reduced under a federal, state, or local means-tested program for failure to perform an action required under that program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-460.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: Section 829 of H.R. 3734 (Public Law 104-193).

Adopted under notice filed as WSR 96-20-007 on September 20, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 6, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3801, filed 10/26/94, effective 1/1/95)

WAC 388-49-460 Income—Unearned. (1) The department shall consider unearned income to include, but not be limited to:

(a) An annuity, pension, or retirement;

(b) Veteran or disability benefits;

(c) Workmen or unemployment compensation;

(d) Old-age, survivors, or social security benefits;

(e) Strike benefits;

(f) Payment from federally aided assistance programs based on need;

(g) Support and alimony payments made directly to the household from a person residing outside the household;

(h) Child support refund payments received by AFDC recipients from office of support enforcement;

(i) Adult and child governmental foster care payments, provided the foster care recipient is a food stamp household member;

(j) Educational benefits less excluded amounts (see income exclusions in WAC 388-49-470):

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(i) Scholarships;

(ii) Educational grants including loans where repayment is deferred;

(iii) Fellowships without work requirements; and

(iv) Veteran benefits.

(k) Payments from government-sponsored programs;

(l) Cash prizes, awards, lottery winnings, or gifts;

(m) Dividends, interest, or royalties;

(n) Gross income minus the cost of doing business from rental property if a household member is not managing the property at least twenty hours a week;

(o) Money withheld to recoup an intentional noncompliance overpayment from a federal, state, or local means-tested program;

(p) Direct money payments, such as interest, dividends, and royalties which are a gain or benefit;

(q) Money legally obligated and otherwise payable to the household, but diverted by the provider of the payment to a third party, for a household expense; ((~~and~~))

(r) Deemed income from an alien's sponsor; and

(s) Cash benefits reduced under a federal, state, or local means-tested public assistance program for failure to perform an action required under that program.

(2) The department shall disregard the following as unearned income:

(a) Money from any source voluntarily returned by a household member to repay a prior overpayment from the same source;

(b) Child support payments assigned to office of support enforcement received by AFDC recipients.

(3) The department shall verify gross nonexempt unearned income except for expedited service households:

(a) Before initial certification;

(b) At recertification if amount changes more than twenty-five dollars; and

(c) On a monthly basis for households subject to monthly reporting if the income changes.

WSR 96-22-103
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services)
(Public Assistance)
[Filed November 6, 1996, 11:12 a.m.]

Date of Adoption: November 6, 1996.

Purpose: WAC 388-49-190 Household concept, (1) Children ages twenty-one and younger living with a parent must be one household for food stamp benefits; and (2) fleeing felons are ineligible for food stamp benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-190.

Statutory Authority for Adoption: RCW 74.04.510 and Public Law 104-193.

Other Authority: Sections 803 and 821 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Adopted under notice filed as WSR 96-20-015 on September 20, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 6, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3854, filed 5/24/95, effective 6/24/95)

WAC 388-49-190 Household concept. (1) The department shall consider the following as households:

(a) A person living alone;

(b) Persons living together and purchasing or preparing meals together; or

(c) A permanently disabled and elderly person unable to prepare meals provided the:

(i) Person's spouse shall be included in the household; and

(ii) Income of other individuals, except the person's spouse, living with the person does not exceed one hundred sixty-five percent of the poverty level.

(2) The department shall consider the following as households regardless of the purchase and prepare arrangements:

(a) Parents and their natural, adoptive, or stepchildren twenty-one years of age or younger ((~~except for the children who:~~

~~(i) Purchase and prepare meals separate from the parents; and~~

~~(ii) Live with a spouse; or~~

~~(iii) Live with their own child~~)).

(b) Person seventeen years of age or younger under parental control of an adult other than their parent, and the adult who is maintaining the control; or

(c) Spouses who live together.

(3) The department shall consider the following persons living with the household as nonhousehold members who, if otherwise eligible, may qualify as a separate household:

(a) Roomers;

(b) Live-in attendants; or

(c) Persons sharing living quarters with the household who purchase food and prepare meals separately from the household.

(4) The department shall consider the following persons living with the household as ineligible household members:

(a) Persons disqualified for intentional program violation;

(b) Persons disqualified because of noncompliance with work requirements as described under WAC 388-49-360;

(c) Persons who are ineligible aliens;

(d) Persons disqualified for failure to apply for or provide a Social Security number; ((~~or~~))

(e) Persons who fail to sign the application attesting to their citizenship or alien status; or

(f) Fleeing felons.

WSR 96-22-104
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed November 6, 1996, 11:14 a.m.]

Date of Adoption: November 6, 1996.

Purpose: Federal regulations require annual update of income eligibility standards. These standards are used for determination of food stamp eligibility starting October 1, 1996.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-510.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: 7 CFR 273.9(a).

Adopted under notice filed as WSR 96-20-018 on September 20, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 1, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 6, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3907, filed 10/11/95, effective 11/11/95)

WAC 388-49-510 Income eligibility standards. (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

Gross Monthly Income Standard

Household Size	Maximum Standard
1	$((~~810~~)) 839
2	((~~1,087~~)) 1,123
3	((~~1,364~~)) 1,407
4	((~~1,642~~)) 1,690
5	((~~1,919~~)) 1,974
6	((~~2,196~~)) 2,258
7	((~~2,474~~)) 2,542
8	((~~2,751~~)) 2,826
9	((~~3,029~~)) 3,110
10	((~~3,307~~)) 3,394
Each additional person	+((~~278~~)) 284

Net Monthly Income Standard

Household Size	Maximum Standard
1	$((~~623~~)) 645
2	((~~836~~)) 864
3	((~~1,050~~)) 1,082
4	((~~1,263~~)) 1,300
5	((~~1,476~~)) 1,519
6	((~~1,690~~)) 1,737
7	((~~1,903~~)) 1,955
8	((~~2,116~~)) 2,174
9	((~~2,330~~)) 2,393
10	((~~2,544~~)) 2,612
Each additional person	+((~~214~~)) 219

PERMANENT

WSR 96-22-010
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
(Fisheries)

[Order 96-189—Filed October 25, 1996, 4:56 p.m., effective October 27, 1996, 12:01 a.m.]

Date of Adoption: October 25, 1996.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-706.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Scheduled fishery in Areas 7 and 7A cancelled relative to Canada Department of Fisheries and Oceans update of 2.3 million chum entering Johnstone Strait. Chum annex of United States/Canada Pacific Salmon Treaty does not provide for United States fisheries when chum abundance is less than 3.0 million.

Openings in Areas 7B, 10 and 11 provide opportunity to harvest the nontreaty allocation of chum salmon destined for the Nooksack-Samish and south Puget Sound regions of origin per preseason schedule. The Port Madison restriction is necessary to reduce impacts on local chum stocks.

Openings in Areas 8A and 8D provide opportunity to harvest chum salmon destined for the Stillaguamish-Snohomish region of origin per preseason agreement. Modification of scheduled fishing hours provides separation of nontreaty gear and for reduced impacts to coho.

Openings in Area 9A provides opportunity to harvest the nontreaty allocation of Hood Canal hatchery-origin coho salmon according to the preseason schedule.

All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 27, 1996, 12:01 a.m.

October 25, 1996
Bern Shanks
Director

NEW SECTION

WAC 220-47-707 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday October 27, 1996 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

* **Area 7B** - Gill nets using 6 1/4-inch minimum mesh and purse seines using the 5-inch strip may fish until 4:00 p.m. Saturday November 9, 1996.
* **Areas 8A and 8D** - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 5:00 p.m. Monday October 28, 1996. Gillnets using 6 1/4-inch minimum mesh may fish from 6:00 a.m. to 6:00 p.m. Tuesday October 29, 1996.
* **Area 9A** - Gillnets using 5-inch minimum mesh may fish from 6:00 a.m. Monday October 28 to 4:00 p.m. Friday November 1, 1996.
* **Areas 10 and 11** - Gillnets using 6 1/4-inch minimum mesh may fish from 4:00 p.m. Monday October 28, 1996 to 8:00 a.m. Tuesday October 29, 1996. Purse seines using the 5-inch strip may fish from 7:00 a.m. to 5:00 p.m. Tuesday October 29, 1996. In addition to the exclusion zones described in WAC 220-47-307, Area 10 is closed in that portion of Port Madison west of a line projected 178 degrees true from the end of Indianola dock to the landfall on the south shore of Port Madison.
* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 9, 10A, 10C, 10D, 10E, 10F, 10G, 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 herein modified - Closed.

REPEALER

The following section of the Washington Administrative code is repealed effective 12:01 a.m. October 27, 1996:

WAC 220-47-706	Puget Sound all-citizen commercial salmon fishery. (96-184)

WSR 96-22-011
EMERGENCY RULES
WASHINGTON STATE PATROL

[Filed October 28, 1996, 11:14 a.m.]

Date of Adoption: October 28, 1996.

Purpose: Chapter 225, Laws of 1996 (SSB 5250), added a new section to chapter 46.37 RCW regarding optional equipment on street rods and kit vehicles. This amendment will bring the rules governing special motor vehicles into line with the new law.

Citation of Existing Rules Affected by this Order: Amending WAC 204-90-040 Body requirements.

Statutory Authority for Adoption: RCW 46.37.005, 46.37.513, and 46.37.517.

EMERGENCY

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

Reasons for this Finding: This amendment will bring the administrative rule into line with the new section under chapter [46.37] RCW as passed during the 1996 legislative session.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Immediately.

October 28, 1996
Annette M. Sandberg
Chief

EMERGENCY

AMENDATORY SECTION (Amending Order 83-05-01, filed 5/13/83)

WAC 204-90-040 Body requirements. (1) Defroster and defogging devices: Every enclosed special motor vehicle shall be equipped with a device capable of defogging and defrosting the windshield area. Vehicles or exact replicas of vehicles manufactured prior to January, 1938, are exempt from this requirement.

(2) Door latches: Every enclosed special motor vehicle equipped with side doors leading directly into a compartment that contains one or more seating accommodations shall be equipped with door latches which firmly and automatically secure the door when pushed closed and which allow each door to be opened both from the inside and outside.

(3) Hoodlatches: A front opening hood shall be equipped with a primary and a secondary latching system to hold the hood in a closed position.

Hoods are optional equipment on vehicles defined as street rods and kit vehicles by the Washington state patrol vehicle inspectors.

(4) Enclosed passenger compartment: A special motor vehicle with an enclosed passenger compartment and powered by an internal combustion engine shall be constructed to prevent the entry of exhaust fumes into the passenger compartment.

(5) Floor pan: A special motor vehicle shall be equipped with a floor pan under the entire passenger compartment capable of supporting the weight of the number of occupants that the vehicle is designed to carry.

(6) Bumpers: A special motor vehicle shall be equipped with a bumper on both the front and rear of the vehicle with the exception of motor vehicles where the original or predominant body configuration, provided by a recognized manufacturer, did not include such bumper or bumpers in the design of the vehicle. Bumpers or exact replicas of bumpers for Type I vehicles meeting the original specifications of a recognized manufacturer shall satisfy the requirements of this section.

Bumpers are optional equipment on vehicles defined as street rods and kit vehicles by the Washington state patrol vehicle inspectors.

Bumpers, unless specifically exempted above, shall be at least 4.5 inches in vertical height, centered on the vehicle's centerline, and extend no less than the width of the respective wheel track distances. Bumpers shall be horizontal load bearing and attach to the vehicle frame to effectively transfer energy when impacted.

The maximum bumper heights will be determined by weight category of gross vehicle weight rating (GVWR) measured from a level surface to the highest point on the bottom of the bumper. For vehicles exempted from the bumper requirement for the reasons stated above, a maximum frame elevation measurement shall be made to the bottom of the frame rail. Maximum heights are as follows:

	Front	Back
Passenger Vehicles	22 Inches	22 Inches
4,500 lbs. and under GVWR	24 Inches	26 Inches
4,501 lbs. to 7,500 lbs. GVWR	27 Inches	29 Inches
7,501 lbs. to 10,000 lbs. GVWR	28 Inches	30 Inches

(7) Fenders: All wheels of a special motor vehicle shall be equipped with fenders designed to cover the entire tire tread width that comes in contact with the road surface. Coverage of the tire tread circumference shall be from at least 15° in front and to at least 75° to the rear of the vertical centerline at each wheel measured from the center of the wheel rotation. At no time shall the tire come in contact with the body, fender, chassis, or suspension of the vehicle.

(8) Frame: A special motor vehicle shall be equipped with a frame. If an existing frame from a recognized manufacturer is not used and a special frame is fabricated, it shall be constructed of wall box or continuous section tubing, wall channel, or unitized construction capable of supporting the vehicle, its load, and the torque produced by the power source under all conditions of operation. ((~~Specially fabricated frames shall meet the Specialty Equipment Manufacturing Association "Recommended practice for chassis contraction of special motor vehicles."~~))

WSR 96-22-017
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Filed October 29, 1996, 11:27 a.m.]

Date of Adoption: October 29, 1996.

Purpose: To implement and administer chapter 166 (HB 2290), Laws of 1996, codified at RCW 82.08.02567 and 82.12.02567.

Citation of Existing Rules Affected by this Order: New section WAC 458-20-263 Wind [energy] and solar electric generating facilities sales and use tax exemption.

Statutory Authority for Adoption: RCW 82.32.300 and 82.08.02567.

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

Reasons for this Finding: RCW 82.08.02567 specifically requires the department to adopt a rule detailing the form and manner of an exemption certificate to be used. The rule must be in place to provide taxpayers with the required information so that they can comply with the new law. The permanent rule adoption process has begun but has not yet been finished.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 1, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

October 29, 1996
Claire Hesselholt
Policy Counsel

NEW SECTION

WAC 458-20-263 Wind energy and solar electric generating facilities sales and use tax exemption. (1) **Introduction.** Effective July 1, 1996, Chapter 166 Laws of 1996, (House Bill 2290) provides a retail sales tax exemption for sales of or charges made for: (a) machinery and equipment used directly in generating electricity using the wind or solar energy as the principal source of power; or (b) labor and services for installing the machinery and equipment. The sales tax exemption applies if the purchaser develops with the machinery, equipment, labor, and services a facility capable of generating not less than two hundred kilowatts of electricity using the wind or solar energy as the principal source of power. The law provides a corresponding use tax exemption for the use of machinery and equipment used directly in generating not less than two hundred kilowatts of electricity using the wind or solar as the principal source of power.

(2) **Expiration.** The sales and use tax exemptions expire on June 30, 2005.

(3) **Definitions.** The following definitions apply to this section:

(a) "Machinery and equipment" means industrial fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using the wind or solar energy as the principal source of power.

(i) Machinery and equipment, where solar energy is the principal source of energy, includes, but is not limited to: solar modules; power conditioning equipment; batteries; transformers; power poles; power lines; and connectors to the utility grid system.

(ii) Machinery and equipment, where wind is the principal source of power includes, but is not limited to: wind turbines; blades; generators; towers and tower pads; substations; guy wires and ground stays; control buildings; power conditioning equipment; anemometers; recording meters; transmitters; power poles; power lines; and connectors to the utility grid system.

(iii) "Machinery and equipment" does not include: the utility grid system and any tangible personal property used to connect electricity directly to consumers; hand tools; property with a useful life of less than one year; repair parts required to restore machinery and equipment to normal working order; replacement parts that do not increase productivity, improve efficiency, or extend the useful life of the machinery and equipment; buildings; or building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(b) "Used directly" means the machinery and equipment provides any part of the process that captures the energy of the wind or solar, converts that energy to electricity, and transforms or transmits that electricity for entry into electric transmission and distribution systems.

(c) "Installation charges" means sales of or charges made for labor and services rendered in respect to installing the machinery and equipment.

(i) Labor and services to install machinery and equipment includes both the charges for labor and charges for the rental of equipment with an operator.

(ii) Labor and services to install machinery and equipment does not include the rental of tangible personal property used by the purchaser to install machinery and equipment. See WAC 458-20-211.

(4) **Retail Sales Tax Exemption.** The retail sales tax does not apply to the purchase of or charges for machinery and equipment used directly in generating electricity using the wind or solar energy as the principal source of power or labor and services for installing the machinery and equipment. Prior approval is not required from the Department of Revenue in order to claim the retail sales tax exemption. However, the purchaser is required to provide the seller with an exemption certificate. Both the purchaser and the seller must retain a copy of the certificate to document the exemption.

(a) The exemption certificate may be in the form shown below, or may be in any other form that contains substantially the following information and language:

Sales and Use Tax Exemption Certificate for Wind or Solar Powered Electrical Generation Facilities

The purchaser (user) certifies that the items listed below are machinery and equipment, or are labor and services rendered to install the machinery and equipment, used directly in generating electricity using the wind or solar energy as the

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principal source of power at a facility capable of generating not less than 200 kilowatts of electricity.

Purchaser (User) UBI/Registration # . . . . . .
Name of Purchaser (User) . . . . . .
Address of Purchaser (User) . . . . . .
Seller UBI/Registration # . . . . . .
Name of Seller . . . . . Date . . . . . .
Item or category of items . . . . . .
Authorized agent for Purchaser (print) . . . . . .
Authorized signature . . . . . Title . . . . . .
Date . . . . . .

(b) In lieu of providing the certificate to the Department each time a purchase is made, the purchaser may provide the department with an annual summary of exempt purchases by January 31 of the year following the calendar year in which the items were purchased. The annual summary must provide the same information required in 4(a).

(5) **Use tax.** The use tax does not apply to the use of machinery and equipment used directly in generating not less than two hundred kilowatts of electricity using the wind or solar energy as the principle source of power. The user of exempt machinery and equipment is required to file an annual summary of exempt machinery and equipment similar to that described for the sales tax exemption.

(a) Instead of an annual summary the user may elect to file with the Department of Revenue an exemption certificate, similar to the retail sales tax exemption certificate described in subsection (4) of this section. If so, the certificate must be filed within sixty days of the first use of the machinery and equipment in this state.

(6) **Time of sale.** The existing rules pertaining to time and place of sale and when tax liability arises apply for purposes of whether a given transaction occurred on or after the effective date of the law, July 1, 1996, for purposes of the sales and use tax exemption. See WAC 458-20-103, WAC 458-20-178 and 458-20-197.

(a) In the case of an outright purchase of goods, the sale takes place when the goods are delivered to the purchaser in this state. Thus, machinery and equipment delivered to the purchaser on or after July 1, 1996 can qualify for exemption, regardless of when the order for the goods was placed.

(b) If machinery and equipment is acquired without payment of retail sales tax, use tax is due at the time of first use. Thus machinery and equipment which is first put to use after July 1, 1996, can qualify for the exemption. See WAC 458-20-178.

(c) In the case of leases or rentals of tangible personal property, liability for sales tax arises as of the time the lease or rental payment falls due. Thus, in the case of leased machinery and equipment, rental payments that fall due on or after July 1, 1996 can qualify for exemption, regardless of when the lease was initiated.

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.

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WSR 96-22-023
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
(Fisheries)

[Order 96-190—Filed October 30, 1996, 8:42 a.m., effective November 1, 1996, 12:01 a.m.]

Date of Adoption: October 30, 1996.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-44-05000C; and amending WAC 220-44-050.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: These regulations are necessary for conservation and to maintain consistency between state and federal regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1996, 12:01 a.m.

October 30, 1996
Bern Shanks
Director

NEW SECTION

WAC 220-44-05000D Coastal bottomfish catch limits. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. November 1, 1996 until further notice it is unlawful to possess, transport through the waters of the state or land in any Washington State port bottomfish taken from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

1. The following definitions apply to this section:

a. Cumulative limit - A cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per calendar month, without a limit on the number of landings or trips. The cumulative limit includes all fish harvested by a vessel during the month, whether taken in limited entry or open access fisheries. Once a cumulative limit has been achieved, an

operator may begin fishing on the next cumulative limit so long as the fish are not landed until after the beginning of the next cumulative limit.

b. Two-month cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per two, fixed calendar months, without a limit on the number of landings or trips. The fixed two-two month periods are January-February, March-April, May-June, July-August, September-October and November-December. No more than sixty percent of any two-month cumulative limit may be taken and retained, possessed or landed per vessel in either calendar month of the fixed, two-month period. The two-month cumulative limit includes all fish harvested by a vessel during the two-month period, whether taken in limited entry or open access fisheries. Once a two-month cumulative limit has been achieved, an operator may begin fishing on the next two-month cumulative limit so long as the fish are not landed until after the beginning of the next two-month cumulative period.

c. Daily trip limit - The maximum amount of fish that may be taken and retained, possessed or landed per vessel from a single fishing trip in 24 consecutive hours, starting at 0001 hours.

d. Groundfish limited entry fishery - Fishing activity by a trawl, setline or bottomfish pot equipped vessel that has received a federal limited entry permit issued by the National Marine Fisheries Service endorsed for the qualifying gear type.

e. Groundfish open access fishery - Fishing activity by a vessel equipped with setline or bottomfish pot gear that has not received a federal limited entry permit, or a vessel using gear other than trawl, setline or bottomfish pot gear.

f. Vessel trip - A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

g. Vessel trip limit - The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

h. Dressed length - The dressed length of a fish is the distance from the anterior insertion of the first dorsal fin to the tip of the tail.

2. Groundfish limited entry fishery limits. The following limits apply to the groundfish limited entry fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed bottomfish species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29:

a. **Pacific ocean perch** - Two-month cumulative limit of 8,000 pounds. No minimum size.

b. **Widow rockfish** - Two-month cumulative limit of 50,000 pounds. Effective 12:01 a.m. November 1, 1996, one-month cumulative limit of 25,000 pounds. No minimum size.

c. **Shortbelly rockfish** - No minimum size. No maximum poundage.

d. **Black rockfish** - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48° 09' 30" N. latitude) and between Destruction Island (47° 40' 00" N. latitude) and Leadbetter Point (46° 38' 10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

e. **Sebastes complex** - All species of rockfish except Pacific ocean perch, widow, shortbelly, and thornyhead (Sebastolobus spp.)

(1) North of Cape Lookout and south of Cape Lookout if no declaration has been made. One-month cumulative limit of 35,000 pounds, of which no more than 6,000 pounds may be yellowtail rockfish and no more than 9,000 pounds may be canary rockfish. No minimum size on any species in this category.

(2) South of Cape Lookout - One-month cumulative limit of 50,000 pounds, of which no more than 35,000 pounds may be yellowtail rockfish and no more than 9,000 pounds may be canary rockfish. No minimum size on any species in this category. In order to deliver higher limits taken below Cape Lookout the licensee must make a declaration as follows:

(a) The declaration must be made at least 12 hours prior to departing from port by telephoning the Department Montesano Office at (360) 249-4628, between the hours of 8:00 a.m. and 4:30 p.m, Monday through Friday. The declarer will receive a declaration number from the department.

(b) The declaration must include: vessel name; federal limited entry permit number; operator's name, phone number and address; anticipated date and port of departure; anticipated date and port of return.

(c) Phone declarations must be followed by a written declaration, signed by the operator and mailed or delivered to the Montesano Office at 48 Devonshire Road, Montesano, WA 98563, prior to the day of departure. Forms are available at the office or from coastal processors.

(d) No fishing north of Cape Lookout is allowed after declaring for fishing south of Cape Lookout until the vessel has landed at a Washington or Oregon port and notified the Montesano Office during business hours.

1) There is a maximum one-month limit for landings from both north and south of Cape Lookout of 50,000 pounds of which no more than 35,000 pounds may be yellowtail rockfish of which no more than 6,000 pounds may be taken north of Point Lookout, and not more than 9,000 pounds may be canary rockfish.

2) Wholesale dealers purchasing more than 35,000 pounds of Sebastes complex, 6,000 pounds of yellowtail rockfish or 9,000 pounds of canary rockfish (one-month cumulative allowances north of Cape Lookout) must enter the number on the fish receiving ticket.

f. **DTS Complex - (Sablefish, Dover sole and thornyhead rockfish)** - Two-month cumulative limit of 70,000 pounds, of which not more than 38,000 pounds may be Dover sole, not more than 12,000 pounds may be sablefish and not more than 20,000 pounds may be thornyhead rockfish. Of the thronyhead rockfish, not more than 4,000 pounds may be shortspine thornyhead.

g. **Sablefish** -

(1) **Trawl vessels** - Not more than 500 pounds (round weight) of sablefish per trip may be smaller than 22 inches.

(2) **Non-trawl vessels** - Daily trip limit of 300 pounds (round weight). No minimum size.

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h. **Pacific Whiting** - Vessel trip limit of 10,000 pounds, no minimum size.

i. **Lingcod** - Two-month cumulative limit of 40,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(1) It shall be lawful to land up to 100 pounds of lingcod under 22 inches taken in the trawl fishery only.

3. Groundfish open access fishery limits. The following limits apply to the groundfish open access fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29. Notwithstanding the provisions of this subsection, no groundfish open access fishery limit may exceed a groundfish limited entry fishery daily, vessel or cumulative limit:

(1) **Sablefish** - Daily trip limit of 300 pounds (round weight) not to exceed 2100 pounds in any calendar month. No minimum size.

(2) **Rockfish** - Vessel trip limit of 10,000 pounds. Cumulative limit of 35,000 pounds.

(3) **Lingcod** - cumulative limit of 20,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(4) **Thornyhead rockfish** - Illegal to take, possess, transport or land thornyhead rockfish.

(5) It is unlawful during the unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species or category of bottomfish having a cumulative limit, vessel trip limit or daily trip limit.

(6) The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall be retained aboard the landing vessel for 90 days after landing.

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

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

REPEALER

The following section of the Washington Administrative Code is repealed 12:01 a.m. November 1, 1996:

WAC 220-44-05000C Coastal bottomfish catch limits (96-173)

WSR 96-22-024
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
(Fisheries)
[Order 96-191—Filed October 30, 1996, 8:45 a.m.]

Date of Adoption: October 29, 1996.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-88A-08000I.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 available harvest of shrimp has been taken.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

October 29, 1996
Bern Shanks
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-88A-08000I	Emerging commercial fishery-Puget Sound shrimp trawl experimental fishery-Seasons and gear. (96-183)

WSR 96-22-047
EMERGENCY RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed October 31, 1996, 11:25 a.m., effective November 1, 1996]

Date of Adoption: October 31, 1996.

Purpose: Chapter 296-306 WAC, Safety standards for agriculture, emergency adoption of amendments to chapter 296-306 WAC are made to repeal WAC 296-306-060

Personal protective equipment, 296-306-330 Decontamination, 296-306-400 Posting requirements, 296-306-40007 Emergency medical care information, and 296-306-40009 Emergency assistance. This action is being taken to correct an error in a previous rules proposal and adoption.

Recently, the Department of Labor and Industries and the Department of Agriculture worked together to jointly adopt the federal environmental protection agency worker protection standard to fulfill the requirements of SHB 2703. This adoption occurred September 30, 1996, with an effective date of November 1, 1996. In that adoption, the new pesticides sections adopted were included in the new agriculture standard chapter, chapter 296-306A WAC. It was the department's intention to repeal the old pesticide sections in the old chapter, chapter 296-306 WAC, at the same time. However, due to a filing oversight, these sections were not repealed as intended. This emergency adoption repeals the old pesticide sections so two sets of pesticide rules are not in effect at the same time.

An emergency adoption is not a permanent adoption. The department must follow Administrative Procedure Act requirements to permanently adopt the repeal of these rules. As a result, a formal public hearing will be held in the near future and the necessary steps taken to formally propose and adopt this change to chapter 296-306 WAC.

Citation of Existing Rules Affected by this Order: Repealing chapter 296-306 WAC, Safety standards for agriculture, WAC 296-306-060 Personal protective equipment, 296-306-330 Decontamination, 296-306-400 Posting requirements, 296-306-40007 Emergency medical care information, and 296-306-40009 Emergency assistance.

Statutory Authority for Adoption: RCW 49.17.040, [49.17.]050, [49.17.]060.

Under 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 department adopted new pesticide rules on September 30, 1996. These new rules will become effective November 1, 1996. It was the department's intention to repeal the old pesticide sections at the time of the new pesticide rule adoption. However, due to a filing oversight, these sections were not repealed as intended.

In order to prevent unintended impact and confusion to the agriculture industry, this emergency adoption repeals the old pesticide sections so two sets of pesticide rules are not in effect at the same time.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1996.

October 31, 1996
Mark O. Brown
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-306-060	Personal protective equipment.
WAC 296-306-330	Decontamination.
WAC 296-306-400	Posting requirements.
WAC 296-306-40007	Emergency medical care information.
WAC 296-306-40009	Emergency assistance.

WSR 96-22-052
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
(Fisheries)

[Order 96-192—Filed November 1, 1996, 1:35 p.m., effective November 3, 1996, 12:01 a.m.]

Date of Adoption: November 1, 1996.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-707.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Scheduled fishery in Areas 7 and 7A cancelled relative to Canada Department of Fisheries and Oceans update of 2.3 million chum entering Johnstone Strait. Chum annex of United States/Canada Pacific Salmon Treaty does not provide for United States fisheries when chum abundance is less than 3.0 million.

Openings in Areas 7B, 10, 11, 12 and 12B provide opportunity to harvest the nontreaty allocation of chum salmon destined for the Nooksack-Samish, south Puget Sound and Hood Canal regions of origin per preseason schedule. The Port Madison restriction is necessary to reduce impacts on local chum stocks. The requirement to release all coho and chinook salmon in Hood Canal is designed to reduced nontreaty impacts to weak stocks.

Openings in Areas 8A and 8D provide opportunity to harvest chum salmon destined for the Stillaguamish-Snohomish region of origin per preseason agreement. Modification of scheduled fishing hours provides separation of nontreaty net and crab gear.

All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

EMERGENCY

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 3, 1996, 12:01 a.m.

November 1, 1996
Bern Shanks
Director

NEW SECTION

WAC 220-47-708 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday November 3, 1996 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

* **Area 7B** - Gill nets using 6 1/4-inch minimum mesh and purse seines using the 5-inch strip may fish until 4:00 p.m. Saturday November 9, 1996.
* **Areas 8A and 8D** - Purse seines using the 5-inch strip and gillnets using 6 1/4-inch minimum mesh may fish from 7:00 a.m. to 6:00 p.m. daily, Monday, Tuesday and Wednesday, November 4, 5 and 6, 1996.
* **Areas 10 and 11** - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 5:00 p.m. Monday November 4, 1996. Gillnets using 6 1/4-inch minimum mesh may fish from 4:00 p.m. Monday November 4, 1996 to 8:00 a.m. Tuesday November 5, 1996. In addition to the exclusion zones described in WAC 220-47-307, Area 10 is closed in that portion of Port Madison west of a line projected 178 degrees true from the end of Indianola dock to the landfall on the south shore of Port Madison.
* **Areas 12 and 12B** - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 5:00 p.m. daily Monday and Tuesday November 4 and 5, 1996. Gillnets using 6 1/4-inch minimum mesh may fish from 4:00 p.m. Monday to 8:00 a.m. nightly, Monday and Tuesday nights, November 4 and 5, 1996. Purse seines are required to release all coho and chinook salmon in Hood Canal.
* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12A, 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 - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 3, 1996:

WAC 220-47-707	Puget Sound all-citizen commercial salmon fishery. (96-189)

WSR 96-22-055
EMERGENCY RULES
HEALTH CARE AUTHORITY
(Basic Health Plan)
[Filed November 1, 1996, 3:02 p.m.]

Date of Adoption: November 1, 1996.

Purpose: Revision of current Basic Health Plan rules to implement a reservation list for reduced premium enrollees.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-030 and 182-25-040.

Statutory Authority for Adoption: RCW 70.47.050.

Under 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: As Basic Health Plan reaches maximum enrollment for the funding allocated, rules must be modified to ensure the orderly implementation of a reservation list.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

October 31, 1996
Elin Meyer
Rules Coordinator

AMENDATORY SECTION (Amending WSR 96-15-024, filed 7/9/96, effective 8/9/96)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must:

(a) Not be eligible for Medicare; and

(b) Reside within the state of Washington.

Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or

otherwise obtained by BHP, will not be enrolled. An enrollee who subsequently fails to meet these criteria, or who is later determined to have failed to meet the criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090.

(2) To be eligible for subsidized enrollment in BHP, an individual must have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services, and must pay, or have paid on their behalf, the monthly BHP premium.

(3) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(4) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP or would result in an overexpenditure of BHP funds. In the event that the administrator closes or limits enrollment and to the extent funding is available, BHP will continue to accept and process applications for enrollment((~~, but will not process those applications for determination of eligibility. BHP will place the names of applicants on a waiting list in the order in which applications are received, and will so notify the applicants~~)) from:

(a) Applicants who will pay the full premium;

(b) Children eligible for BHP Plus;

(c) Pregnant women who qualify for medical assistance through DSHS;

(d) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

(e) Licensed foster care workers; and

(f) Employer groups.

Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example, adding new family members to an existing account; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.) Applicants for subsidized BHP who are not in any of these categories may reserve space on a reservation list to be processed according to the date the reservation or application is received. In the event that enrollment is reopened by the administrator, applicants whose names appear on the ((~~waiting~~)) reservation list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the ((~~waiting~~)) reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

AMENDATORY SECTION (Amending WSR 96-15-024, filed 7/9/96, effective 8/9/96)

WAC 182-25-040 Enrollment in the plan. (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook. Applications for subsidized enrollment on behalf of children under the age of nineteen shall be referred to the department of social and health services for Medicaid eligibility determination, unless the family chooses not to access this option.

(2) Each applicant shall list all eligible dependents to be enrolled and supply other information and documentation as required by BHP and, where applicable, DSHS medical assistance.

(a) Documentation will be required, showing the amount and sources of the applicant's gross family income. Acceptable documentation will include a copy of the applicant's most recently filed federal income tax form, and/or other documentation that shows year-to-date income, or income for the most recent thirty days or complete calendar month as of the date of application. An average of documented income received over a period of several months may be used for purposes of eligibility determination. Income documentation shall be required for the subscriber and dependents, with the exceptions listed under WAC 182-25-010 (17)(b).

(b) Documentation of Washington state residency shall also be required, displaying the applicant's name and address. Other documentation may be accepted if the applicant does not have a physical residence.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information may result in disenrollment of the subscriber and all enrolled dependents.

(3) Each family applying for enrollment must designate a managed health care system from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family must receive covered services from the same managed health care system (with the exception of cases in which a subscriber who is paying child support for his/her dependents lives in a different service area). No applicant will be enrolled for whom designation of a managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open enrollment, or otherwise upon showing of good cause for the transfer.

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(4) Managed health care systems may assist BHP applicants in the enrollment process, but must provide them with the toll-free number for BHP, information on all MHCS available within the applicant's county of residence and an estimate of the premium the applicant would pay for each available MHCS.

(5) Insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, and as a pilot program, BHP will pay a one-time fee to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has never been a BHP member in the past.

(b) Group policy commission: Subject to availability of funds, and as a pilot program, fees paid for the sale of BHP group coverage to an eligible employer will be based on the number of employees in the group for the first and second months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all managed health care systems available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(4), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that the applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP. In the event a reservation list is implemented, eligible applicants will be enrolled in accordance with WAC 182-25-030(4).

(8) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a family member until the next open enrollment period, unless the subscriber has experienced a qualifying change in family status:

(a) The loss of other continuous health care coverage, for family members who have previously waived coverage, upon proof of continuous medical coverage from the date the subscriber enrolled;

(b) Marriage; or

(c) Birth, adoption or change in dependency or custody of a child or adult dependent. Eligible newborn or newly adopted children may be enrolled effective from the date of birth or physical placement for adoption provided that application for enrollment is submitted to BHP within sixty days of the date of birth or such placement for adoption.

(9) Any enrollee who voluntarily disenrolls from BHP for reasons other than ineligibility or other health care coverage may not reenroll for a period of twelve months from the effective date of disenrollment. After the twelve-month period, or if the enrollee disenrolled for reasons of ineligibility or other health care coverage, he/she may reenroll in BHP, subject to portability and preexisting condition policies as referenced in WAC 182-25-020(1) and specified in the member handbook, provided he/she is determined by BHP to be otherwise eligible for enrollment as of the date of application. With the exception of enrollees under group coverage, enrollees who are disenrolled from BHP for nonpayment, in accordance with WAC 182-25-090(2), more than twice in a twelve-month period, and who have a lapse in coverage of one month or more, may not reenroll for a period of twelve months from the effective date of the third disenrollment.

(10) On a schedule approved by the administrator, BHP will request verification of information from all or a subset of enrollees ("recertification"), requiring new documentation of income if the enrollee has had a change in income that would result in a different subsidy level. For good cause, BHP may require recertification on a more widespread or more frequent basis. Enrollees who fail to comply with a recertification request will be disenrolled from BHP. Each enrollee is responsible for notifying BHP within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility. If, as a result of recertification, BHP determines that a subsidized enrollee's income exceeds twice the poverty level according to the federal income guidelines, and that the enrollee knowingly failed to inform BHP of such increase in income, BHP may bill the enrollee for the subsidy paid on the enrollee's behalf during the period of time that the enrollee's income exceeded twice the poverty level.

EMERGENCY

WSR 96-22-056
EMERGENCY RULES
HEALTH CARE AUTHORITY
[Filed November 1, 1996, 3:04 p.m.]

Date of Adoption: November 1, 1996.

Purpose: Amend eligibility rule to include TRS 3 language.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-117.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Under 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: TRS 3 retirement system was created and needs to be included in chapter 182-12 WAC.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 1, 1996
Elin Meyer
Rules Coordinator

AMENDATORY SECTION (Amending WSR 96-08-043, filed 3/29/96, effective 4/29/96)

WAC 182-12-117 Eligible retirees. (1) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Elects Medicare Parts A and B if the retiree, or covered dependents of a retiree, retired after July 1, 1991 and is eligible for Medicare; and

(b) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(c) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(d) Is an elected official as defined under 182-12-115(6) who has voluntarily or involuntarily left a public office, whether or not they receive a benefit from a state retirement system; or

(e) Must have taken a lump sum retirement benefit payment because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their PEBB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any PEBB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. With the exception of the Washington State Patrol, retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the PEBB program at the time of retirement or disability.

(2) Retired and disabled school district and educational service district employees. The following persons are eligible to participate in PEBB medical and dental plans only, provided they meet the enrollment criteria stated below and if eligible for Medicare, be enrolled in Medicare Parts A and B:

(a) Persons receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993, and who enroll in PEBB plans not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995;

(b) Persons who separate from employment with a school district or educational service district on or after October 1, 1993, and immediately upon separation begin to receive a retirement allowance or have taken a lump-sum payment because their benefit would be less than fifty dollars under chapter 41.32 or 41.40 RCW. Individuals in teachers' retirement system, TRS III, not receiving a monthly retirement allowance (defined benefit) must be at least age fifty-five with at least ten years of service at the time of separation. Such persons who retire on or after October 1, 1993, must elect PEBB coverage not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995, or sixty days following retirement whichever is later;

(c) Persons who separate from employment with a school district or educational service district due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32 or 41.40 RCW. Such persons must enroll in PEBB plans not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995, or sixty days following retirement, whichever is later.

EMERGENCY

WSR 96-22-067
EMERGENCY RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed November 4, 1996, 4:33 p.m.]

Purpose: Under a new federal requirement, there are new disqualification penalties for persons who fail to comply with work registration and employment and training program requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-360 and 388-49-380.

Statutory Authority for Adoption: RCW 74.05.510.

Other Authority: H.R. 3734-Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). Statutory and/or CFR citations not yet available from the United States Department of Agriculture.

Under 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 federal law requires immediate adoption.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 2, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 4, 1996
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3803, filed 10/26/94, effective 11/26/94)

WAC 388-49-360 Work registration and food stamp employment and training ((~~E&T~~)) (FSE&T) program services. (1) Unless exempt, the department shall register each individual ((~~between eighteen~~)) over the age of fifteen and under age of sixty ((~~years of age~~)), for employment at certification and once every twelve months thereafter. The department shall register a child reaching ((~~eighteen~~)) sixteen years of age during a certification period for work during the next recertification process.

(2) The department shall register sixteen and seventeen-year-old heads of households for employment unless the individuals are:

(a) Attending school; or

(b) Enrolled in ((~~an E&T~~)) the job opportunities and basic skills (JOBS) program, a program under the Job Training Partnership Act (JTPA), a program under section 236 of the Trade Act of 1974, or a state or local employment and training program at least half time.

(3) The department shall exempt from work registration a person:

(a) Physically or mentally unfit for employment;

(b) Responsible for the care of a dependent child under six years of age or of an incapacitated person.

If a child's sixth birthday falls within a certification period, apply the exemption until the next recertification;

(c) Applying for or receiving unemployment compensation (UC);

(d) Subject to and participating in ((~~any work~~)) the JOBS program, a program under JTPA, a program under ((~~Titles IV-A and IV-C of the Social Security Act, as amended,~~)) section 236 of the Trade Act of 1974 or other ((~~E&T~~)) state or local employment and training programs;

(e) Employed or self-employed thirty hours or more per week, or receiving weekly earnings equal to the federal minimum wage, multiplied by thirty;

(f) Enrolled as a student half time or more in any recognized school, training program, or institution of higher education provided the students enrolled in higher education meet the eligibility conditions under WAC 388-49-020;

(g) Regularly participating in a drug addiction or alcoholic treatment and rehabilitation program;

(h) Complying with work requirements imposed as a participant in any refugee program; or

(i) Under contract or agreement with an employer as a migrant or seasonal farmworker.

(4) The department shall register each household member required to be work registered.

(5) The department shall accept an applicant's statement concerning the employability of each member of the household unless the information is questionable. The department shall verify any claim for exemption the department determines questionable.

(6) The department shall:

(a) Refer persons to ((~~E&T~~)) the FSE&T program for services, unless the person is exempted by subsection (9) of this section; and

(b) Provide ((~~E&T~~)) FSE&T program services to assigned applicants or recipients, either directly or through a contracted service provider, as specified in the state plan.

(7) Persons subject to ((~~E&T~~)) FSE&T services shall participate in an ((~~E&T~~)) FSE&T program service for:

(a) A minimum level of participation comparable to spending approximately twelve hours a month for two months during:

(i) An eight-week or two four-week period or periods, each time an applicant/recipient enters into the food stamp program; or

(ii) Each twelve months of continuous participation, whichever occurs sooner.

(b) A maximum level of participation not to exceed one hundred twenty hours. In any month, hours of participation may include a combination of:

(i) ((~~An E&T~~)) The FSE&T program; and

(ii) Workfare program; and

(iii) Hours worked for compensation.

(8) The department shall require persons subject to ((~~E&T~~)) FSE&T to:

(a) Report at a prescheduled time to the department or service provider and participate in an initial assessment interview. The department or service provider shall provide written information regarding:

(i) A((~~n E&T~~)) FSE&T plan developed jointly between the department or service provider and the participant;

(ii) The grounds for noncompliance;

(iii) The sanctions for noncompliance without good cause; and

(iv) Provisions for ending noncompliance.

(b) Provide supplemental information regarding employment status or availability for work as requested;

(c) Report when referred to an employer, if the potential employment is suitable;

(d) Accept a bona fide offer of suitable employment;

(e) Complete reports as scheduled on the results of individual participation in all ((~~E&T~~)) FSE&T services; and

(f) Appear for follow-up interviews.

(9) The department shall exempt from referral for ((~~E&T~~)) FSE&T program services applicants or recipients who:

(a) Reside in an exempt county as specified in the state plan;

(b) Reside one hour or more travel distance from the service provider;

(c) Have no mailing address or message telephone; or

(d) Have a temporary incapacity expected to have a sixty-day or more duration.

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(10) The department shall reimburse participants for expenses incurred in fulfilling ((~~E&T~~)) FSE&T requirements as follows:

(a) An allowance of twenty-five dollars per participant month for transportation or other costs reasonably necessary and directly related to participation in the ((~~E&T~~)) FSE&T program; and

(b) Dependent care costs directly related to participation in the ((~~E&T~~)) FSE&T program, up to standards as set forth for the food stamp ((~~E&T~~)) FSE&T program.

(i) A participant who is part of an AFDC household and resides in an area with ((~~work~~)) the JOBS program((~~s~~)) ((~~under Titles IV-A and IV-C of the Social Security Act, as amended~~)), is not eligible for dependent care reimbursement under the ((~~E&T~~)) FSE&T program.

(ii) An individual's participation in ((~~E&T~~)) FSE&T activities shall be deferred if dependent care costs would exceed the published standards for ((~~E&T~~)) FSE&T dependent care. Deferment shall continue until:

(A) A suitable component is available; or

(B) Circumstances change and monthly dependent care costs no longer exceed the limit.

(iii) Any portion of child care costs reimbursed may not be claimed as an expense and used in calculating the child care deduction.

(11) If a household member fails to comply with work registration or ((~~E&T~~)) FSE&T program requirements without good cause, the department shall((~~:~~

~~(a) Disqualify the entire household if the noncompliant member is the household employment representative; or~~

~~(b)~~)) disqualify the noncompliant person ((~~if that person is not the household employment representative~~)). The department shall treat the disqualified ((~~member~~)) person as an ineligible household member.

(12) The department shall determine whether or not good cause exists before initiating sanction for refusal or failure to register for work or participate in ((~~E&T~~)) FSE&T program services. The following circumstances shall constitute good cause for failure to register for work or participate in ((~~E&T~~)) FSE&T program services. The following circumstances are not inclusive:

(a) Illness of the participant;

(b) Illness of another household member requiring the presence of the member;

(c) A household emergency;

(d) The unavailability of transportation; and

(e) Lack of adequate child care for children who reached six years of age, but are under twelve years of age.

(13) Within ten days of a determination of failure to comply the department shall determine whether good cause exists and, if not, provide notice to the household that contains:

(a) The particular act of noncompliance;

(b) The proposed period of disqualification;

(c) Notification that the individual ((~~or household may~~)) re-apply at the end of the disqualification period; and

(d) Information describing the action the individual ((~~or household~~)) may take to end or avoid the sanction.

(14) The disqualification period for noncompliance with work registration or FSE&T program requirements and without good cause, shall be ((~~for two months or until the noncompliant member moves from the household, becomes exempt for reasons other than subsection (3)(c) and (d) of this section, or complies, whichever is earlier.~~

~~(a) If the noncompliant member moves from the household, the household may resume participation.~~

~~(b) If the noncompliant member moves from the household and joins another household:~~

~~(i) As the household employment representative, the entire new household is ineligible for the remainder of the disqualification period; or~~

~~(ii) As other than the household employment representative, the department shall consider the noncompliant individual as an ineligible household member of the new household for the remainder of the disqualification period.~~

~~(c) If a new person, who has not committed a violation joins a sanctioned household:~~

~~(i) As the household employment representative, the period of ineligibility ends; or~~

~~(ii) As other than the household employment representative, the disqualification continues~~)):

(a) For the first failure to comply, until the failure to comply ceases or one month, whichever is longer;

(b) For the second failure to comply, until the failure to comply ceases, or three months, whichever is longer;

(c) For the third or subsequent failure to comply, until the failure to comply ceases, or six months whichever is longer.

(15) The department shall consider a household member subject to work requirements of ((~~Titles IV-A or IV-C of the Social Security Act, as amended~~)) the JOBS program, a program under JTPA, a program under section 236 of the Trade Act of 1974, a state or local employment and training program, or UC work registration and participation requirements, who fails to comply with such requirements, the same as under ((~~E&T~~)) FSE&T program service requirements if the requirements were comparable. If a comparable ((~~E&T~~)) FSE&T program service requirement does not exist, the household member shall lose exemption status as referenced under subsection (3)(d) of this section and shall register for work.

(16) At the end of the ((~~two month~~)) disqualification period, a noncompliant household member may apply to re-establish eligibility. ((~~The individual may re-establish eligibility during the disqualification period if the reason for disqualification is corrected.~~))

(17) Persons subject to reporting requirements who lose exemption status due to any reportable change of circumstance shall be work registered by the department when the case is processed.

(18) Persons who lose their exemption status due to a nonreportable change in circumstance shall be work registered at their next recertification.

(19) A registrant moving out of the jurisdiction of the department's local office where the registrant is registered shall reregister at the department local office in the new location.

(20) The household shall be held liable for any overissuances resulting from erroneous information given by the household member or the household's authorized representative.

(21) Each household has a right to a fair hearing to appeal a denial, reduction, or termination of benefits due to:

(a) A determination of nonexempt status; or

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(b) Failure to comply with work registration and ((~~employment and training~~)) FSE&T program requirements; or

(c) Determination of noncompliance with ((~~a comparable work~~)) the JOBS program, a program under JTPA, a program under section 236 of the Trace Act of 1974, a state or local employment and training program ((~~under Titles IV-A and IV-C of the Social Security Act, as amended~~)), or UC requirement.

(22) The department of social and health services shall administer the program and may contract E&T services through other agencies.

AMENDATORY SECTION (Amending Order 3803, filed 10/26/94, effective 11/26/94)

WAC 388-49-380 Voluntary quit. (1) A household ((~~where the household~~)) employment representative or a household member without dependents who voluntarily quits his or her most recent job without good cause shall be ineligible if:

(a) The employment involved twenty hours or more per week or provided weekly earnings equivalent to twenty times the minimum wage;

(b) The quit occurred within sixty days prior to application or any time thereafter; and

(c) At the time of the voluntary quit, the household employment representative or household member without dependents was((~~, at the time of the voluntary quit,~~)) required to register for work as provided under WAC 388-49-360 (with exception of subsection (3)(c) and (d) of this section).

(2) Good cause for voluntarily quitting employment includes the following:

(a) Circumstances included under WAC 388-49-360(12);

(b) The employment is unsuitable as defined under WAC 388-49-370;

(c) Discrimination by an employer based on age, race, sex, color, handicap, religious belief, national origin, or political belief;

(d) Work demands or conditions rendering continued employment unreasonable, such as working without being paid on schedule;

(e) Acceptance by the household employment representative or household member without dependents of employment or enrollment of at least half time in any recognized school, training program, or institution of higher education including fulfillment of the provisions under WAC 388-49-330, requiring the household employment representative or household member without dependents to leave employment;

(f) Acceptance by any other household member of employment or enrollment at least half time in any recognized school, training program, or institution of higher education in another county or similar political subdivision requiring the household to move thereby requiring the household employment representative or household member without dependents to leave employment;

(g) Resignations by persons under sixty years of age recognized by the employer as retirement;

(h) Acceptance of a bona fide offer of employment of twenty hours or more a week or where the weekly earnings are equivalent to the federal minimum wage multiplied by twenty hours which, because of circumstances beyond the control of the household employment representative or household member without dependents, subsequently either does not materialize or results in employment of twenty hours or less a week or weekly earnings of less than the federal minimum wage multiplied by twenty hours; and

(i) Leaving a job in connection with patterns of employment where workers frequently move from one employer to another, such as migrant farm labor or construction work.

(3) A household where the household employment representative or household member without dependents voluntarily quit their most recent job shall not be ineligible if the circumstances of the employment involve:

(a) Changes in employment status resulting from reduced hours of employment while working for the same employer;

(b) Termination of a self-employment enterprise; or

(c) Resignation from a job at the demand of an employer.

(4) An employee of the federal government or of a state or local government who participates in a strike against the government and is subsequently dismissed because of participation in the strike, shall be considered to have voluntarily quit a job without good cause.

(5) If a quit was without good cause, the ((~~department shall:~~

~~(a) Deny a household's application for a period of ninety days beginning with the day of quit; or~~

~~(b) For participating households, disqualify the household for three months. The disqualification shall start the first of the month following the adverse action period~~)) household employment representative or household member without dependents is disqualified.

(a) For the first failure to comply with the requirements in WAC 388-49-360, until failure to comply ceases or one month, whichever is longer;

(b) For the second failure to comply with the requirements in WAC 388-49-360, until the failure to comply ceases, or three months, whichever is longer;

(c) For the third or subsequent failure to comply with the requirements in WAC 388-49-360, until the failure to comply ceases, or six months whichever is longer.

(6) The household shall have primary responsibility for providing verification. If the household and the department are unable to obtain verification, the department shall not deny the household access to the program.

(7) The household employment representative or household member without dependents may re-establish eligibility ((~~during~~)) after the disqualification, if otherwise eligible, and the ((~~person~~)) household employment representative or household member without dependents who caused the disqualification:

(a) Secures new employment:

(i) Comparable in monthly salary to the job the person quit; or

(ii) Of a lesser monthly salary, that is expected to improve the person's future employment prospects.

(b) ((~~Leaves the household;~~

~~(c)~~)) Becomes exempt from work registration for reasons other than under WAC 388-49-360 (3)(c) and (d); or

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(((~~(d) Complies with requirements to correct the disqualification~~)) (c) Is participating in the food stamp employment and training program;

(d) Is participating in a state-approved employment and training program; or

(e) Is participating in workfare.

(8) If the ((~~noncompliant member~~)) household employment representative or household member without dependents moves from the household and joins another household((~~:~~

~~(a) As the household employment representative, the entire new household is ineligible for the remainder of the disqualification period; or~~

~~(b) As other than the household employment representative~~)), the department shall consider the noncompliant individual as an ineligible household member of the new household for the remainder of the disqualification period.

(((~~(9) If a new person who has not committed a violation joins a sanctioned household:~~

~~(a) As the household employment representative the period of ineligibility ends; or~~

~~(b) As other than the household employment representative, the disqualification continues.~~)))

WSR 96-22-082
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
(Fisheries)

[Order 96-194—Filed November 6, 1996, 8:10 a.m.]

Date of Adoption: November 4, 1996.

Purpose: Implement 1996 buy-back program.

Citation of Existing Rules Affected by this Order: Amending WAC 220-95-013, 220-95-018, 220-95-022, and 220-95-032.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: These rules implement the 1996 northwest emergency assistance plan salmon disaster assistance plan. These rules are temporary and will be in effect until the permanent rules filed for this program take effect. Notice of the 1996 NEAP assistance was filed in the October 31, 1996, Federal Register.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 3, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 3, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

November 5, 1996
Dirk Brazil
for Bern Shanks, Ph.D.
Director

NEW SECTION

WAC 220-95-01300A 1996 Salmon disaster relief license buy-back program established—Fund allocation—Expiration. (1) The National Marine Fisheries Service (NMFS) has designated the department as the administrating agency for distribution of Northwest Emergency Assistance Plan funds to buy back salmon licenses from license holders who are affected by reductions in salmon fishing needed to conserve Columbia River threatened and endangered salmon stocks. The state of Washington in consultation with NMFS believes that the program should be designed to purchase licenses from fisheries that are dependent on chinook and coho salmon and are affected by the Endangered Species Act. The department hereby designates this program as the 1996 Washington salmon license buy-out program (program).

(2) The rules provided for in this chapter implement the provisions of the Northwest Emergency Assistance Plan as published in the *Federal Register*, and appeals as to which fishery license holders may apply for relief and the maximum level of monetary relief offered are to be made to NMFS.

(3) The department allocates the available federal funding for the program to the following categories in the following amounts:

(a)	Salmon troll licenses and salmon delivery licenses	$2,300,000.00
(b)	Willapa Harbor—Columbia River and Grays Harbor—Columbia River gill net licenses	$2,300,000.00
(c)	Salmon charter licenses	$ 400,000.00
(d)	Program administration	$ 250,000.00

Program administration funds that are not used will be reallocated to license purchases.

(4) The program expires upon the distribution of all available funds.

NEW SECTION

WAC 220-95-01800A Program eligibility. Only persons meeting the following criteria are eligible to participate in the program:

(1) The person participated in the coastal, Columbia River, Grays Harbor or Willapa Bay commercial salmon fisheries and had income derived from one of those fisheries in at least one year during the period 1986 through 1991; and

(2) The person possessed or was eligible to possess one of the following Washington state salmon fishery licenses in 1994 and possessed the same license in 1995:

(a) Salmon troll license (RCW 75.28.110 (1)(f);

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(b) Salmon delivery license (RCW 75.28.113);

(c) Salmon gill net—Grays Harbor-Columbia River (RCW 75.28.110 (1)(a);

(d) Salmon gill net—Willapa Bay-Columbia River (RCW 75.28.110 (1)(c);

(e) Salmon charter (RCW 75.28.095 (1)(b); and

(3) The person incurred a salmon decline impact, greater than $0, computed as follows: The salmon decline impact under the program is the difference between the highest gross income derived from a designated salmon fishing activity (including incidental catch provided that some salmon are included within the catch) during any calendar year 1986 through 1991 (the base year) less the sum of the least amount of gross income derived from the same salmon fishing activity during any calendar year from 1991 through 1995 (the comparison year), multiplied by 2.5. For purposes of calculating income, the license must and may only use income from salmon fisheries in the coastal waters of Washington, Oregon and California, the waters of Grays Harbor and Willapa Bay, and the waters of the Columbia River.

(4) The person may not have earned more than $2,000,000.00 in net revenue from commercial fishing activities during any calendar year during the period 1991 through 1994.

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.

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NEW SECTION

WAC 220-95-02200A Program application. (1) A license holder may make only one offer per license under the program.

(2) An offer to sell a license must be made on department forms and must be received by the department's licensing division prior to 4:30 p.m., December 27, 1996.

(3) Income used in the calculation of offers that are accepted may not be used in the calculation of any other offer.

(4) The license holder may offer the license for any amount up to the salmon decline impact incurred under that license or $75,000.00, whichever is the lesser amount.

(5) An offer is not made unless a complete offer is received by the department. In order for an offer to be complete, the following must be received:

(a) A complete offer sheet, showing:

(i) The applicant's name, Social Security number, mailing address during the offer period and telephone number;

(ii) The license type and license number that is being offered;

(iii) The offer amount;

(iv) The base year income (1986-1991);

(v) The comparison year income (1991-1995);

(vi) The offer ratio (the offer amount divided by the salmon decline impact amount equals the offer ratio)

(b) Supporting documents.

(i) For salmon troll, salmon delivery and salmon gill net fishing activity, the only acceptable supporting documents are official state fish receiving tickets, official state fish landing receipts, or computer generated landing lists that have been certified by a state agency of the Pacific States Marine Fisheries Commission to be true and correct copies. All landing count in calculation of base and comparison year incomes.

(ii) For salmon charter license fishing activity, acceptable supporting documents are trip tickets identifying the species targeted, the number of anglers, and the date of the trip, or, if such tickets are unavailable, the department will accept a letter of endorsement from a charter boat association or a charter boat booking office indicating salmon fishing was a major component of earnings, and if such letter is provided, will review the total income of the applicant for the base and comparison years.

(iii) Copies of Internal Revenue Service returns for the base and comparison years are required from salmon charter license applicants who use income other than that shown on trip tickets and may be required for salmon troll, salmon delivery, and gill net license applicants claiming a percentage of income shown on fish tickets.

(iv) Persons who submitted complete offers in the 1995 program need not resubmit supporting documents for offers based on the same base and comparison years. Such persons must submit a complete offer sheet, but the offer amount may differ from the 1995 offer amount, provided it does not exceed the program limits.

(d) A signed permission slip that allows the department to received copies of the applicant's Internal Revenue Service returns for the base and comparison years, and to receive landing information from the Pacific States Marine Fisheries Commission, and the states of Oregon and California.

(e) A signed statement certifying that all information provided is true and correct.

(f) A completed 1996 license application if the person has not already renewed for 1996 the license offered for sale. If the applicant is not reached on the ranked offers, the 1996 license fee will be required within 30 days of notification.

(6) Ranking of applicants. Applicants will be ranked by the offer ratio.

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

WAC 220-95-03200A Offer acceptance—Acknowledgment—Retirement of license. (1) Offers will be accepted in rank order, beginning with the lowest offer ratio. In the event of a tie between identical offer ratios, the lowest offer will be given preference.

(2) The department will notify license holders that it has accepted a license offer by sending an acceptance and acknowledgment to the license holder by registered mail to the address provided on the offer sheet. The acknowledgment must be signed and returned to the department within 10 days of the date of mailing. Any acknowledgment received after the ten-day period is void and the acceptance is withdrawn.

(3) The department will tender the amount of the offer upon receipt of a valid acknowledgment.

(4) Persons who sell a license in the program cannot purchase or operate a commercial license listed in WAC 220-95-01800A(2) for ten years, beginning January 1, 1997, except that persons may operate such license if the license was owned or operated by that person in 1995.

WSR 96-22-003
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Sex Offender Treatment Provider Advisory Committee)
[Memorandum—October 22, 1996]

The following is a list of 1997 meeting dates for the Sex Offender Treatment Provider Advisory Committee:

March 3, 1997	Valley Medical Center Medical Art Center 400 South 43rd Street Renton, WA 98055
June 2, 1997	Valley Medical Center Medical Art Center 400 South 43rd Street Renton, WA 98055
September 8, 1997	Valley Medical Center Medical Art Center 400 South 43rd Street Renton, WA 98055
December 8, 1997	Valley Medical Center Medical Art Center 400 South 43rd Street Renton, WA 98055

WSR 96-22-004
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 25, 1996, 3:57 p.m.]

NOTICE OF POLICY ADOPTION

Title: Dispensing Orthotic Devices.

Issuing Entity: Washington State Podiatric Medical Board.

Subject: The board has issued a policy to clarify the differences between prefabricated orthotic devices and custom made devices.

Effective Date: September 13, 1996.

Contact Person: Arlene A. Robertson, Program Manager, Department of Health, Podiatric Medical Board, P.O. Box 47866, Olympia, WA 98504-7866, (360) 664-3722.

WSR 96-22-005
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 25, 1996, 3:58 p.m.]

NOTICE OF POLICY ADOPTION

Title: Guidelines for Management of Pain.

Issuing Entity: Washington State Board of Podiatric Medicine and Surgery.

Subject: The board has adopted the Department of Health guidelines with one minor addition.

Effective Date: September 13, 1996.

Contact Person: Arlene A. Robertson, Program Manager, Department of Health, Board of Podiatric Medicine and Surgery, P.O. Box 47866, Olympia, WA 98504-7866, (360) 664-3722.

WSR 96-22-006
INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 25, 1996, 4:00 p.m.]

NOTICE OF ADOPTION OF INTERPRETIVE STATEMENT

Title: Can licensed practical nurses receive verbal/telephone orders from physicians in an acute care facility?

Issuing Entity: Washington State Nursing Care Quality Assurance Commission.

Subject: The commission issued an advisory opinion in response to the request from Kathleen Watkins and Martha Wong of Samaritan Hospital, Moses Lake, Washington, regarding the ability of licensed practical nurses to receive verbal/telephone orders from physicians in an acute care facility.

Effective Date: September 20, 1996.

Contact Person: Pam L. Mena, Program Manager, Department of Health, Nursing Care Commission, P.O. Box 47864, Olympia, WA 98504-7864, (360) 664-4219.

WSR 96-22-007
INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 25, 1996, 4:02 p.m.]

NOTICE OF ADOPTION OF INTERPRETIVE STATEMENT

Title: Is nursing assistant training and certification required for persons performing the single task of feeding nursing facility residents?

Issuing Entity: Washington State Nursing Care Quality Assurance Commission.

Subject: The commission issued an advisory opinion in response to the request from Deborah A. Murphy, Director, Washington Health Care Association, regarding the need for persons engaged in the single task of feeding nursing facility residents to complete eighty-five hours of nursing assistant training and becoming certified.

Effective Date: September 20, 1996.

Contact Person: Pam L. Mena, Program Manager, Department of Health, Nursing Care Commission, P.O. Box 47864, Olympia, WA 98504-7864, (360) 664-4219.

WSR 96-22-008
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 25, 1996, 4:05 p.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Investigative Mental and Physical Examinations.

Issuing Entity: Examining Board of Psychology.

Subject Matter: Adoption of Department of Health policy titled, "Investigative Mental and Physical Examinations," dated effective April 22, 1996.

Effective Date: September 13, 1996.

Contact Person: Terry J. West, Program Manager, Department of Health, Examining Board of Psychology, P.O. Box 47869, Olympia, WA 98504-7869, (360) 753-3095,

FAX (360) 586-7774, Internet address tjw1303@hub.doh.wa.gov.

WSR 96-22-009
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES OF SPOKANE
[Memorandum—October 23, 1996]

BOARD OF TRUSTEES
WASHINGTON COMMUNITY COLLEGE DISTRICT 17

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington Community College District 17 (Community Colleges of Spokane) during calendar year 1997 shall be held at 1:30 p.m. on the following dates and in the following locations:

Date	Location
January 21, 1997 (3rd Tuesday)	Spokane Community College Littlefoot Room, Lair 1810 North Greene Street Spokane, WA 99207-5399
February 25, 1997 (4th Tuesday)	Spokane Falls Community College President's Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99204-5288
March 18, 1997 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499
April 22, 1997 (4th Tuesday)	Spokane Community College Littlefoot Room, Lair 1810 North Greene Street Spokane, WA 99207-5399
May 20, 1997 (3rd Tuesday)	Institute for Extended Learning Business Training and Applied Technology Center 3939 North Freya Street Spokane, WA 99207-6899
June 24, 1997 (4th Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499
July 15, 1997 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499
August 19, 1997 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499
September 23, 1997 (4th Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499
October 21, 1997 (3rd Tuesday)	Institute of Extended Learning Hillyard Center 4410 North Market Street Spokane, WA 99207-5829
November 18, 1997 (3rd Tuesday)	Spokane Falls Community College President's Conference Room Administration Building 3410 West Fort George Wright Drive Spokane, WA 99204-5288
December 16, 1997 (3rd Tuesday)	Community Colleges of Spokane District Board Room 2000 North Greene Street Spokane, WA 99207-5499

WSR 96-22-021
NOTICE OF PUBLIC MEETINGS
MARINE EMPLOYEES' COMMISSION
[Memorandum—October 28, 1996]

The following is a schedule of the 1997 monthly meetings of the Marine Employees' Commission, as adopted by the commission on October 25, 1996:

Month	Day	Location
January	24	Olympia
February	21	Olympia
March	28	Olympia
April	25	Olympia
May	23	Seattle
June	27	Seattle
July	25	Seattle
August	22	Seattle
September	26	Seattle
October	24	Seattle
November	NO MEETING	
December	12	Seattle

All meetings begin at 10:00 a.m. January, February, March and April 1997, meetings will be held at the offices of the Marine Employees' Commission, Evergreen Plaza Building, 711 Capitol Way South, Olympia, phone (360) 586-6354, FAX (360) 943-9368.

Meetings scheduled in Seattle are generally held at the Washington State Ferries Terminal, "Spike" Eikum Conference Room, Colman Dock, Pier 52. Please call the MEC office for confirmation of the location of the meetings scheduled for Seattle.

Meetings sites are barrier free to the greatest extent possible. Braille or taped agenda items for visually impaired persons, and interpreters for individuals with hearing impairment will be provided if requested with adequate notice. Such requests should be made at least ten working days in advance of the scheduled meeting date, and should be addressed to Janis Lien, Director, Marine Employees' Commission, Evergreen Plaza Building, P.O. Box 40902, Olympia, WA 98504-0902.

WSR 96-22-022
POLICY STATEMENT
MARINE EMPLOYEES' COMMISSION
[Filed October 29, 1996, 4:46 p.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title: Domestic Violence and the Workplace.

Issuing Entity: Marine Employees' Commission.

Description: Sets forth procedures and guidelines for Marine Employees' Commission employees to address the occurrence of domestic violence and its impact on the workplace.

MISCELLANEOUS

Contact: Janis Lien, Director, Marine Employees' Commission, Evergreen Plaza Building, P.O. Box 40902, Olympia, WA 98504-0902, phone (360) 586-6354.

Effective Date: October 25, 1996.

WSR 96-22-025
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—October 25, 1996]

Seattle Community College District board of trustees will meet with the State Board for Community and Technical Colleges on Wednesday, October 30, and on Thursday, October 31, 1996.

On October 30, the meetings are from 11 a.m. to 5 p.m. in the President's Board Room, and from 5:45 to 8:30 p.m. in the Rose Room. On October 31, the meeting is from 8 a.m. to 12:30 p.m. in the President's Board Room.

The meetings will be held at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

WSR 96-22-032
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
[Memorandum—October 30, 1996]

Regular Meeting
November 12-13, 1996
Natural Resources Building - Room 175
1111 Washington Street
Olympia, WA

Note: Opening sessions will commence as shown; all other times are approximate. If you need special accommodations to participate in this meeting, please notify us by October 22, 1996, at (360) 902-3000 or TDD (360) 902-1996.

Tuesday, November 12, 1996, 9:30 a.m. - 5:45 p.m.

Wednesday, November 13, 8:30 a.m. - 4:00 p.m.

Next Meeting: March 13-14, 1997, Natural Resources Building, Room 172, Olympia, Washington.

WSR 96-22-036
POLICY/INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:20 a.m.]

The following policy has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the code reviser.

Title of Policy: Lead/Copper Enforcement (J.24).

Effective Date: New August 19, 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: All Group A community and NTNC water system purveyors are required to comply with the lead/copper requirements found in 40 CFR 141.86, 141.87, 141.88, WAC 246-290-115 and 246-290-300(4). This policy describes the department's enforcement strategy to follow up on violations in three categories: (1) Lead and copper monitoring and reporting; (2) public education (for lead exceedance only); and (3) recommendations and installation for corrosion control and source water treatment.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, e-mail jjw0303@ehp1.wa.doh, Internet jjw0303@hub.doh.wa.gov.

B. David Clark
Director

WSR 96-22-037
POLICY/INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:21 a.m.]

The following policy has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the code reviser.

Title of Policy: Two Connection Residential Public Water Systems (A.13).

Effective Date: New August 8, 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: In those counties where the Division of Drinking Water (DDW) has the lead for Group B systems, the DDW shall waive all requirements for water systems consisting of a maximum of two residential connections in accordance with WAC 246-291-030(3). The policy does not preclude local health jurisdictions from choosing to exercise regulatory oversight of two connection residential systems based on an approved joint plan of operation.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, e-mail jjw0303@ehp1.wa.doh, Internet jjw0303@hub.doh.wa.gov.

B. David Clark
Director

WSR 96-22-039
POLICY/INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:22 a.m.]

The following policy has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the code reviser.

Title of Policy: Alternative Review and Approval Process for Distribution Related Projects (D.08).

Effective Date: New July 31, 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: WAC 246-290-110 Project reports and 246-290-120 Construction documents, prescribe the process for Department of Health (DOH) review and approval of

different documents related to construction, improvement, or modification of a public water system. These administrative provisions establish categorical exceptions for certain reviews. This policy prescribes conditions by which public water systems may obtain DOH authorization for an alternative review and approval process for other distribution-related projects not currently identified in WAC 246-290-110 or 246-290-120.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, e-mail jjw0303@ehp1.wa.doh, Internet jjw0303@hub.doh.wa.gov.

B. David Clark
Director

WSR 96-22-040
POLICY/INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:24 a.m.]

The following policy has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the code reviser.

Title of Policy: Group A Community and Noncommunity Water System Transfer of Ownership (A.10).

Effective Date: Revision June 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: Describes the department's standardized process for water system transfer of ownership under drinking water regulations, which emphasize the protection of health and other interests of consumers during the transfer process and helps provide new owners with the proper tools to satisfactorily operate their water system, WAC 246-290-100, 246-290-430, 246-290-990, and 246-294-060.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, e-mail jjw0303@ehp1.wa.doh, Internet jjw0303@hub.doh.wa.gov.

B. David Clark
Director

WSR 96-22-041
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:25 a.m.]

NOTICE OF POLICY ADOPTION

Title: Dispensing Orthotic Devices.

Issuing Entity: Washington State Podiatric Medical Board.

Subject: The board has issued a policy to clarify the differences between prefabricated orthotic devices and custom made devices.

Effective Date: September 13, 1996.

Contact Person: Arlene A. Robertson, Program Manager, Department of Health, Podiatric Medical Board, P.O. Box 47866, Olympia, WA 98504-7866, (360) 664-3722.

WSR 96-22-042
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:26 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Uniform Application, G07.01.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: Establishes procedures for designing applications for professional licenses in order to ensure uniformity among the professions in Health Professions Quality Assurance Division.

Effective Date: October 9, 1996.

Contact Person: Patricia O. Brown, Deputy Director, Health Policy and Constituent Relations, Health Professions Quality Assurance Division, Department of Health, P.O. Box 7860, Olympia, WA 98504-7860, (360) 586-0055.

WSR 96-22-043
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:29 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Case Disposition Guidelines.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: Establishes decision criteria for the various approaches utilized in health profession quality assurance and discipline, including the new mechanisms of Notice of Correction and Violation. Guidelines have been adopted for secretary disciplinary authority professions.

Effective Date: August 21, 1996.

Contact Person: Patricia O. Brown, Deputy Director, Health Policy and Constituent Relations, Health Professions Quality Assurance Division, Department of Health, P.O. Box 7860, Olympia, WA 98504-7860, (360) 586-0055.

WSR 96-22-044
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:30 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Interim policy on administrative procedures, administrative requirements, and fees for initial issue, renewal, and reissue of a credential, G06.01.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: Establishes an interim policy until the secretary establishes by rule the administrative procedures, administrative requirements, and fees for initial issue, renewal and reissue of a credential.

Effective Date: June 7, 1996.

Contact Person: Patricia O. Brown, Deputy Director, Health Policy and Constituent Relations, Health Professions

Quality Assurance Division, Department of Health, P.O. Box 7860, Olympia, WA 98504-7860, (360) 586-0055.

WSR 96-22-045
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:31 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Internet/World Wide Web Access and Use, C05.01.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: Establishes guidelines to ensure appropriate use of the Internet/Worldwide Web networks and computers by division employees.

Effective Date: September 19, 1996.

Contact Person: Patricia O. Brown, Deputy Director, Health Policy and Constituent Relations, Health Professions Quality Assurance Division, Department of Health, P.O. Box 7860, Olympia, WA 98504-7860, (360) 586-0055.

WSR 96-22-046
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed October 31, 1996, 10:33 a.m.]

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Service of Legal Documents, D21.01.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: Establishes guidelines for staff to follow when serving legal documents.

Effective Date: October 9, 1996.

Contact Person: Patricia O. Brown, Deputy Director, Health Policy and Constituent Relations, Health Professions Quality Assurance Division, Department of Health, P.O. Box 7860, Olympia, WA 98504-7860, (360) 586-0055.

WSR 96-22-053
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD
[Memorandum—October 31, 1996]

WASHINGTON STATE
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD
MEETING NO. 49
NOVEMBER 13-14, 1996
RED LION INN AT THE QUAY
100 COLUMBIA STREET
VANCOUVER, WA 98660
(360) 694-8341

November 13, 1996, Clark County Vocational Skills Center, Building 2 Dining Room, 12200 N.E. 28th Street, Vancouver, WA, 6:00 - 9:00 p.m., the Workforce Training and Education Coordinating Board (WTECB) will hold a joint dinner meeting with selected members of the Oregon Workforce Quality Council (WQC) as well as members of Oregon's regional workforce quality councils. Under discussion will be the states' experiences in developing comprehensive workforce development systems with a special emphasis on regional coordination.

November 14, 1996, Red Lion Inn at the Quay, Gulls Nest Room, 8:30 a.m. -3:00 p.m., the Workforce Training and Education Coordinating Board will hold its regular meeting. The board will take final action on the 1996 update to "High Skills, High Wages: Washington's Comprehensive Plan for Workforce Training and Education," review and act on OSPI's 1997-99 biennial budget request, and take action on the board's annual report to the legislature. In addition, the board will hear presentations on: The results of the net-impact evaluation of retraining supported through the employment and training trust fund; the jobs skills program evaluation of employer satisfaction; regional structure development; and will discuss the board's progress on continuous quality improvement.

The meeting site is barrier free. People needing special accommodations, please call Anne Townsend at least ten days in advance at (360) 753-5677.

WSR 96-22-054
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—October 30, 1996]

The Seattle Community College District board of trustees will hold a work session at 5:00 p.m., in the President's Board Room, South Seattle Community College, 6000 16th Avenue S.W., Seattle, WA 98106.

This meeting precedes the regular board of trustees meeting at 6:00 p.m., at South Seattle Community College and will be held in the JMB Building 140.

WSR 96-22-065
POLICY STATEMENT
DEPARTMENT OF FINANCIAL INSTITUTIONS
[Filed November 4, 1996, 3:34 p.m.]

Descriptive Statement Pursuant to RCW 34.05.230(4)

Subject: Securities Act Policy Statement - 17. Investment company notice filing and fee requirements pursuant to the National Securities Markets Improvement Act of 1996.

To receive a copy of Securities Act Policy Statement - 17, contact Kathie Zoller, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 902-8760, FAX (360) 586-5068.

Deborah Bortner
Securities Administrator

MISCELLANEOUS

WSR 96-22-071
POLICY STATEMENT
DEPARTMENT OF HEALTH
[Filed November 4, 1996, 4:45 p.m.]

NOTICE OF ADOPTION OF POLICY

Title of Policy: Water System Plan Compliance (B.03), and Water System Plan Review and Approval (B.04).

Effective Date: Revision October 7, 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description B.03: Pursuant to WAC 246-290-100, public water systems are required to develop water system plans (WSP). The policy identifies procedures for obtaining WSP compliance, policy and procedure for project review during WSP development and outlines consequences of noncompliance with WSP requirements (enforcement allowable under WAC 246-290-050).

Description B.04: Establishes timelines for the department and public water systems to complete Water System Plan Review and Approval. Describes enforcement action (allowable under WAC 246-290-050) that may be taken by the department when water systems do not respond within established timeframes and have not been granted extensions.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, Internet jjw0303@hub.doh.wa.gov.

WSR 96-22-072
POLICY/INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
[Filed November 4, 1996, 4:46 p.m.]

The following policy has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the code reviser.

Title of Policy: Consumer Complaints (A.14).

Effective Date: New October 25, 1996.

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: RCW 43.20.240 states the department has primary responsibility among state agencies to receive complaints from persons aggrieved by the failure of a public water system. This policy describes the procedure established by the department for handling and processing consumer complaints.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, e-mail jjw0303@ehp1.wa.doh, Internet jjw0303@hub.doh.wa.gov.

B. David Clark
Director

WSR 96-22-074
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—November 4, 1996]

COMMISSION MEETING DATES AND LOCATIONS FOR 1997
Thursday/Friday Meetings

DATES	LOCATION
January 16-17	Silverdale
February 20-21	Seattle*
March 20-21	Olympia*
April 24-25	Seattle*
May 15-16	Tacoma*
June 19-20	Yakima
July 24-25	Wenatchee
August 22	Olympia (conference call)
September 18-19	Spokane
October 23-24	Vancouver
November 21	Olympia (conference call)
December 19	Olympia (conference call)

*Commission meetings for February through May are scheduled close to Olympia because of the legislative session, which lasts January 13-May 14, 1997.

WSR 96-22-075
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—November 4, 1996]

This letter serves as notice of a change to the commission's 1996 meeting schedule.

In November, the location of the commission will change from a conference call (Olympia) to Vancouver. The meeting date has been changed from November 15 to November 21.

WSR 96-22-076
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)
[Memorandum—November 4, 1996]

The Washington State Library Commission will hold the following meetings:

WASHINGTON STATE LIBRARY (WSL)
COMMISSION BRIEFING MEETING

DATE:	Thursday, December 6, 1996
TIME:	3:00 p.m. to 5:00 p.m.
LOCATION:	Everett Public Library Conference Room 2702 Hoyt Avenue Everett, WA 98201

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WASHINGTON STATE LIBRARY COMMISSION
QUARTERLY BUSINESS MEETING

DATE:	Friday, December 7, 1996
TIME:	10:00 to noon
LOCATION:	Everett Public Library Conference Room 2702 Hoyt Avenue Everett, WA 98201

For additional information, please do not hesitate to contact Cathy M. Stussy at (360) 753-2914, FAX (360) 586-7575, or e-mail cstussy@wln.com.

WSR 96-22-077
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—November 1, 1996]

BOARD OF TRUSTEES
NOTICE OF MEETINGS
TO MEDIA/OTHER

The Edmonds Community College board of trustees may attend the following functions during the month of November.

November 9, 1996* 5:30 p.m.	EdCC Foundation Holiday Traditions of the Old World Triton Union Building, Room 202 20200 68th Avenue West Lynnwood, WA
November 20, 1996* 5:00 p.m.	Stakeholders Meeting Triton Union Building, Room 202B 20200 68th Avenue West Lynnwood, WA
November 21, 1996 4:30 p.m.	EdCC Board of Trustees Meeting Sno-King Building Boardroom 103 6600 196th S.W. Lynnwood, WA

*These events are being scheduled as special meetings, which are study sessions where no action will be taken.

WSR 96-22-078
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Board of Massage)
[Memorandum—November 1, 1996]

The Board of Massage meeting dates for the 1997 calendar year are as follows:

January 26 and 27	Olympia
March 23 and 24	Mount Vernon
June 1 and 2	In the Tri-city area
September 14 and 15	Spokane
December 14 and 15	Olympia

WSR 96-22-079
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD
[Memorandum—November 1, 1996]

MEETING NOTICE FOR NOVEMBER 1996
TRANSPORTATION IMPROVEMENT BOARD
OLYMPIA, WASHINGTON 98504-0901

Sidewalk Committee, 1:00 p.m. - 1:45 p.m., November 21, 1996, at the Ramada Inn, Spokane International Airport, Spokane.

Increase Committee, 1:45 p.m. - 4:00 p.m., November 21, 1996, at the Ramada Inn.

Legislative Committee, 4:00 p.m. - 5:00 p.m., November 21, 1996, at the Ramada Inn.

Work Session, 7:00 p.m., Thursday, November 21, 1996, at the Ramada Inn.

Board Meeting, 9:00 a.m., Friday, November 22, 1996, at Eastern Washington University, Cheney.

Special Needs: For special accommodations or to request an auxiliary aid, please contact the Transportation Improvement Board office at (360) 705-7300 by November 15, 1996.

The next scheduled meeting is January 24, 1997, in Olympia. A notice with further detail of the January meeting will be mailed January 3, 1997.

WSR 96-22-080
RULES COORDINATOR
PARKS AND RECREATION COMMISSION
[Filed November 5, 1996, 2:43 p.m.]

In accordance with RCW 34.05.312, this is to inform you that the rules coordinator for the Washington State Parks and Recreation Commission is Jim French, Policy Analyst, 7150 Cleanwater Lane, Olympia, WA 98504-2650.

He may be reached by telephone at (360) 902-8615.

Cleve Pinnix
Director

WSR 96-22-081
INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF AGRICULTURE
[Filed November 5, 1996, 4:25 p.m.]

In accordance with RCW 34.05.230, the Washington State Department of Agriculture outlined, in Interpretive and Policy Statement No. CI-96-0001, its description of the current approach the department is utilizing to implement provisions of chapter 15.17 RCW, Standards of grades and packs, chapter 16-666 WAC, Packaging and labeling requirements, and WAC 16-448-190(2) Marking requirements. This policy sets out Washington State Department of Agriculture's interpretation of the term "container" as used in WAC 16-488-190.

Any person interested in receiving a copy of this Interpretive and Policy Statement should address their

MISCELLANEOUS

request to Dannie McQueen, Rules Coordinator, Department of Agriculture, P.O. Box 42560, 1111 Washington Street S.E., Olympia, WA 98504-2560, or contact Ms. McQueen by phone (360) 902-1809, or by FAX (360) 902-2092.

Additional comments and/or questions regarding the contents of the Interpretive and Policy Statement should be addressed to Jim Quigley, Manager, Fruit and Vegetable Program, Commodity Inspection Division, P.O. Box 42560, Olympia, WA 98504-2560; in addition, Mr. Quigley's phone number is (360) 902-1833, or FAX (360) 902-2085.

Dannie McQueen
Rules Coordinator

WSR 96-22-085
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Memorandum—November 6, 1996]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, November 21, 1996, 9-11 a.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 extension 334 for information.

WSR 96-22-095
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 6, 1996, 10:54 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memo 96-88.

Subject: Change in billing for maternity care.

Effective Date: January 1, 1997.

Document Description: Medical Assistance Administration is changing the billing of routine antepartum care and high-risk management for clients not enrolled in managed health care. Billing will change from a trimester to a calendar month basis, effective January 1, 1997.

To receive a copy of the interpretive or policy statement, contact Anne DeJarnette, Administrative Regulations Analyst, Department of Social and Health Services, Medical Assistance Administration, Division of Client Services, P.O. Box 45530, Olympia, WA 98513, phone (360) 664-2320, TDD 1-800-848-5429, FAX (360) 753-7315, e-mail dejarae@dshs.wa.gov.

October 29, 1996
Steven Wish, Section Head
Division of Client Services

WSR 96-22-096
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 6, 1996, 10:55 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Administrative Policy #17.01.

Subject: Technical Assistance Visits and Civil Penalties.

Effective Date: October 9, 1996.

Document Description: Sets minimum standards for the affected Department of Social and Health Services divisions to comply with statutes enacted in 1995 and 1996 regarding the provision of technical assistance.

To receive a copy of the interpretive or policy statement, contact Phil Wozniak, Director, Administrative Services Division, Department of Social and Health Services, Mailstop 45800, Olympia, WA 98504-5800, phone (360) 902-8300, TDD (360) 902-8324, FAX (360) 902-8292, e-mail pwozniak@dshs.wa.gov.

November 9 [6], 1996
Phillip A. Wozniak
Director

WSR 96-22-097
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Board of Massage)
[Memorandum—November 1, 1996]

The Board of Massage meeting dates for the 1997 calendar year are as follows:

January 26 and 27	Olympia
March 23 and 24	Mount Vernon
June 1 and 2	In the Tri-city area
September 14 and 15	Spokane
December 14 and 15	Olympia

WSR 96-22-099
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Natural Heritage Advisory Council)
[Memorandum—November 6, 1996]

NOTICE OF MEETING FOR THE NATURAL HERITAGE ADVISORY COUNCIL

1997

The Natural Heritage Advisory Council will meet on January 8, 1997, 9:30 a.m. to 5:00 p.m. at the Natural Resources Building, Room 175A, 1111 Washington Street S.E., Olympia, WA.

Regular council business will include consideration of natural area preserve proposals, site proposals for the registry program and NAP management activities.

For further information contact Department of Natural Resources, Washington Natural Heritage Program, Forest Resources Division, 1111 Washington Street S.E., P.O. Box 47016, Olympia, WA 98504-7016, (360) 902-1340.

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:

-C = Continuance of previous proposal
-E = Emergency action
-P = Proposed action
-S = Supplemental notice
-W = Withdrawal of proposed action
-X = Expedited repeal
Note: These filings will appear in a special section of Issue 96-14
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 #
4-25-530	PREP	96-05-081
4-25-530	AMD-P	96-09-065
4-25-530	AMD	96-12-060
4-25-722	PREP	96-05-082
4-25-722	AMD-P	96-09-064
4-25-722	AMD	96-12-062
4-25-750	PREP	96-05-083
4-25-750	AMD-P	96-09-066
4-25-750	AMD	96-12-061
4-25-810	PREP	96-05-084
4-25-810	PREP-W	96-10-027
12-10-010	PREP-X	96-13-023
12-10-010	REP	96-17-078
12-10-020	PREP-X	96-13-023
12-10-020	REP	96-17-078
12-10-025	PREP-X	96-13-023
12-10-025	REP	96-17-078
12-10-030	PREP-X	96-13-023
12-10-030	REP	96-17-078
12-10-035	PREP-X	96-13-023
12-10-035	REP	96-17-078
12-10-040	PREP-X	96-13-023
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12-10-055	REP	96-17-078
12-10-060	PREP-X	96-13-023
12-10-060	REP	96-17-078
12-10-100	PREP-X	96-13-023
12-10-100	REP	96-17-078
12-10-160	PREP-X	96-13-023
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12-10-170	REP	96-17-078
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12-10-180	REP	96-17-078
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12-10-190	REP	96-17-078
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12-10-203	PREP-X	96-13-023
12-10-203	REP	96-17-078
12-10-205	PREP-X	96-13-023
12-10-205	REP	96-17-078
12-10-210	PREP-X	96-13-023
12-10-210	REP	96-17-078
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12-10-215	REP	96-17-078
12-10-230	PREP-X	96-13-023
12-10-230	REP	96-17-078
12-10-240	PREP-X	96-13-023
12-10-240	REP	96-17-078
12-10-245	PREP-X	96-13-023
12-10-245	REP	96-17-078
12-10-260	PREP-X	96-13-023
12-10-260	REP	96-17-078
12-10-270	PREP-X	96-13-023
12-10-270	REP	96-17-078
12-10-300	PREP-X	96-13-023
12-10-300	REP	96-17-078
12-10-305	PREP-X	96-13-023
12-10-305	REP	96-17-078
12-10-310	PREP-X	96-13-023
12-10-310	REP	96-17-078
12-10-320	PREP-X	96-13-023
12-10-320	REP	96-17-078
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12-10-360	PREP-X	96-13-023
12-10-360	REP	96-17-078
12-10-365	PREP-X	96-13-023
12-10-365	REP	96-17-078
12-10-370	PREP-X	96-13-023
12-10-370	REP	96-17-078
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12-10-390	PREP-X	96-13-023
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12-10-405	REP	96-17-078
12-10-410	PREP-X	96-13-023
12-10-410	REP	96-17-078
12-10-420	PREP-X	96-13-023
12-10-420	REP	96-17-078
12-10-425	PREP-X	96-13-023
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12-10-650	PREP-X	96-13-023
12-10-650	REP	96-17-078
12-10-652	PREP-X	96-13-023
12-10-652	REP	96-17-078

TABLE

WAC #		WSR #
12-10-660	PREP-X	96-13-023
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12-40-150	DECOD	96-17-018
12-40-160	DECOD-P	96-14-024
12-40-160	DECOD	96-17-018
12-40-170	DECOD-P	96-14-024
12-40-170	DECOD	96-17-018
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16-05-001	NEW	96-13-082
16-05-005	NEW-P	96-10-080
16-05-005	NEW	96-13-082
16-05-010	NEW-P	96-10-080
16-05-010	NEW	96-13-082
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16-05-035	NEW-P	96-10-080
16-05-035	NEW	96-13-082
16-05-040	NEW-P	96-10-080
16-05-040	NEW	96-13-082
16-05-045	NEW-P	96-10-080
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16-06-010	REP-C	96-11-119
16-06-010	REP	96-14-086
16-06-020	REP-P	96-06-082
16-06-020	REP-C	96-11-119
16-06-020	REP	96-14-086
16-06-030	REP-P	96-06-082
16-06-030	REP-C	96-11-119
16-06-030	REP	96-14-086
16-06-040	REP-P	96-06-082
16-06-040	REP-C	96-11-119
16-06-040	REP	96-14-086
16-06-050	REP-P	96-06-082
16-06-050	REP-C	96-11-119
16-06-050	REP	96-14-086
16-06-060	REP-P	96-06-082
16-06-060	REP-C	96-11-119
16-06-060	REP	96-14-086
16-06-070	REP-P	96-06-082
16-06-070	REP-C	96-11-119
16-06-070	REP	96-14-086
16-06-080	REP-P	96-06-082
16-06-080	REP-C	96-11-119
16-06-080	REP	96-14-086
16-06-090	REP-P	96-06-082
16-06-090	REP-C	96-11-119
16-06-090	REP	96-14-086
16-06-100	REP-P	96-06-082
16-06-100	REP-C	96-11-119
16-06-100	REP	96-14-086
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16-06-110	REP-C	96-11-119
16-06-110	REP	96-14-086
16-06-120	REP-P	96-06-082
16-06-120	REP-C	96-11-119
16-06-120	REP	96-14-086
16-06-130	REP-P	96-06-082
16-06-130	REP-C	96-11-119
16-06-130	REP	96-14-086
16-06-140	REP-P	96-06-082
16-06-140	REP-C	96-11-119
16-06-140	REP	96-14-086
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16-06-160	NEW	96-14-086
16-06-165	NEW-P	96-06-082
16-06-165	NEW-C	96-11-119
16-06-165	NEW	96-14-086

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16-06-230	NEW	96-14-086
16-06-235	NEW-P	96-06-082
16-06-235	NEW-C	96-11-119
16-06-235	NEW	96-14-086
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16-09-001	REP	96-18-104
16-09-010	PREP-X	96-14-072
16-09-010	REP	96-18-104
16-09-020	PREP-X	96-14-072
16-09-020	REP	96-18-104
16-09-030	PREP-X	96-14-072
16-09-030	REP	96-18-104
16-09-040	PREP-X	96-14-072
16-09-040	REP	96-18-104
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16-49-001	REP	96-18-105
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16-49-030	REP	96-18-105
16-49-040	PREP-X	96-14-011
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16-54-082	AMD-P	96-16-080
16-54-125	PREP	96-13-096
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16-101-711	NEW-P	96-18-085
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16-101-726	NEW-P	96-18-085
16-101-726	NEW	96-22-059
16-101-730	REP-P	96-18-085
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16-101-735	REP-P	96-18-085
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16-101-990	NEW-P	96-18-085
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16-1019-020	NEW-P	96-18-037
16-1019-020	NEW-E	96-18-038
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16-101X-030	NEW-S	96-21-138
16-101X-040	NEW-S	96-21-138
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16-114-080	PREP-X	96-14-017
16-114-080	REP	96-18-110
16-114-085	PREP-X	96-14-017
16-114-085	REP	96-18-110
16-114-090	PREP-X	96-14-017
16-114-090	REP	96-18-110
16-114-095	PREP-X	96-14-017
16-114-095	REP	96-18-110
16-114-100	PREP-X	96-14-017
16-114-100	REP	96-18-110
16-114-105	PREP-X	96-14-017
16-114-105	REP	96-18-110
16-114-110	PREP-X	96-14-017
16-114-110	REP	96-18-110
16-114-115	PREP-X	96-14-017
16-114-115	REP	96-18-110
16-114-120	PREP-X	96-14-017
16-114-120	REP	96-18-110
16-114-125	PREP-X	96-14-017
16-114-125	REP	96-18-110
16-114-130	PREP-X	96-14-017
16-114-130	REP	96-18-110
16-114-135	PREP-X	96-14-017

WAC #		WSR #
16-114-135	REP	96-18-110
16-114-140	PREP-X	96-14-017
16-114-140	REP	96-18-110
16-116-001	PREP-X	96-14-012
16-116-001	REP	96-18-111
16-116-010	PREP-X	96-14-012
16-116-010	REP	96-18-111
16-116-020	PREP-X	96-14-012
16-116-020	REP	96-18-111
16-116-030	PREP-X	96-14-012
16-116-030	REP	96-18-111
16-116-040	PREP-X	96-14-012
16-116-040	REP	96-18-111
16-120-001	PREP-X	96-14-014
16-120-001	REP	96-18-112
16-120-005	PREP-X	96-14-014
16-120-005	REP	96-18-112
16-120-010	PREP-X	96-14-014
16-120-010	REP	96-18-112
16-120-020	PREP-X	96-14-014
16-120-020	REP	96-18-112
16-120-030	PREP-X	96-14-014
16-120-030	REP	96-18-112
16-120-040	PREP-X	96-14-014
16-120-040	REP	96-18-112
16-120-050	PREP-X	96-14-014
16-120-050	REP	96-18-112
16-120-060	PREP-X	96-14-014
16-120-060	REP	96-18-112
16-120-070	PREP-X	96-14-014
16-120-070	REP	96-18-112
16-120-080	PREP-X	96-14-014
16-120-080	REP	96-18-112
16-120-090	PREP-X	96-14-014
16-120-090	REP	96-18-112
16-120-100	PREP-X	96-14-014
16-120-100	REP	96-18-112
16-120-110	PREP-X	96-14-014
16-120-110	REP	96-18-112
16-120-120	PREP-X	96-14-014
16-120-120	REP	96-18-112
16-120-130	PREP-X	96-14-014
16-120-130	REP	96-18-112
16-122	PREP	96-13-092
16-122	AMD-P	96-18-086
16-122	AMD	96-22-060
16-122-001	AMD-P	96-18-086
16-122-001	AMD	96-22-060
16-124-011	PREP	96-13-091
16-124-011	AMD-P	96-18-087
16-124-011	AMD	96-22-061
16-126-001	PREP-X	96-14-014
16-126-001	REP	96-18-112
16-128-001	PREP-X	96-14-016
16-128-001	REP	96-18-113
16-128-010	PREP-X	96-14-016
16-128-010	REP	96-18-113
16-128-020	PREP-X	96-14-016
16-128-020	REP	96-18-113
16-128-030	PREP-X	96-14-016
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16-128-040	PREP-X	96-14-016
16-128-040	REP	96-18-113
16-128-050	PREP-X	96-14-016
16-128-050	REP	96-18-113
16-128-060	PREP-X	96-14-016
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16-128-080	REP	96-18-113
16-128-090	PREP-X	96-14-016
16-128-090	REP	96-18-113
16-128-100	PREP-X	96-14-016
16-128-100	REP	96-18-113
16-128-110	PREP-X	96-14-016
16-128-110	REP	96-18-113
16-128-120	PREP-X	96-14-016
16-128-120	REP	96-18-113
16-128-130	PREP-X	96-14-016
16-128-130	REP	96-18-113
16-132-001	PREP-X	96-14-014
16-132-001	REP	96-18-112
16-132-010	PREP-X	96-14-014
16-132-010	REP	96-18-112
16-132-020	PREP-X	96-14-014
16-132-020	REP	96-18-112
16-132-030	PREP-X	96-14-014
16-132-030	REP	96-18-112
16-132-040	PREP-X	96-14-014
16-132-040	REP	96-18-112
16-132-050	PREP-X	96-14-014
16-132-050	REP	96-18-112
16-132-060	PREP-X	96-14-014
16-132-060	REP	96-18-112
16-136-001	PREP-X	96-14-013
16-136-001	REP	96-18-107
16-136-010	PREP-X	96-14-013
16-136-010	REP	96-18-107
16-136-020	PREP-X	96-14-013
16-136-020	REP	96-18-107
16-138-010	NEW-E	96-11-001
16-138-020	NEW-E	96-11-001
16-138-030	NEW-E	96-11-001
16-138-035	NEW-E	96-11-001
16-138-040	NEW-E	96-11-001
16-140-001	PREP-X	96-14-016
16-140-001	REP	96-18-113
16-140-010	PREP-X	96-14-016
16-140-010	REP	96-18-113
16-140-020	PREP-X	96-14-016
16-140-020	REP	96-18-113
16-140-030	PREP-X	96-14-016
16-140-030	REP	96-18-113
16-140-040	PREP-X	96-14-016
16-140-040	REP	96-18-113
16-140-050	PREP-X	96-14-016
16-140-050	REP	96-18-113
16-140-060	PREP-X	96-14-016
16-140-060	REP	96-18-113
16-140-070	PREP-X	96-14-016
16-140-070	REP	96-18-113
16-140-080	PREP-X	96-14-016
16-140-080	REP	96-18-113
16-140-090	PREP-X	96-14-016
16-140-090	REP	96-18-113
16-140-100	PREP-X	96-14-016
16-140-100	REP	96-18-113
16-144-001	PREP-X	96-14-010
16-144-001	REP	96-18-106
16-144-020	PREP-X	96-14-010
16-144-020	REP	96-18-106
16-144-030	PREP-X	96-14-010
16-144-030	REP	96-18-106
16-144-040	PREP-X	96-14-010
16-144-040	REP	96-18-106
16-144-050	PREP-X	96-14-010
16-144-050	REP	96-18-106
16-144-060	PREP-X	96-14-010
16-144-060	REP	96-18-106
16-144-070	PREP-X	96-14-010
16-144-070	REP	96-18-106
16-144-080	PREP-X	96-14-010
16-144-080	REP	96-18-106
16-148-001	PREP-X	96-14-015
16-148-001	REP	96-18-109
16-148-010	PREP-X	96-14-015
16-148-010	REP	96-18-109
16-148-020	PREP-X	96-14-015
16-148-020	REP	96-18-109
16-148-030	PREP-X	96-14-015
16-148-030	REP	96-18-109
16-156	PREP	96-08-074
16-156-001	REP-P	96-21-144
16-156-004	NEW-P	96-21-144
16-156-010	AMD-P	96-21-144
16-156-020	AMD-P	96-21-144
16-156-030	AMD-P	96-21-144
16-156-035	AMD-P	96-21-144
16-156-040	AMD-P	96-21-144
16-156-050	AMD-P	96-21-144
16-156-060	AMD-P	96-21-144
16-167-010	AMD-P	96-22-083
16-167-020	AMD-P	96-22-083
16-167-030	AMD-P	96-22-083
16-167-040	AMD-P	96-22-083
16-167-050	AMD-P	96-22-083
16-167-900	NEW-P	96-22-083
16-168-010	NEW-P	96-05-027
16-168-010	NEW	96-09-037
16-168-020	NEW-P	96-05-027
16-168-020	NEW	96-09-037
16-168-030	NEW-P	96-05-027
16-168-030	NEW	96-09-037
16-168-040	NEW-P	96-05-027
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16-168-050	NEW-P	96-05-027
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16-168-060	NEW-P	96-05-027
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16-168-070	NEW-P	96-05-027
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16-168-080	NEW-P	96-05-027
16-168-080	NEW	96-09-037
16-168-090	NEW-P	96-05-027
16-168-090	NEW	96-09-037
16-168-100	NEW-P	96-05-027
16-168-100	NEW	96-09-037
16-200-640	REP-P	96-10-071
16-200-640	REP	96-15-018A
16-200-650	REP-P	96-10-071
16-200-650	REP	96-15-018A
16-200-750	AMD-P	96-10-071
16-200-750	AMD	96-15-018A
16-200-755	NEW-P	96-10-071
16-200-755	NEW	96-15-018A
16-200-760	AMD-P	96-10-071
16-200-760	AMD	96-15-018A
16-200-770	AMD-P	96-10-071
16-200-770	AMD	96-15-018A
16-200-780	REP-P	96-10-071
16-200-780	REP	96-15-018A
16-200-790	AMD-P	96-10-071
16-200-790	AMD	96-15-018A
16-200-795	NEW-P	96-10-071
16-200-795	NEW	96-15-018A
16-200-800	REP-P	96-10-071
16-200-800	REP	96-15-018A
16-200-805	AMD-P	96-10-071
16-200-805	AMD	96-15-018A
16-200-810	REP-P	96-10-071
16-200-810	REP	96-15-018A
16-200-815	AMD-P	96-10-071
16-200-815	AMD	96-15-018A
16-200-830	AMD-P	96-10-071
16-200-830	AMD	96-15-018A
16-200-850	REP-P	96-10-071
16-200-850	REP	96-15-018A
16-200-860	AMD-P	96-10-071

WAC #		WSR #
16-200-860	AMD	96-15-018A
16-200-865	NEW-P	96-10-071
16-200-865	NEW	96-15-018A
16-200-870	REP-P	96-10-071
16-200-870	REP	96-15-018A
16-200-885	NEW-P	96-10-071
16-200-885	NEW	96-15-018A
16-200-887	NEW-P	96-10-071
16-200-887	NEW	96-15-018A
16-230	PREP	96-20-110
16-233-001	NEW-P	96-14-108
16-233-001	NEW	96-21-008
16-233-005	NEW-P	96-14-108
16-233-005	NEW	96-21-008
16-233-010	NEW-P	96-14-108
16-233-010	NEW	96-21-008
16-233-020	NEW-P	96-14-108
16-233-020	NEW	96-21-008
16-233-025	NEW-P	96-14-108
16-233-025	NEW	96-21-008
16-233-100	NEW-P	96-14-108
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16-233-105	NEW-P	96-14-108
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16-233-110	NEW-P	96-14-108
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16-233-120	NEW-P	96-14-108
16-233-120	NEW	96-21-008
16-233-125	NEW-P	96-14-108
16-233-125	NEW-S	96-17-081
16-233-125	NEW	96-21-008
16-233-130	NEW-P	96-14-108
16-233-130	NEW	96-21-008
16-233-135	NEW-P	96-14-108
16-233-135	NEW	96-21-008
16-233-140	NEW-P	96-14-108
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16-233-145	NEW-P	96-14-108
16-233-145	NEW	96-21-008
16-233-150	NEW-P	96-14-108
16-233-150	NEW-S	96-17-081
16-233-150	NEW	96-21-008
16-233-155	NEW-P	96-14-108
16-233-155	NEW	96-21-008
16-233-200	NEW-P	96-14-108
16-233-200	NEW	96-21-008
16-233-205	NEW-P	96-14-108
16-233-205	NEW	96-21-008
16-233-210	NEW-P	96-14-108
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16-233-215	NEW-P	96-14-108
16-233-215	NEW	96-21-008
16-233-220	NEW-P	96-14-108
16-233-220	NEW	96-21-008
16-233-225	NEW-P	96-14-108
16-233-225	NEW	96-21-008
16-233-230	NEW-P	96-14-108
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16-233-235	NEW-P	96-14-108
16-233-235	NEW	96-21-008
16-233-240	NEW-P	96-14-108
16-233-240	NEW	96-21-008
16-233-245	NEW-P	96-14-108
16-233-245	NEW	96-21-008
16-233-250	NEW-P	96-14-108
16-233-250	NEW-S	96-17-081
16-233-250	NEW	96-21-008
16-233-255	NEW-P	96-14-108
16-233-255	NEW	96-21-008
16-300-010	AMD	96-04-058
16-304-110	AMD-P	96-09-091
16-304-110	AMD	96-12-066
16-304-130	AMD-P	96-09-091
16-304-130	AMD	96-12-066
16-316	PREP	96-07-085
16-316	PREP	96-07-086
16-316-280	AMD-P	96-07-087
16-316-280	AMD-C	96-11-121
16-316-280	AMD	96-14-088
16-316-315	AMD-P	96-11-120
16-316-315	AMD	96-14-087
16-316-327	AMD-P	96-07-087
16-316-327	AMD-C	96-11-121
16-316-327	AMD	96-14-088
16-316-455	AMD-P	96-11-122
16-316-455	AMD	96-14-089
16-316-474	AMD-P	96-11-124
16-316-474	AMD	96-14-091
16-316-724	AMD-P	96-11-124
16-316-724	AMD	96-14-091
16-316-921	AMD-P	96-11-123
16-316-921	AMD	96-14-090
16-319-041	AMD-P	96-03-065
16-319-041	AMD	96-11-044
16-400-040	AMD-P	96-05-071
16-400-040	AMD	96-10-060
16-400-100	AMD-P	96-05-071
16-400-100	AMD	96-10-060
16-400-210	AMD-P	96-05-071
16-400-210	AMD	96-10-060
16-409-020	PREP	96-09-090
16-409-020	AMD-P	96-20-080
16-409-030	PREP	96-09-090
16-409-030	AMD-P	96-20-080
16-409-060	PREP	96-09-090
16-409-060	AMD-P	96-20-080
16-409-065	PREP	96-09-090
16-409-065	AMD-P	96-20-080
16-409-070	AMD-P	96-20-080
16-409-075	AMD-P	96-20-080
16-473-005	NEW-E	96-10-036
16-473-005	NEW-E	96-17-027
16-473-010	NEW-E	96-10-036
16-473-010	NEW-E	96-17-027
16-473-015	NEW-E	96-10-036
16-473-015	NEW-E	96-17-027
16-473-020	NEW-E	96-10-036
16-473-020	NEW-E	96-17-027
16-473-025	NEW-E	96-10-036
16-473-025	NEW-E	96-17-027
16-473-030	NEW-E	96-10-036
16-473-030	NEW-E	96-17-027
16-473-035	NEW-E	96-10-036
16-473-035	NEW-E	96-17-027
16-529-150	AMD	96-03-151
16-532-010	AMD-P	96-05-086
16-532-010	AMD	96-15-139
16-532-040	PREP	96-02-082
16-532-0402	NEW-P	96-05-086
16-532-0402	NEW	96-15-139
16-532-0404	NEW-P	96-05-086
16-532-0404	NEW	96-15-139
16-532-0406	NEW-P	96-05-086
16-532-0406	NEW	96-15-139
16-532-0408	NEW-P	96-05-086
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16-532-0410	NEW-P	96-05-086
16-532-0410	NEW	96-15-139
16-532-0412	NEW-P	96-05-086
16-532-0412	NEW	96-15-139
16-532-0414	NEW-P	96-05-086
16-532-0414	NEW	96-15-139
16-540-040	AMD	96-03-150
16-560-06001	AMD	96-07-054
16-695-005	NEW-E	96-17-051
16-695-005	RESCIND	96-20-078
16-695-005	NEW-E	96-20-079
16-695-010	NEW-E	96-17-051
16-695-010	RESCIND	96-20-078
16-695-010	NEW-E	96-20-079
16-695-015	NEW-E	96-17-051
16-695-015	RESCIND	96-20-078
16-695-015	NEW-E	96-20-079
16-695-020	NEW-E	96-17-051
16-695-020	RESCIND	96-20-078
16-695-020	NEW-E	96-20-079
16-695-025	NEW-E	96-17-051
16-695-025	RESCIND	96-20-078
16-695-025	NEW-E	96-20-079
16-695-030	NEW-E	96-17-051
16-695-030	RESCIND	96-20-078
16-695-030	NEW-E	96-20-079
16-695-035	NEW-E	96-17-051
16-695-035	RESCIND	96-20-078
16-695-035	NEW-E	96-20-079
16-695-040	NEW-E	96-17-051
16-695-040	RESCIND	96-20-078
16-695-040	NEW-E	96-20-079
16-695-045	NEW-E	96-17-051
16-695-045	RESCIND	96-20-078
16-695-045	NEW-E	96-20-079
16-695-050	NEW-E	96-17-051
16-695-050	RESCIND	96-20-078
16-695-050	NEW-E	96-20-079
16-695-055	NEW-E	96-17-051
16-695-055	RESCIND	96-20-078
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16-695-060	NEW-E	96-17-051
16-695-060	RESCIND	96-20-078
16-695-060	NEW-E	96-20-079
16-695-065	NEW-E	96-17-051
16-695-065	RESCIND	96-20-078
16-695-065	NEW-E	96-20-079
16-695-070	NEW-E	96-17-051
16-695-070	RESCIND	96-20-078
16-695-070	NEW-E	96-20-079
16-695-075	NEW-E	96-17-051
16-695-075	RESCIND	96-20-078
16-695-075	NEW-E	96-20-079
16-695-080	NEW-E	96-17-051
16-695-080	RESCIND	96-20-078
16-695-080	NEW-E	96-20-079
16-700-021	PREP	96-16-084
16-750	AMD-C	96-03-093
16-750	PREP	96-17-091
16-750-003	AMD-P	96-20-112
16-750-005	AMD	96-06-030
16-750-011	AMD	96-06-030
16-750-011	AMD-P	96-20-112
16-750-015	AMD	96-06-030
16-750-015	AMD-P	96-20-112
16-750-020	AMD-P	96-20-112
16-750-130	AMD-P	96-20-112
36-08-010	PREP-X	96-13-021
36-08-010	REP	96-17-040
36-08-020	PREP-X	96-13-021
36-08-020	REP	96-17-040
36-08-030	PREP-X	96-13-021
36-08-030	REP	96-17-040
36-08-040	PREP-X	96-13-021
36-08-040	REP	96-17-040
36-08-050	PREP-X	96-13-021
36-08-050	REP	96-17-040
36-08-060	PREP-X	96-13-021
36-08-060	REP	96-17-040
36-08-070	PREP-X	96-13-021
36-08-070	REP	96-17-040

WAC #		WSR #
36-08-080	PREP-X	96-13-021
36-08-080	REP	96-17-040
36-08-090	PREP-X	96-13-021
36-08-090	REP	96-17-040
36-08-100	PREP-X	96-13-021
36-08-100	REP	96-17-040
36-08-110	PREP-X	96-13-021
36-08-110	REP	96-17-040
36-08-120	PREP-X	96-13-021
36-08-120	REP	96-17-040
36-08-130	PREP-X	96-13-021
36-08-130	REP	96-17-040
36-08-140	PREP-X	96-13-021
36-08-140	REP	96-17-040
36-08-150	PREP-X	96-13-021
36-08-150	REP	96-17-040
36-08-160	PREP-X	96-13-021
36-08-160	REP	96-17-040
36-08-170	PREP-X	96-13-021
36-08-170	REP	96-17-040
36-08-180	PREP-X	96-13-021
36-08-180	REP	96-17-040
36-08-190	PREP-X	96-13-021
36-08-190	REP	96-17-040
36-08-200	PREP-X	96-13-021
36-08-200	REP	96-17-040
36-08-210	PREP-X	96-13-021
36-08-210	REP	96-17-040
36-08-220	PREP-X	96-13-021
36-08-220	REP	96-17-040
36-08-230	PREP-X	96-13-021
36-08-230	REP	96-17-040
36-08-240	PREP-X	96-13-021
36-08-240	REP	96-17-040
36-08-250	PREP-X	96-13-021
36-08-250	REP	96-17-040
36-08-260	PREP-X	96-13-021
36-08-260	REP	96-17-040
36-08-270	PREP-X	96-13-021
36-08-270	REP	96-17-040
36-08-280	PREP-X	96-13-021
36-08-280	REP	96-17-040
36-08-290	PREP-X	96-13-021
36-08-290	REP	96-17-040
36-08-300	PREP-X	96-13-021
36-08-300	REP	96-17-040
36-08-310	PREP-X	96-13-021
36-08-310	REP	96-17-040
36-08-320	PREP-X	96-13-021
36-08-320	REP	96-17-040
36-08-330	PREP-X	96-13-021
36-08-330	REP	96-17-040
36-08-340	PREP-X	96-13-021
36-08-340	REP	96-17-040
36-08-350	PREP-X	96-13-021
36-08-350	REP	96-17-040
36-08-360	PREP-X	96-13-021
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36-08-370	PREP-X	96-13-021
36-08-370	REP	96-17-040
36-08-380	PREP-X	96-13-021
36-08-380	REP	96-17-040
36-08-390	PREP-X	96-13-021
36-08-390	REP	96-17-040
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36-08-420	PREP-X	96-13-021
36-08-420	REP	96-17-040
36-08-430	PREP-X	96-13-021
36-08-430	REP	96-17-040
36-08-440	PREP-X	96-13-021
36-08-440	REP	96-17-040
36-08-450	PREP-X	96-13-021
36-08-450	REP	96-17-040
36-08-460	PREP-X	96-13-021
36-08-460	REP	96-17-040
36-08-470	PREP-X	96-13-021
36-08-470	REP	96-17-040
36-08-480	PREP-X	96-13-021
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36-08-530	PREP-X	96-13-021
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36-08-560	PREP-X	96-13-021
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36-08-570	PREP-X	96-13-021
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36-08-580	PREP-X	96-13-021
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36-08-590	PREP-X	96-13-021
36-08-590	REP	96-17-040
36-12	PREP	96-11-114
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36-12-011	AMD-P	96-20-058
36-12-020	AMD-P	96-20-058
36-12-030	AMD-P	96-20-058
36-12-040	AMD-P	96-20-058
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36-12-350	AMD-P	96-20-058
36-12-360	AMD-P	96-20-058
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36-12-367	AMD-P	96-20-058
36-12-385	AMD-P	96-20-058
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36-12-410	AMD-P	96-20-058
36-12-415	AMD-P	96-20-058
36-12-425	AMD-P	96-20-058
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36-12-450	AMD-P	96-20-058
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44-10-170	AMD	96-03-155
44-10-180	AMD	96-03-155
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44-10-210	AMD	96-03-155
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44-10-222	NEW	96-03-155
44-10-223	NEW	96-03-155
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50-60-210	DECOD	96-04-028
51-11	PREP	96-20-039
51-11-1210	AMD-P	96-21-105
51-11-1301	AMD-P	96-21-105
51-32	PREP	96-15-083
51-32-1100	NEW-P	96-20-101
51-32-1101	NEW-P	96-20-101
51-32-1102	NEW-P	96-20-101
51-32-1103	NEW-P	96-20-101
51-32-1104	NEW-P	96-20-101
51-32-1105	NEW-P	96-20-101
51-32-1106	NEW-P	96-20-101
51-32-1107	NEW-P	96-20-101
51-32-1108	NEW-P	96-20-101
51-32-1118	NEW-E	96-13-047
51-32-1119	NEW-E	96-13-047
51-32-1119	NEW-P	96-20-101
51-34	PREP	96-15-083
51-34-6308	NEW-E	96-13-047
51-34-6309	NEW-E	96-13-047
51-34-6309	NEW-P	96-20-101
55-01-001	REP-P	96-09-102
55-01-001	REP-W	96-15-008
55-01-001	REP	96-15-024
55-01-010	AMD-E	96-03-104
55-01-010	REP-P	96-09-102
55-01-010	AMD-E	96-11-097
55-01-010	REP-W	96-15-008
55-01-010	REP	96-15-024
55-01-020	AMD-E	96-03-104
55-01-020	REP-P	96-09-102
55-01-020	AMD-E	96-11-097
55-01-020	REP-W	96-15-008
55-01-020	REP	96-15-024
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55-01-030	REP-P	96-09-102
55-01-030	AMD-E	96-11-097
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55-01-030	REP	96-15-024
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55-01-040	REP-P	96-09-102
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55-01-040	REP	96-15-024
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55-01-050	AMD-E	96-11-097
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55-01-070	REP	96-15-024
55-01-080	REP-W	96-15-008
55-01-080	REP	96-15-024
67-35-020	AMD-P	96-17-068
67-35-020	AMD	96-20-076
67-35-910	AMD-P	96-08-026
67-35-910	AMD	96-11-096
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82-05-020	NEW	96-03-048
82-05-030	NEW	96-03-048
82-05-040	NEW	96-03-048
82-05-050	NEW	96-03-048
82-50-021	AMD-P	96-12-037
82-50-021	AMD	96-15-039
82-54-010	AMD-E	96-15-076
82-54-010	PREP	96-15-125
82-54-010	AMD-P	96-19-061
82-54-010	AMD	96-22-031
131-28-026	AMD	96-03-049
132D-120-055	PREP	96-10-016
132D-120-055	NEW-P	96-15-061
132D-120-055	NEW-C	96-21-117
132K-20-010	REP-P	96-16-077
132K-20-010	REP	96-22-002
132K-20-020	REP-P	96-16-077
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132K-20-100	REP-P	96-16-077
132K-20-100	REP	96-22-002
132K-20-110	REP-P	96-16-077
132K-20-110	REP	96-22-002
132N-276	PREP	96-03-101
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132N-276-150	AMD-P	96-07-029
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132V-12	PREP	96-21-068
132V-15	PREP	96-09-050A
132V-15-010	AMD-P	96-12-005
132V-15-010	AMD	96-16-034
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132V-15-110	AMD-P	96-12-005
132V-15-110	AMD	96-16-034
132V-15-120	AMD-P	96-12-005
132V-15-120	AMD	96-16-034
132V-24	PREP	96-09-050B
132V-24-030	AMD-P	96-12-006
132V-24-030	AMD	96-16-035
132V-24-040	AMD-P	96-12-006
132V-24-040	AMD	96-16-035
132V-24-090	AMD-P	96-12-006
132V-24-090	AMD	96-16-035
132V-24-120	AMD-P	96-12-006
132V-24-120	AMD	96-16-035
132V-130	PREP	96-09-050C
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132Z-276-030	NEW-P	96-09-074

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132Z-310-040	NEW-P	96-09-074
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132Z-325-010	NEW-P	96-09-074
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136-150-022	AMD	96-17-013
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136-150-023	AMD	96-17-013
136-161-060	AMD-P	96-11-052

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136-161-100	REP	96-17-013
136-163-010	NEW-P	96-11-051
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136-163-020	NEW-P	96-11-051
136-163-020	NEW	96-17-014
136-163-030	NEW-P	96-11-051
136-163-030	NEW	96-17-014
136-163-040	NEW-P	96-11-051
136-163-040	NEW	96-17-014
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136-163-060	NEW-P	96-11-051
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137-91-080	NEW	96-21-014
139-01-810	AMD-P	96-03-025
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154	PREP	96-06-079
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154-04-010	REP	96-16-020
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154-04-041	REP-P	96-13-100
154-04-041	REP	96-16-020
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154-04-070	REP-P	96-13-100
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154-04-075	REP-P	96-13-100
154-04-075	REP	96-16-020
154-04-080	REP-P	96-13-100
154-04-080	REP	96-16-020
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154-12-030	REP-P	96-13-100
154-12-030	REP	96-16-020
154-12-040	REP-P	96-13-100
154-12-040	REP	96-16-020
154-12-050	REP-P	96-13-100
154-12-050	REP	96-16-020
154-12-070	REP-P	96-13-100
154-12-070	REP	96-16-020
154-12-075	REP-P	96-13-100
154-12-075	REP	96-16-020
154-12-080	REP-P	96-13-100
154-12-080	REP	96-16-020
154-12-085	REP-P	96-13-100
154-12-085	REP	96-16-020
154-12-086	REP-P	96-13-100
154-12-086	REP	96-16-020
154-12-087	REP-P	96-13-100
154-12-087	REP	96-16-020
154-12-090	REP-P	96-13-100
154-12-090	REP	96-16-020
154-12-110	REP-P	96-13-100
154-12-110	REP	96-16-020
154-24-010	REP-P	96-13-100
154-24-010	REP	96-16-020
154-28-010	REP-P	96-13-100
154-28-010	REP	96-16-020
154-32-010	REP-P	96-13-100
154-32-010	REP	96-16-020
154-32-020	REP-P	96-13-100
154-32-020	REP	96-16-020
154-36-010	REP-P	96-13-100
154-36-010	REP	96-16-020
154-40-010	REP-P	96-13-100
154-40-010	REP	96-16-020
154-44-010	REP-P	96-13-100
154-44-010	REP	96-16-020
154-48-010	REP-P	96-13-100
154-48-010	REP	96-16-020
154-52-010	REP-P	96-13-100
154-52-010	REP	96-16-020
154-56-010	REP-P	96-13-100
154-56-010	REP	96-16-020
154-60-010	REP-P	96-13-100
154-60-010	REP	96-16-020
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154-64-010	REP	96-16-020
154-64-020	REP-P	96-13-100
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154-64-030	REP-P	96-13-100
154-64-030	REP	96-16-020
154-64-040	REP-P	96-13-100
154-64-040	REP	96-16-020
154-64-050	REP-P	96-13-100
154-64-050	REP	96-16-020
154-64-060	REP-P	96-13-100
154-64-060	REP	96-16-020
154-68-010	REP-P	96-13-100
154-68-010	REP	96-16-020
154-68-020	REP-P	96-13-100
154-68-020	REP	96-16-020
154-110-010	REP-P	96-13-100
154-110-010	REP	96-16-020
154-110-015	REP-P	96-13-100
154-110-015	REP	96-16-020
154-110-020	REP-P	96-13-100
154-110-020	REP	96-16-020
154-110-030	REP-P	96-13-100
154-110-030	REP	96-16-020
154-120-010	REP-P	96-13-100
154-120-010	REP	96-16-020
154-120-015	REP-P	96-13-100
154-120-015	REP	96-16-020
154-120-020	REP-P	96-13-100
154-120-020	REP	96-16-020
154-120-025	REP-P	96-13-100
154-120-025	REP	96-16-020
154-120-030	REP-P	96-13-100
154-120-030	REP	96-16-020
154-120-035	REP-P	96-13-100
154-120-035	REP	96-16-020
154-120-040	REP-P	96-13-100
154-120-040	REP	96-16-020
154-120-045	REP-P	96-13-100
154-120-045	REP	96-16-020
154-120-050	REP-P	96-13-100
154-120-050	REP	96-16-020

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154-130-010	REP	96-16-020
154-130-020	REP-P	96-13-100
154-130-020	REP	96-16-020
154-130-030	REP-P	96-13-100
154-130-030	REP	96-16-020
154-140-010	REP-P	96-13-100
154-140-010	REP	96-16-020
154-140-020	REP-P	96-13-100
154-140-020	REP	96-16-020
154-140-030	REP-P	96-13-100
154-140-030	REP	96-16-020
154-150-010	REP-P	96-13-100
154-150-010	REP	96-16-020
154-150-020	REP-P	96-13-100
154-150-020	REP	96-16-020
154-150-030	REP-P	96-13-100
154-150-030	REP	96-16-020
154-150-040	REP-P	96-13-100
154-150-040	REP	96-16-020
154-150-050	REP-P	96-13-100
154-150-050	REP	96-16-020
154-160-010	REP-P	96-13-100
154-160-010	REP	96-16-020
154-160-020	REP-P	96-13-100
154-160-020	REP	96-16-020
154-170-010	REP-P	96-13-100
154-170-010	REP	96-16-020
154-180-010	REP-P	96-13-100
154-180-010	REP	96-16-020
154-180-020	REP-P	96-13-100
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154-180-040	REP-P	96-13-100
154-180-040	REP	96-16-020
154-180-050	REP-P	96-13-100
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154-180-060	REP-P	96-13-100
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154-180-070	REP-P	96-13-100
154-180-070	REP	96-16-020
154-190-010	REP-P	96-13-100
154-190-010	REP	96-16-020
154-200-010	REP-P	96-13-100
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154-200-030	REP-P	96-13-100
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154-200-040	REP-P	96-13-100
154-200-040	REP	96-16-020
154-300-005	REP-P	96-13-100
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154-300-100	REP-P	96-13-100
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154-300-110	REP	96-16-020
154-300-120	REP-P	96-13-100
154-300-120	REP	96-16-020
162-04	PREP	96-02-081
162-08	PREP	96-02-081
162-08-061	AMD-P	96-06-087
162-08-061	AMD	96-13-045
162-08-062	AMD-P	96-06-087
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162-08-071	AMD-P	96-06-087
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162-08-072	AMD-P	96-06-087
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162-08-093	AMD-P	96-06-087
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162-08-094	AMD-P	96-06-087
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162-08-09401	NEW-P	96-06-087
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162-08-099	AMD-P	96-06-087
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162-08-104	AMD-P	96-06-087
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162-08-107	NEW-P	96-06-087
162-08-107	NEW	96-13-045
162-08-261	AMD-P	96-06-087
162-08-261	AMD	96-13-045
162-08-268	AMD-P	96-06-087
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162-08-288	AMD-P	96-06-087
162-08-288	AMD	96-13-045
162-08-298	AMD-P	96-06-087
162-08-298	AMD	96-13-045
162-08-305	AMD-P	96-06-087
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162-12-100	AMD-P	96-08-055
162-12-100	AMD	96-21-054
162-12-110	REP-P	96-08-055
162-12-110	REP	96-21-054
162-12-120	AMD-P	96-08-055
162-12-120	AMD	96-21-054
162-12-130	AMD-P	96-08-055
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162-12-135	AMD-P	96-08-055
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162-12-140	AMD-P	96-08-055
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162-12-150	AMD-P	96-08-055
162-12-150	AMD	96-21-054
162-12-160	AMD-P	96-08-055
162-12-160	AMD	96-21-054
162-12-170	AMD-P	96-08-055
162-12-170	AMD	96-21-054
162-12-180	AMD-P	96-08-055
162-12-180	AMD	96-21-054
162-22	AMD-P	96-08-055
162-22	AMD-C	96-21-053
162-22-010	AMD-P	96-08-055
162-22-010	AMD-W	96-21-064
162-22-020	AMD-P	96-08-055
162-22-020	AMD-W	96-21-064
162-22-030	REP-P	96-08-055
162-22-030	REP-W	96-21-064
162-22-040	REP-P	96-08-055
162-22-040	REP-W	96-21-064
162-22-050	AMD-P	96-08-055
162-22-050	AMD-W	96-21-064
162-22-060	AMD-P	96-08-055
162-22-060	AMD-W	96-21-064
162-22-070	AMD-P	96-08-055
162-22-070	AMD-W	96-21-064
162-22-080	AMD-P	96-08-055
162-22-080	AMD-W	96-21-064
162-22-090	AMD-P	96-08-055
162-22-090	AMD-W	96-21-064
162-22-100	NEW-P	96-08-055
162-22-100	NEW-W	96-21-064
162-30	AMD-P	96-08-055
162-30	AMD-C	96-21-053
162-30	AMD-W	96-21-064
162-30-010	AMD-P	96-08-055
162-30-010	AMD-W	96-21-064
162-30-020	AMD-P	96-08-055
162-30-020	AMD-W	96-21-064
162-30-030	NEW-P	96-08-055
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162-30-050	NEW-P	96-08-055
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162-30-060	NEW-P	96-08-055
162-30-060	NEW-W	96-21-064
162-30-070	NEW-P	96-08-055
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162-30-100	NEW-P	96-08-055
162-30-100	NEW-W	96-21-064
162-36	PREP	96-02-081
162-36-001	NEW-P	96-06-087
162-36-001	NEW	96-13-045
162-36-005	NEW-P	96-06-087
162-36-005	NEW	96-13-045
162-36-006	NEW-P	96-06-087
162-36-006	NEW	96-13-045
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162-36-010	AMD	96-13-045
162-36-020	AMD-P	96-06-087
162-36-020	AMD	96-13-045
162-38	PREP	96-02-081
162-38-010	AMD-P	96-06-087
162-38-010	AMD	96-13-045
162-38-020	REP-P	96-06-087
162-38-020	REP	96-13-045
162-38-030	REP-P	96-06-087
162-38-030	REP	96-13-045
162-38-035	AMD-P	96-06-087
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162-38-040	AMD-P	96-06-087
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162-38-050	AMD-P	96-06-087
162-38-050	AMD	96-13-045
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162-38-070	AMD-P	96-06-087
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162-38-080	AMD-P	96-06-087
162-38-080	AMD	96-13-045
162-38-090	AMD-P	96-06-087
162-38-090	AMD	96-13-045
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162-38-100	AMD-W	96-13-044
162-38-110	AMD-P	96-06-087

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162-38-110	AMD	96-13-045
162-38-120	AMD-P	96-06-087
162-38-120	AMD	96-13-045
172-120	PREP	96-19-089
172-120-015	NEW-E	96-19-090
172-120-020	AMD-E	96-19-090
172-120-030	AMD-E	96-19-090
172-120-040	AMD-E	96-19-090
172-120-050	AMD-E	96-19-090
172-120-060	AMD-E	96-19-090
172-120-070	AMD-E	96-19-090
172-120-080	AMD-E	96-19-090
172-120-090	AMD-E	96-19-090
172-120-100	AMD-E	96-19-090
172-120-110	AMD-E	96-19-090
172-120-120	AMD-E	96-19-090
172-120-130	AMD-E	96-19-090
172-120-140	AMD-E	96-19-090
172-120-150	REP-E	96-19-090
173-09-010	AMD-P	96-11-136
173-09-010	AMD	96-15-104
173-09-020	AMD-P	96-11-136
173-09-020	AMD	96-15-104
173-09-040	NEW-P	96-11-136
173-09-040	NEW	96-15-104
173-14-010	REP-P	96-13-103
173-14-010	REP	96-20-075
173-14-020	REP-P	96-13-103
173-14-020	REP	96-20-075
173-14-030	REP-P	96-13-103
173-14-030	REP	96-20-075
173-14-040	REP-P	96-13-103
173-14-040	REP	96-20-075
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173-14-050	REP	96-20-075
173-14-055	REP-P	96-13-103
173-14-055	REP	96-20-075
173-14-060	REP-P	96-13-103
173-14-060	REP	96-20-075
173-14-062	REP-P	96-13-103
173-14-062	REP	96-20-075
173-14-064	REP-P	96-13-103
173-14-064	REP	96-20-075
173-14-070	REP-P	96-13-103
173-14-070	REP	96-20-075
173-14-080	REP-P	96-13-103
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173-14-100	REP-P	96-13-103
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173-14-110	REP-P	96-13-103
173-14-110	REP	96-20-075
173-14-115	REP-P	96-13-103
173-14-115	REP	96-20-075
173-14-120	REP-P	96-13-103
173-14-120	REP	96-20-075
173-14-130	REP-P	96-13-103
173-14-130	REP	96-20-075
173-14-140	REP-P	96-13-103
173-14-140	REP	96-20-075
173-14-150	REP-P	96-13-103
173-14-150	REP	96-20-075
173-14-155	REP-P	96-13-103
173-14-155	REP	96-20-075
173-14-170	REP-P	96-13-103
173-14-170	REP	96-20-075
173-14-174	REP-P	96-13-103
173-14-174	REP	96-20-075
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173-19-040	REP	96-20-075
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173-19-080	REP	96-20-075
173-19-090	REP-P	96-13-103
173-19-090	REP	96-20-075
173-19-100	REP-P	96-13-103
173-19-100	REP	96-20-075
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173-19-1002	REP	96-20-075
173-19-110	REP-P	96-13-103
173-19-110	REP	96-20-075
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173-19-1101	REP	96-20-075
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173-19-1102	REP	96-20-075
173-19-1103	REP-P	96-13-103
173-19-1103	REP	96-20-075
173-19-1104	REP-P	96-13-103
173-19-1104	REP	96-20-075
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173-19-120	REP	96-20-075
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173-19-1202	REP-P	96-13-103
173-19-1202	REP	96-20-075
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173-19-1204	REP-P	96-13-103
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173-19-1205	REP-P	96-13-103
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173-19-1402	REP-P	96-13-103
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173-19-1403	REP-P	96-13-103
173-19-1403	REP	96-20-075
173-19-1404	REP-P	96-13-103
173-19-1404	REP	96-20-075
173-19-1405	REP-P	96-13-103
173-19-1405	REP	96-20-075
173-19-150	REP-P	96-13-103
173-19-150	REP	96-20-075
173-19-1501	REP-P	96-13-103
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173-19-1602	REP-P	96-13-103
173-19-1602	REP	96-20-075
173-19-1603	REP-P	96-13-103
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173-19-1604	REP-P	96-13-103
173-19-1604	REP	96-20-075
173-19-1605	REP-P	96-13-103
173-19-1605	REP	96-20-075
173-19-170	REP-P	96-13-103
173-19-170	REP	96-20-075
173-19-1701	REP-P	96-13-103
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173-19-1702	REP-P	96-13-103
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173-19-2303	REP	96-20-075
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173-27-190	NEW	96-20-075
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173-27-200	NEW	96-20-075
173-27-210	NEW-P	96-13-103
173-27-210	NEW	96-20-075
173-27-220	NEW-P	96-13-103
173-27-220	NEW	96-20-075
173-27-240	NEW-P	96-13-103
173-27-240	NEW	96-20-075
173-27-250	NEW-P	96-13-103
173-27-250	NEW	96-20-075
173-27-260	NEW-P	96-13-103
173-27-260	NEW	96-20-075
173-27-270	NEW-P	96-13-103
173-27-270	NEW	96-20-075
173-27-280	NEW-P	96-13-103

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173-27-310	NEW-P	96-13-103
173-27-310	NEW	96-20-075
173-27-990	NEW-P	96-13-103
173-27-990	NEW	96-20-075
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173-28-010	REP	96-20-074
173-28-020	PREP-X	96-14-031
173-28-020	REP	96-20-074
173-28-030	PREP-X	96-14-031
173-28-030	REP	96-20-074
173-28-040	PREP-X	96-14-031
173-28-040	REP	96-20-074
173-28-050	PREP-X	96-14-031
173-28-050	REP	96-20-074
173-28-060	PREP-X	96-14-031
173-28-060	REP	96-20-074
173-28-070	PREP-X	96-14-031
173-28-070	REP	96-20-074
173-28-080	PREP-X	96-14-031
173-28-080	REP	96-20-074
173-145-100	AMD-E	96-09-007
173-224-040	AMD	96-03-041
173-224-050	AMD	96-03-041
173-224-070	REP	96-03-041
173-224-090	AMD	96-03-041
173-303-515	REP-W	96-05-020
173-330-010	REP-W	96-05-020
173-330-020	REP-W	96-05-020
173-330-030	REP-W	96-05-020
173-330-040	REP-W	96-05-020
173-330-050	REP-W	96-05-020
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173-330-070	REP-W	96-05-020
173-330-900	REP-W	96-05-020
173-340-200	AMD	96-04-010
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173-340-530	AMD	96-04-010
173-340-700	AMD	96-04-010
173-340-706	AMD	96-04-010
173-340-740	AMD	96-04-010
173-340-745	AMD	96-04-010
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173-354-990	NEW-W	96-05-020
173-400	PREP	96-12-080
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173-400-030	AMD-P	96-06-036
173-400-030	AMD	96-19-054
173-400-045	AMD-P	96-06-036
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173-400-070	AMD-P	96-06-036
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173-400-116	AMD-P	96-06-036
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173-400-141	AMD-P	96-06-036
173-400-141	AMD	96-19-054
173-401	PREP	96-11-134
173-401	PREP-W	96-14-052
173-422	PREP	96-15-134
173-422-030	AMD-P	96-12-023
173-422-030	AMD	96-21-029
173-422-050	AMD-P	96-12-023
173-422-050	AMD	96-21-029
173-422-060	AMD-P	96-12-023
173-422-060	AMD	96-21-029
173-422-070	AMD-P	96-12-023
173-422-070	AMD	96-21-029
173-422-170	AMD-P	96-12-023
173-422-170	AMD-P	96-19-093
173-422-170	AMD	96-21-029
173-422-190	AMD-P	96-12-023
173-422-190	AMD	96-21-029
173-430	PREP	96-12-081
173-430-040	AMD-E	96-08-041
173-430-040	AMD-E	96-16-013
173-430-040	AMD-P	96-16-014
173-430-040	AMD-E	96-16-024
173-492	PREP	96-11-135
173-492-010	AMD-P	96-14-084
173-492-010	AMD	96-19-094
173-492-050	AMD-P	96-14-084
173-492-050	AMD	96-19-094
173-492-070	AMD-P	96-14-084
173-492-070	AMD	96-19-094
173-806	PREP	96-06-018
174-120	PREP	96-03-138
174-120-010	REP-P	96-08-066
174-120-010	REP	96-13-086
174-120-015	NEW-P	96-08-066
174-120-015	NEW	96-13-086
174-120-025	NEW-P	96-08-066
174-120-025	NEW	96-13-086
174-120-030	REP-P	96-08-066
174-120-030	REP	96-13-086
174-120-035	NEW-P	96-08-066
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174-120-040	REP-P	96-08-066
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174-120-045	NEW-P	96-08-066
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174-120-090	REP-P	96-08-066
174-120-090	REP	96-13-086
174-122-010	PREP-X	96-14-007
174-122-020	PREP-X	96-14-007
174-122-030	PREP-X	96-14-007
174-122-040	PREP-X	96-14-007
180-08	PREP	96-21-136
180-16	PREP	96-16-043
180-16-238	PREP	96-04-070
180-16-238	NEW-P	96-07-046
180-16-238	NEW	96-11-111
180-16-238	PREP	96-21-028
180-20	PREP	96-08-060
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180-20-035	AMD-P	96-16-096
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180-20-045	AMD-P	96-12-089
180-20-045	REP-P	96-16-096
180-20-045	REP	96-20-042
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180-20-070	AMD-P	96-16-096
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180-20-150	AMD-P	96-16-096
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180-20-155	REP-P	96-16-096
180-20-155	REP	96-20-042
180-20-160	REP-P	96-16-096
180-20-160	REP	96-20-042
180-27-056	PREP	96-13-011
180-40	PREP	96-10-003
180-40	PREP	96-16-064
180-40-205	AMD-P	96-12-088
180-40-205	AMD	96-15-098
180-40-240	AMD-P	96-08-061
180-40-240	AMD-W	96-09-025

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180-40-240	AMD-P	96-12-088
180-40-240	AMD	96-15-098
180-40-245	AMD-P	96-20-102
180-40-255	AMD-P	96-08-061
180-40-255	AMD-W	96-09-025
180-40-255	AMD-P	96-12-088
180-40-255	AMD	96-15-098
180-40-260	AMD-P	96-20-102
180-40-310	AMD-P	96-08-061
180-40-310	AMD-W	96-09-025
180-40-310	AMD-P	96-12-088
180-40-310	AMD	96-15-098
180-40-315	AMD-P	96-08-061
180-40-315	AMD-W	96-09-025
180-40-315	AMD-P	96-12-088
180-40-315	AMD	96-15-098
180-40-317	NEW-P	96-08-061
180-40-317	NEW-W	96-09-025
180-40-317	NEW-P	96-12-088
180-40-317	NEW	96-15-098
180-40-320	AMD-P	96-08-061
180-40-320	AMD-W	96-09-025
180-40-320	AMD-P	96-12-088
180-40-320	AMD	96-15-098
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180-51-050	AMD-C	96-09-010
180-51-050	AMD	96-09-027
180-75	PREP	96-16-040
180-75-047	AMD	96-08-022
180-77	PREP	96-16-042
180-77A	PREP	96-16-047
180-78	PREP	96-16-044
180-78-145	PREP	96-13-051
180-78-145	AMD-P	96-16-048
180-78-145	AMD	96-21-017
180-78-160	PREP	96-07-102
180-78-160	AMD-P	96-12-086
180-78-160	AMD	96-16-049
180-78A	PREP	96-16-045
180-79	PREP	96-16-040
180-79-086	AMD-P	96-04-047
180-79-086	AMD	96-08-023
180-79-230	AMD	96-08-022
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180-79-311	AMD	96-08-024
180-79-334	AMD-P	96-04-049
180-79-334	AMD	96-08-025
180-79-340	AMD-W	96-15-007
180-79A	PREP	96-16-040
180-83-010	NEW	96-04-073
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180-83-070	NEW	96-04-073
180-85	PREP	96-16-046
180-85-025	AMD-P	96-04-074
180-85-025	AMD	96-08-013
180-85-025	AMD-W	96-15-006
180-85-030	PREP	96-13-050
180-85-030	AMD-W	96-15-006
180-85-032	NEW-P	96-04-074
180-85-032	NEW	96-08-013
180-86	PREP	96-06-038
180-86	PREP	96-16-041
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180-86-116	NEW-P	96-16-087
180-87-093	NEW-P	96-04-072
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180-90	PREP	96-09-026
180-90-115	AMD-P	96-12-087
180-90-115	AMD	96-15-099
180-90-125	AMD-P	96-12-087
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180-90-160	AMD-P	96-12-087
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182-08	PREP	96-22-016
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182-08-010	AMD	96-08-042
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182-08-020	AMD-P	96-02-079
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182-08-030	REP-P	96-02-079
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182-08-040	REP-P	96-02-079
182-08-040	REP	96-08-042
182-08-060	REP-P	96-02-079
182-08-060	REP	96-08-042
182-08-090	NEW-P	96-02-079
182-08-095	NEW	96-08-042
182-08-110	REP-P	96-02-079
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182-08-120	AMD-P	96-02-079
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182-08-165	AMD	96-08-042
182-08-170	REP-P	96-02-079
182-08-170	REP	96-08-042
182-08-180	AMD-P	96-02-079
182-08-180	AMD	96-08-042
182-08-190	AMD-P	96-02-079
182-08-190	AMD	96-08-042
182-08-195	REP-P	96-02-079
182-08-195	REP	96-08-042
182-08-200	AMD-P	96-02-079
182-08-200	AMD	96-08-042
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182-08-220	AMD-P	96-02-079
182-08-220	AMD	96-08-042
182-08-300	REP-P	96-02-079
182-08-300	REP	96-08-042
182-12	PREP	96-22-016
182-12-110	AMD-P	96-02-080
182-12-110	AMD	96-08-043
182-12-111	AMD-P	96-02-080
182-12-111	AMD	96-08-043
182-12-115	AMD-P	96-02-080
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182-12-117	NEW-P	96-02-080
182-12-117	NEW	96-08-043
182-12-117	AMD-E	96-22-056
182-12-119	NEW-P	96-02-080
182-12-119	NEW	96-08-043
182-12-122	REP-P	96-02-080
182-12-122	REP	96-08-043
182-12-130	REP-P	96-02-080
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182-12-145	AMD-P	96-02-080
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182-12-151	REP-P	96-02-080
182-12-151	REP	96-08-043
182-12-160	REP-P	96-02-080
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182-12-165	REP-P	96-02-080
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182-12-215	AMD-P	96-02-080
182-12-215	AMD	96-08-043
182-12-220	AMD-P	96-02-080
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182-25-001	NEW-W	96-15-008
182-25-001	NEW	96-15-024
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182-25-020	NEW-W	96-15-008
182-25-020	NEW	96-15-024
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182-25-030	NEW-P	96-09-102
182-25-030	NEW-W	96-15-008
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182-25-030	AMD-E	96-22-055
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182-25-040	NEW-W	96-15-008
182-25-040	NEW	96-15-024
182-25-040	PREP	96-19-075
182-25-040	AMD-E	96-22-055
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182-25-090	PREP	96-19-075
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182-25-110	NEW	96-15-024
184-10-140	NEW-C	96-03-033
192-12-300	PREP	96-03-158
192-12-300	AMD-P	96-12-082
192-12-300	AMD	96-16-018
192-12-305	PREP	96-03-158
192-12-305	REP-P	96-12-082
192-12-305	REP	96-16-018
192-16-002	AMD-P	96-04-065
192-16-002	AMD	96-11-002
192-16-024	NEW-P	96-04-065
192-16-024	NEW	96-11-002
192-16-051	AMD-P	96-04-065
192-16-051	AMD	96-11-002
192-16-052	NEW-P	96-04-065
192-16-052	NEW	96-11-002
192-28-105	PREP	96-03-159
192-28-105	AMD-P	96-15-127
192-28-105	AMD	96-20-051
192-28-120	PREP	96-03-159
192-28-120	AMD-P	96-15-127
192-28-120	AMD	96-20-051
192-33-001	NEW-E	96-09-004
192-33-001	NEW-E	96-16-016
192-36-010	NEW-P	96-08-062

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192-36-010	NEW	96-11-141
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192-36-020	NEW-P	96-08-062
192-36-020	NEW	96-11-141
192-36-025	NEW-P	96-08-062
192-36-025	NEW	96-11-141
192-42-060	PREP-X	96-14-042
192-42-060	REP	96-18-035
196-16-005	REP-P	96-07-052
196-16-005	REP	96-11-086
196-16-007	AMD-P	96-07-052
196-16-007	AMD	96-11-086
196-16-010	AMD-P	96-07-052
196-16-010	AMD	96-11-086
196-16-020	AMD-P	96-07-052
196-16-020	AMD	96-11-086
196-16-031	AMD-P	96-07-052
196-16-031	AMD	96-11-086
196-20-010	AMD-P	96-07-052
196-20-010	AMD	96-11-086
196-20-020	AMD-P	96-07-052
196-20-020	AMD	96-11-086
196-20-030	AMD-P	96-07-052
196-20-030	AMD	96-11-086
196-21-010	NEW-P	96-07-052
196-21-010	NEW	96-11-086
196-21-020	NEW-P	96-07-052
196-21-020	NEW	96-11-086
196-21-030	NEW-P	96-07-052
196-21-030	NEW	96-11-086
196-24-058	NEW-P	96-07-037
196-24-058	NEW	96-11-085
204-10-035	PREP	96-20-108
204-10-045	PREP	96-14-077
204-10-045	NEW-P	96-18-075
204-10-045	NEW-W	96-19-088
204-29-010	PREP	96-15-084
204-29-010	REP-P	96-19-076
204-29-010	REP	96-22-034
204-56	PREP	96-06-060
204-56-085	AMD-P	96-09-080
204-56-085	AMD	96-14-008
204-60	AMD-E	96-21-052
204-60	PREP	96-21-111
204-60-010	AMD-E	96-21-052
204-60-010	PREP	96-21-111
204-60-030	AMD-E	96-21-052
204-60-030	PREP	96-21-111
204-90-040	AMD-E	96-22-011
204-90-040	PREP	96-22-049
204-91A-060	AMD-E	96-19-046
204-91A-060	PREP	96-19-047
204-91A-140	PREP	96-14-076
204-91A-140	PREP-W	96-18-055
204-91A-140	AMD-E	96-19-046
204-91A-140	PREP	96-19-047
204-95-030	PREP	96-15-117
204-95-030	NEW-E	96-15-119
204-95-030	NEW-P	96-22-050
204-95-080	PREP	96-15-117
204-95-080	NEW-E	96-15-119
204-95-080	NEW-P	96-22-050
208-08-010	NEW-P	96-06-085
208-08-010	NEW	96-11-035
208-08-020	NEW-P	96-06-085
208-08-020	NEW	96-11-035
208-08-030	NEW-P	96-06-085
208-08-030	NEW	96-11-035
208-08-040	NEW-P	96-06-085
208-08-040	NEW	96-11-035
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208-08-080	NEW-P	96-06-085
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208-08-120	NEW-P	96-06-085
208-08-120	NEW	96-11-035
208-08-130	NEW-P	96-06-085
208-08-130	NEW	96-11-035
208-08-140	NEW-P	96-06-085
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208-12-020	NEW-P	96-11-145
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208-12-070	NEW	96-14-082
208-12-080	NEW-P	96-11-145
208-12-080	NEW	96-14-082
208-12-090	NEW-P	96-11-145
208-12-090	NEW	96-14-082
208-12-100	NEW-P	96-11-145
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208-12-110	NEW-P	96-11-145
208-12-110	NEW	96-14-082
208-12-120	NEW-P	96-11-145
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208-12-130	NEW-P	96-11-145
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208-418	AMD-P	96-08-076
208-418	AMD	96-12-058
208-418-020	RECOD	96-06-011
208-418-020	AMD-P	96-08-076
208-418-020	AMD	96-12-058
208-418-030	RECOD	96-06-011
208-418-030	REP-P	96-08-076
208-418-030	REP	96-12-058
208-418-040	RECOD	96-06-011
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208-418-045	RECOD	96-06-011
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208-418-045	PREP-X	96-14-038
208-418-045	REP	96-17-072
208-418-045	AMD-W	96-21-063
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208-418-050	AMD	96-12-058
208-418-060	RECOD	96-06-011
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208-418-080	RECOD	96-06-011
208-418-080	REP-P	96-08-076
208-418-080	REP	96-12-058
208-436-010	RECOD	96-06-011
208-436-010	AMD-P	96-14-122
208-436-010	AMD	96-17-071
208-436-020	RECOD	96-06-011
208-436-020	AMD-P	96-14-122
208-436-020	AMD	96-17-071
208-436-030	RECOD	96-06-011
208-436-030	AMD-P	96-14-122
208-436-030	AMD	96-17-071
208-436-040	RECOD	96-06-011
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208-436-060	RECOD	96-06-011
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208-436-070	RECOD	96-06-011
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208-436-080	RECOD	96-06-011
208-436-080	AMD-P	96-14-122
208-436-080	AMD	96-17-071
208-436-090	RECOD	96-06-011
208-436-090	AMD-P	96-14-122
208-436-090	AMD	96-17-071
208-440-010	RECOD	96-06-011
208-440-010	AMD-P	96-14-122
208-440-010	AMD	96-17-071
208-440-020	RECOD	96-06-011
208-440-030	RECOD	96-06-011
208-440-030	PREP-X	96-14-071
208-440-030	AMD-P	96-14-122
208-440-030	REP	96-17-072
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208-440-050	RECOD	96-06-011
208-444-010	RECOD	96-06-011
208-444-010	AMD-P	96-14-122
208-444-010	AMD	96-17-071
208-464-010	RECOD	96-06-011
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208-464-090	RECOD	96-06-011
208-472-010	RECOD	96-06-011
208-472-012	RECOD	96-06-011
208-472-015	RECOD	96-06-011
208-472-015	AMD-P	96-14-123
208-472-015	AMD	96-17-070
208-472-020	RECOD	96-06-011
208-472-020	AMD-P	96-14-122
208-472-020	AMD	96-17-071
208-472-025	RECOD	96-06-011
208-472-025	AMD-P	96-14-122
208-472-025	AMD	96-17-071
208-472-041	RECOD	96-06-011
208-472-041	AMD-P	96-14-122
208-472-041	AMD	96-17-071
208-472-045	RECOD	96-06-011
208-472-045	AMD-P	96-14-122
208-472-045	AMD	96-17-071

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208-472-050	RECOD	96-06-011
208-472-060	RECOD	96-06-011
208-472-060	AMD-P	96-14-122
208-472-060	AMD	96-17-071
208-472-065	RECOD	96-06-011
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208-472-070	RECOD	96-06-011
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208-472-075	RECOD	96-06-011
208-472-075	AMD-P	96-14-122
208-472-075	AMD	96-17-071
208-472-080	RECOD	96-06-011
208-480-010	RECOD	96-06-011
208-480-020	RECOD	96-06-011
208-480-030	RECOD	96-06-011
208-480-030	AMD-P	96-14-122
208-480-030	AMD	96-17-071
208-480-040	RECOD	96-06-011
208-480-050	RECOD	96-06-011
208-480-050	AMD-P	96-14-122
208-480-050	AMD	96-17-071
208-480-060	RECOD	96-06-011
208-480-070	RECOD	96-06-011
208-620-010	NEW	96-04-013
208-620-020	NEW	96-04-013
208-620-030	NEW	96-04-013
208-620-040	NEW	96-04-013
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208-660-010	RECOD	96-04-028
208-660-020	RECOD	96-04-028
208-660-025	NEW-P	96-15-128
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208-660-170	RECOD	96-04-028
208-660-190	RECOD	96-04-028
208-660-200	RECOD	96-04-028
208-660-210	RECOD	96-04-028
208-680A	PREP	96-06-084
208-680A-010	RECOD	96-05-018
208-680A-010	REP-P	96-15-129
208-680A-010	REP	96-21-082
208-680A-020	RECOD	96-05-018
208-680A-020	AMD-P	96-15-129
208-680A-020	AMD	96-21-082
208-680A-030	RECOD	96-05-018
208-680A-030	AMD-P	96-15-129
208-680A-030	AMD	96-21-082
208-680A-040	RECOD	96-05-018
208-680A-040	AMD-P	96-15-129
208-680A-040	AMD	96-21-082
208-680B	PREP	96-06-084
208-680B-010	RECOD	96-05-018
208-680B-020	RECOD	96-05-018
208-680B-030	RECOD	96-05-018
208-680B-050	RECOD	96-05-018
208-680B-070	RECOD	96-05-018
208-680B-080	RECOD	96-05-018
208-680B-080	AMD-P	96-15-129
208-680B-080	AMD	96-21-082
208-680B-090	RECOD	96-05-018
208-680C	PREP	96-06-084
208-680C-020	RECOD	96-05-018
208-680C-030	RECOD	96-05-018
208-680C-040	RECOD	96-05-018
208-680C-045	NEW-P	96-15-129
208-680C-045	NEW	96-21-082
208-680C-050	RECOD	96-05-018
208-680D	PREP	96-06-084
208-680D-010	RECOD	96-05-018
208-680D-020	RECOD	96-05-018
208-680D-030	RECOD	96-05-018
208-680D-030	AMD-P	96-15-129
208-680D-030	AMD	96-21-082
208-680D-040	RECOD	96-05-018
208-680D-050	RECOD	96-05-018
208-680D-050	AMD-P	96-15-129
208-680D-060	RECOD	96-05-018
208-680D-060	AMD-P	96-15-129
208-680D-060	AMD	96-21-082
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208-680D-080	RECOD	96-05-018
208-680E	PREP	96-06-084
208-680E-011	RECOD	96-05-018
208-680E-011	AMD-P	96-15-129
208-680E-011	AMD	96-21-082
208-680F	PREP	96-06-084
208-680F-010	RECOD	96-05-018
208-680F-020	RECOD	96-05-018
208-680F-040	RECOD	96-05-018
208-680F-040	AMD-P	96-15-129
208-680F-040	AMD	96-21-082
208-680F-050	RECOD	96-05-018
208-680F-050	AMD-P	96-15-129
208-680F-050	AMD	96-21-082
208-680F-060	RECOD	96-05-018
208-680F-070	RECOD	96-05-018
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210-01-030	AMD-P	96-15-122
210-01-030	AMD	96-18-029
210-01-120	AMD-P	96-15-122
210-01-120	AMD	96-18-029
212-17-185	REP-E	96-11-068
212-17-185	PREP	96-12-063
212-17-185	REP-P	96-15-118
212-17-185	REP-W	96-18-101
212-17-190	REP-E	96-11-068
212-17-190	PREP	96-12-063
212-17-190	REP-P	96-15-118
212-17-185	REP-W	96-18-101
212-17-195	REP-E	96-11-068
212-17-195	PREP	96-12-063
212-17-195	REP-P	96-15-118
212-17-185	REP-W	96-18-101
212-17-200	REP-E	96-11-068
212-17-200	PREP	96-12-063
212-17-200	REP-P	96-15-118
212-17-200	REP-W	96-18-101
212-17-203	REP-E	96-11-068
212-17-203	PREP	96-12-063
212-17-203	REP-P	96-15-118
212-17-203	REP-W	96-18-101
212-17-205	REP-E	96-11-068
212-17-205	PREP	96-12-063
212-17-205	REP-P	96-15-118
212-17-205	REP-W	96-18-101
212-17-210	REP-E	96-11-068
212-17-210	PREP	96-12-063
212-17-210	REP-P	96-15-118
212-17-210	REP-W	96-18-101
212-17-215	AMD-E	96-11-068
212-17-215	PREP	96-12-063
212-17-215	AMD-P	96-15-118
212-17-215	AMD-W	96-18-101
212-17-21501	NEW-E	96-11-068
212-17-21501	PREP	96-12-063
212-17-21501	NEW-P	96-15-118
212-17-21501	NEW-W	96-18-101
212-17-21503	NEW-E	96-11-068
212-17-21503	PREP	96-12-063
212-17-21503	NEW-P	96-15-118
212-17-21503	NEW-W	96-18-101
212-17-21506	NEW-E	96-11-068
212-17-21506	PREP	96-12-063
212-17-21506	NEW-P	96-15-118
212-17-21506	NEW-W	96-18-101
212-17-21509	NEW-E	96-11-068
212-17-21509	PREP	96-12-063
212-17-21509	NEW-P	96-15-118
212-17-21509	NEW-W	96-18-101

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212-17-21512	NEW-E	96-11-068
212-17-21512	PREP	96-12-063
212-17-21512	NEW-P	96-15-118
212-17-21512	NEW-W	96-18-101
212-17-21515	NEW-E	96-11-068
212-17-21515	PREP	96-12-063
212-17-21515	NEW-P	96-15-118
212-17-21515	NEW-W	96-18-101
212-17-21518	NEW-E	96-11-068
212-17-21518	PREP	96-12-063
212-17-21518	NEW-P	96-15-118
212-17-21518	NEW-W	96-18-101
212-17-21521	NEW-E	96-11-068
212-17-21521	PREP	96-12-063
212-17-21521	NEW-P	96-15-118
212-17-21521	NEW-W	96-18-101
212-17-21525	NEW-E	96-11-068
212-17-21525	PREP	96-12-063
212-17-21525	NEW-P	96-15-118
212-17-21525	NEW-W	96-18-101
218-04-010	NEW-P	96-13-063
218-04-010	NEW	96-16-062
218-04-020	NEW-P	96-13-063
218-04-020	NEW	96-16-062
218-04-030	NEW-P	96-13-063
218-04-030	NEW	96-16-062
218-04-040	NEW-P	96-13-063
218-04-040	NEW	96-16-062
218-04-050	NEW-P	96-13-063
218-04-050	NEW	96-16-062
220-16-320	AMD-W	96-11-084
220-24-02000A	NEW-E	96-15-100
220-24-02000A	REP-E	96-16-051
220-24-02000B	NEW-E	96-16-051
220-24-02000B	REP-E	96-18-002
220-24-02000C	NEW-E	96-18-002
220-32-05100S	NEW-E	96-04-039
220-32-05100S	REP-E	96-04-039
220-32-05100T	NEW-E	96-18-027
220-32-05100T	REP-E	96-18-027
220-32-05100U	NEW-E	96-19-024
220-32-05100U	REP-E	96-19-024
220-32-05100V	NEW-E	96-19-059
220-32-05100V	REP-E	96-19-059
220-32-05100W	NEW-E	96-20-035
220-32-05100W	REP-E	96-20-035
220-32-05500A	NEW-E	96-21-020
220-32-05500A	REP-E	96-21-020
220-32-05500V	NEW-E	96-10-015
220-32-05500V	REP-E	96-12-029
220-32-05500W	NEW-E	96-12-029
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220-32-05500X	NEW-E	96-12-069
220-32-05500X	REP-E	96-14-060
220-32-05500Y	NEW-E	96-14-060
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220-32-05700T	NEW-E	96-11-092
220-32-05700T	REP-E	96-11-092
220-33-01000D	NEW-E	96-05-055
220-33-01000D	REP-E	96-05-055
220-33-01000E	NEW-E	96-17-047
220-33-01000E	REP-E	96-17-047
220-33-01000F	NEW-E	96-17-049
220-33-01000F	REP-E	96-17-049
220-33-01000G	NEW-E	96-19-026
220-33-01000G	REP-E	96-19-026
220-33-01000H	NEW-E	96-19-051
220-33-01000H	REP-E	96-19-051
220-33-01000I	NEW-E	96-19-062
220-33-01000I	REP-E	96-19-062
220-33-01000J	NEW-E	96-20-067
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220-33-01000K	NEW-E	96-21-025
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220-33-01000L	NEW-E	96-21-109
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220-33-03000J	NEW-E	96-11-032
220-33-03000J	REP-E	96-11-032
220-33-04000B	NEW-E	96-04-026
220-33-04000B	REP-E	96-04-026
220-36-021	AMD-P	96-09-104
220-36-021	AMD	96-13-035
220-36-023	AMD-P	96-09-104
220-36-023	AMD	96-13-035
220-36-02300S	NEW-E	96-21-108
220-36-02300S	REP-E	96-21-108
220-40-021	AMD-P	96-09-104
220-40-021	AMD	96-13-035
220-40-027	AMD-P	96-09-104
220-40-027	AMD	96-13-035
220-44-030	AMD-P	96-03-154
220-44-030	AMD	96-11-055
220-44-050	AMD-P	96-03-154
220-44-050	AMD	96-11-055
220-44-05000A	NEW-E	96-18-047
220-44-05000A	REP-E	96-19-028
220-44-05000B	NEW-E	96-19-028
220-44-05000B	REP-E	96-20-084
220-44-05000C	NEW-E	96-20-084
220-44-05000C	REP-E	96-22-023
220-44-05000D	NEW-E	96-22-023
220-44-05000W	REP-E	96-11-094
220-44-05000X	NEW-E	96-11-094
220-44-05000X	REP-E	96-14-066
220-44-05000Y	NEW-E	96-14-066
220-44-05000Y	REP-E	96-17-048
220-44-05000Z	NEW-E	96-17-048
220-44-05000Z	REP-E	96-18-047
220-47-304	AMD-P	96-09-105
220-47-304	AMD	96-15-101
220-47-307	AMD-P	96-09-105
220-47-307	AMD	96-15-101
220-47-311	AMD-P	96-09-105
220-47-311	AMD	96-15-101
220-47-401	AMD-P	96-09-105
220-47-401	AMD	96-15-101
220-47-411	AMD-P	96-09-105
220-47-411	AMD	96-15-101
220-47-427	NEW-P	96-09-105
220-47-427	NEW-S	96-15-137
220-47-427	NEW	96-19-049
220-47-42700A	NEW-E	96-20-034
220-47-428	NEW-P	96-09-105
220-47-428	NEW	96-15-101
220-47-701	NEW-E	96-19-021
220-47-702	NEW-E	96-19-053
220-47-702	REP-E	96-20-033
220-47-703	NEW-E	96-20-033
220-47-703	REP-E	96-20-066
220-47-704	NEW-E	96-20-066
220-47-704	REP-E	96-21-021
220-47-705	NEW-E	96-21-021
220-47-705	REP-E	96-21-095
220-47-706	NEW-E	96-21-095
220-47-706	REP-E	96-22-010
220-47-707	NEW-E	96-22-010
220-47-707	REP-E	96-22-052
220-47-708	NEW-E	96-22-052
220-48-015	AMD-P	96-21-147
220-48-01500A	NEW-E	96-16-076
220-48-01500A	REP-E	96-18-005
220-48-01500B	NEW-E	96-18-005
220-49-02000I	NEW-E	96-10-002
220-49-02000I	REP-E	96-10-002
220-52-03000J	NEW-E	96-11-117
220-52-03000J	REP-E	96-11-117
220-52-04000B	NEW-E	96-20-065
220-52-04600L	REP-E	96-02-065
220-52-04600M	NEW-E	96-03-055
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220-52-04600P	NEW-E	96-20-065
220-52-04600P	REP-E	96-20-107
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220-52-06000B	NEW-E	96-15-015
220-52-06000B	REP-E	96-15-049
220-52-07100Y	NEW-E	96-11-007
220-52-07100Y	REP-E	96-12-043
220-52-07100Z	NEW-E	96-12-043
220-52-07100Z	REP-E	96-14-073
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220-52-07300D	NEW-E	96-03-014
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220-52-07500A	NEW-E	96-09-048
220-55-005	AMD	96-05-004
220-55-010	AMD	96-05-004
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220-55-055	AMD	96-05-004
220-55-075	AMD	96-05-004
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220-56-10500A	NEW-E	96-11-039
220-56-115	AMD-W	96-11-084
220-56-115	AMD-P	96-21-151
220-56-116	AMD-W	96-11-084
220-56-124	AMD-C	96-05-005
220-56-124	AMD	96-11-078
220-56-128	AMD-P	96-21-151
220-56-180	AMD-P	96-21-151
220-56-189	AMD-W	96-11-084
220-56-190	AMD-C	96-05-005
220-56-190	AMD	96-11-078
220-56-19000E	NEW-E	96-15-097
220-56-19000E	REP-E	96-16-052
220-56-19000F	NEW-E	96-16-052
220-56-19000F	REP-E	96-18-049
220-56-19000G	NEW-E	96-18-049
220-56-19000G	REP-E	96-19-022
220-56-19000H	NEW-E	96-19-022
220-56-191	AMD-C	96-05-005
220-56-191	AMD	96-11-078
220-56-19100Q	NEW-E	96-09-063
220-56-19100R	NEW-E	96-16-029
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220-56-19100S	NEW-E	96-16-053
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220-56-19100T	NEW-E	96-17-050
220-56-19100T	REP-E	96-17-050

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220-56-19100T	REP-E	96-20-032
220-56-19100U	NEW-E	96-18-058
220-56-19100U	REP-E	96-18-058
220-56-192	AMD-W	96-11-084
220-56-195	AMD-C	96-05-005
220-56-195	AMD	96-11-078
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220-56-19500A	REP-E	96-18-058
220-56-205	AMD-C	96-05-005
220-56-205	AMD	96-11-078
220-56-205	AMD-P	96-21-151
220-56-20500A	NEW-E	96-11-039
220-56-225	AMD-W	96-11-084
220-56-225	AMD-P	96-21-151
220-56-235	AMD	96-05-004
220-56-235	AMD-P	96-21-151
220-56-240	AMD	96-05-004
220-56-240	AMD-P	96-21-151
220-56-24000B	NEW-E	96-08-063
220-56-24000C	NEW-E	96-18-003
220-56-24000C	REP-E	96-19-050
220-56-24000D	NEW-E	96-19-050
220-56-24000D	REP-E	96-20-106
220-56-24000E	NEW-E	96-20-106
220-56-250	AMD-W	96-11-084
220-56-255	AMD-P	96-21-151
220-56-25500C	NEW-E	96-12-012
220-56-25500C	REP-E	96-15-092
220-56-25500D	NEW-E	96-15-092
220-56-28500G	NEW-E	96-06-052
220-56-28500G	REP-E	96-06-052
220-56-28500H	NEW-E	96-08-063
220-56-305	AMD-P	96-21-151
220-56-310	AMD-C	96-05-005
220-56-310	AMD-W	96-11-084
220-56-310	AMD-P	96-21-151
220-56-31000A	NEW-E	96-18-004
220-56-31000L	NEW-E	96-14-059
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220-56-31000M	NEW-E	96-15-014
220-56-31000M	REP-E	96-21-035
220-56-31000N	NEW-E	96-21-035
220-56-312	AMD-P	96-21-151
220-56-315	AMD-P	96-21-151
220-56-320	AMD-P	96-21-151
220-56-325	AMD	96-05-004
220-56-325	AMD-P	96-21-151
220-56-32500E	NEW-E	96-09-049
220-56-32500F	NEW-E	96-11-034
220-56-32500F	REP-E	96-11-034
220-56-32500G	NEW-E	96-11-099
220-56-32500G	REP-E	96-14-061
220-56-32500H	NEW-E	96-12-068
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220-56-32500I	NEW-E	96-13-041
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220-56-32500J	NEW-E	96-13-085
220-56-32500J	REP-E	96-13-085
220-56-32500K	NEW-E	96-14-061
220-56-326	NEW	96-05-004
220-56-330	AMD-C	96-05-005
220-56-330	AMD	96-11-078
220-56-330	AMD-P	96-21-151
220-56-336	NEW-P	96-21-151
220-56-350	AMD-C	96-05-005
220-56-350	AMD	96-11-078
220-56-350	AMD-P	96-21-151
220-56-35000J	REP-E	96-08-046
220-56-35000K	NEW-E	96-08-046
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220-56-35000L	REP-E	96-15-055
220-56-35000M	NEW-E	96-15-055
220-56-355	AMD-P	96-21-151
220-56-35500A	NEW-E	96-18-004
220-56-36000Q	NEW-E	96-07-051
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220-56-36000S	NEW-E	96-21-019
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220-56-372	AMD	96-05-004
220-56-375	AMD-P	96-21-151
220-56-37500A	NEW-E	96-18-004
220-56-380	AMD-C	96-05-005
220-56-380	AMD	96-11-078
220-56-380	AMD-P	96-21-151
220-56-38000D	REP-E	96-08-046
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220-56-38000E	REP-E	96-11-008
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220-57-137	AMD-C	96-05-005
220-57-137	AMD	96-11-078
220-57-140	AMD-C	96-05-005
220-57-140	AMD-W	96-11-084
220-57-14000Q	NEW-E	96-21-107
220-57-14000Q	REP-E	96-21-107
220-57-155	AMD-C	96-05-005
220-57-155	AMD	96-11-078
220-57-15500A	NEW-E	96-21-107
220-57-15500A	REP-E	96-21-107
220-57-160	AMD-C	96-05-005
220-57-160	AMD-W	96-11-084
220-57-160	AMD-P	96-21-151
220-57-16000D	NEW-E	96-06-052
220-57-16000E	NEW-E	96-11-033
220-57-16000E	REP-E	96-11-033
220-57-16000F	NEW-E	96-12-013
220-57-16000G	NEW-E	96-18-048
220-57-16000G	REP-E	96-18-048
220-57-170	AMD-C	96-05-005
220-57-170	AMD-W	96-11-084
220-57-175	AMD-C	96-05-005
220-57-175	AMD	96-11-078
220-57-17500D	NEW-E	96-08-045
220-57-17500E	NEW-E	96-20-083
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220-57-17500F	NEW-E	96-21-032
220-57-187	NEW-C	96-05-005
220-57-187	NEW-W	96-11-084
220-57-190	AMD-C	96-05-005
220-57-190	AMD-W	96-11-084
220-57-200	AMD-C	96-05-005
220-57-200	AMD	96-11-078
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220-57-205	AMD-W	96-11-084
220-57-210	AMD-C	96-05-005
220-57-210	AMD-W	96-11-084
220-57-215	AMD-C	96-05-005
220-57-215	AMD	96-11-078
220-57-220	AMD-C	96-05-005
220-57-220	AMD-W	96-11-084
220-57-230	AMD-C	96-05-005
220-57-230	AMD-W	96-11-084
220-57-235	AMD-C	96-05-005
220-57-235	AMD	96-11-078
220-57-23500H	NEW-E	96-19-052
220-57-240	AMD-C	96-05-005
220-57-240	AMD	96-11-078
220-57-250	AMD-C	96-05-005
220-57-250	AMD-W	96-11-084
220-57-25000B	NEW-E	96-19-052
220-57-260	AMD-C	96-05-005
220-57-260	AMD-W	96-11-084
220-57-265	AMD-C	96-05-005
220-57-265	AMD-W	96-11-084
220-57-270	AMD-C	96-05-005
220-57-270	AMD-W	96-11-084
220-57-27000B	NEW-E	96-11-118
220-57-27000B	REP-E	96-11-118
220-57-280	AMD-C	96-05-005
220-57-280	AMD-W	96-11-084
220-57-285	AMD-C	96-05-005
220-57-285	AMD-W	96-11-084
220-57-29000S	NEW-E	96-08-045
220-57-29000S	REP-E	96-12-067
220-57-29000T	NEW-E	96-12-067
220-57-300	AMD-C	96-05-005
220-57-300	AMD-W	96-11-084
220-57-310	AMD-C	96-05-005
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220-57-31000T	NEW-E	96-19-052
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220-57-319	AMD-C	96-05-005
220-57-319	AMD	96-11-078
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220-57-31900K	REP-E	96-13-020
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220-57-32100A	NEW-E	96-08-045
220-57-340	AMD-C	96-05-005
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220-57-34000H	REP-E	96-21-039
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220-57-385	AMD-C	96-05-005
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220-57-415	AMD-C	96-05-005
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220-57-41500B	REP-E	96-21-107
220-57-425	AMD-C	96-05-005
220-57-425	AMD	96-11-078
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220-57-430	AMD-W	96-11-084
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220-57-455	AMD-C	96-05-005
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220-57-465	AMD-C	96-05-005
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220-57-473	AMD-C	96-05-005
220-57-473	AMD	96-11-078
220-57-480	AMD-C	96-05-005
220-57-480	AMD-W	96-11-084
220-57-495	AMD-C	96-05-005
220-57-495	AMD	96-11-078
220-57-49500B	NEW-E	96-19-052

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220-57-51500L	NEW-E	96-08-045
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220-57-520	AMD-W	96-11-084
220-57-525	AMD-C	96-05-005
220-57-525	AMD-W	96-11-084
220-57A-001	AMD	96-05-004
220-57A-035	AMD	96-05-004
220-57A-09700B	NEW-E	96-18-083
220-57A-175	AMD-C	96-05-005
220-57A-175	AMD-W	96-11-084
220-57A-17500A	NEW-E	96-15-037
220-57A-17500A	REP-E	96-15-037
220-57A-17500B	NEW-E	96-15-068
220-57A-17500B	REP-E	96-15-068
220-57A-17500C	NEW-E	96-16-005
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220-57A-17500D	NEW-E	96-20-064
220-57A-17500D	REP-E	96-20-064
220-57A-180	AMD-C	96-05-005
220-57A-180	AMD-W	96-11-084
220-69-24000C	NEW-E	96-09-048
220-69-24000D	NEW-E	96-11-007
220-88A-07000C	NEW-E	96-09-048
220-88A-07000C	REP-E	96-11-054
220-88A-07000D	NEW-E	96-11-037
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220-88A-07000I	NEW-E	96-20-068
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220-88A-08000G	REP-E	96-20-068
220-88A-08000H	NEW-E	96-20-068
220-88A-08000H	REP-E	96-21-038
220-88A-08000I	NEW-E	96-21-038
220-88A-08000I	REP-E	96-22-024
220-95	AMD-C	96-08-015
220-95	AMD-C	96-13-034
220-95-013	AMD-P	96-04-069
220-95-013	AMD-S	96-14-146
229-95-01300A	NEW-E	96-22-082
220-95-018	AMD-P	96-04-069
220-95-018	AMD-S	96-14-146
229-95-01800A	NEW-E	96-22-082
220-95-022	AMD-P	96-04-069
220-95-022	AMD-S	96-14-146
229-95-02200A	NEW-E	96-22-082
220-95-032	AMD-P	96-04-069
220-95-032	AMD-S	96-14-146
229-95-03200A	NEW-E	96-22-082
220-130-020	AMD-P	96-20-122
220-130-070	AMD-P	96-20-122
220-140-010	AMD-P	96-20-122
220-140-040	NEW-P	96-20-122
222-10-030	NEW-W	96-03-067
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222-10-040	NEW-C	96-05-090
222-10-040	NEW-S	96-09-099
222-10-040	NEW	96-12-038
222-10-040	NEW	96-14-081
222-10-041	NEW-C	96-04-076
222-10-041	NEW-C	96-05-090
222-10-041	NEW-S	96-09-099
222-10-041	NEW	96-12-038
222-12-090	AMD-S	96-20-120
222-16-010	AMD-E	96-03-009
222-16-010	AMD-C	96-04-076
222-16-010	AMD-C	96-05-090
222-16-010	AMD-S	96-09-099
222-16-010	AMD	96-12-038
222-16-010	AMD-C	96-13-004
222-16-010	AMD-E	96-13-026
222-16-010	AMD-E	96-18-054
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222-16-080	AMD-S	96-20-120
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222-16-085	NEW-S	96-09-099
222-16-085	NEW	96-12-038
222-16-086	NEW-C	96-04-076
222-16-086	NEW-C	96-05-090
222-16-086	NEW-S	96-09-099
222-16-086	NEW	96-12-038
222-16-100	NEW-C	96-04-076
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222-21-010	NEW-W	96-03-067
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222-24-030	AMD-C	96-04-076
222-24-030	AMD-C	96-05-090
222-24-030	AMD-S	96-09-099
222-24-030	AMD	96-12-038
222-24-030	AMD-E	96-13-026
222-24-030	AMD-S	96-20-120
222-30-050	AMD-E	96-03-009
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223-08-085	AMD-P	96-13-106
223-08-085	AMD	96-19-030
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223-08-150	REP	96-15-034
223-08-155	REP-P	96-09-057
223-08-155	REP	96-15-034
223-08-235	REP-P	96-13-106
223-08-235	REP	96-19-030
223-08-257	AMD-P	96-09-057
223-08-257	AMD	96-15-034
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230-02-126	NEW-P	96-19-085
230-02-137	NEW-P	96-03-077
230-02-137	NEW	96-07-075
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230-02-143	NEW-P	96-19-083
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230-02-455	NEW-P	96-19-085
230-02-503	NEW-P	96-19-085
230-02-511	AMD-P	96-03-080
230-02-511	AMD	96-07-076
230-02-530	NEW-P	96-19-085
230-02-535	NEW-P	96-19-085
230-02-540	NEW-P	96-19-085
230-04-024	AMD-P	96-03-077
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230-04-064	AMD-P	96-03-077
230-04-064	AMD	96-07-075
230-04-120	AMD-P	96-05-042
230-04-120	AMD	96-09-071
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230-04-138	AMD-P	96-15-066

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230-04-143	NEW-P	96-19-083
230-04-145	AMD-P	96-19-083
230-04-187	AMD-P	96-05-042
230-04-187	AMD	96-09-071
230-04-190	AMD-P	96-19-084
230-04-202	AMD-P	96-19-084
230-04-203	AMD-P	96-19-084
230-04-204	AMD-P	96-05-043
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230-08-095	AMD-P	96-03-077
230-08-095	AMD	96-07-075
230-08-105	AMD-P	96-07-072
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230-08-125	AMD-P	96-19-084
230-08-255	AMD-P	96-03-077
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230-12-076	NEW-P	96-03-077
230-12-076	NEW	96-07-075
230-12-215	NEW-P	96-19-083
230-20-050	AMD-P	96-03-079
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230-20-052	NEW-P	96-03-079
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230-20-064	AMD	96-07-075
230-20-064	PREP	96-11-125
230-20-064	REP-P	96-19-085
230-20-101	AMD-P	96-07-072
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230-20-103	AMD-P	96-03-079
230-20-103	AMD	96-07-078
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230-20-230	AMD-P	96-03-079
230-20-230	AMD	96-07-078
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230-20-246	AMD	96-13-067
230-20-247	NEW-P	96-11-074
230-20-247	NEW	96-15-064
230-20-247	PREP	96-20-003
230-20-249	NEW-P	96-19-085
230-20-270	PREP	96-20-003
230-20-325	AMD-P	96-03-076
230-20-325	AMD	96-07-077
230-20-325	AMD-P	96-19-085
230-20-335	AMD-P	96-03-076
230-20-335	AMD	96-07-077
230-20-510	NEW-P	96-03-080
230-20-510	NEW	96-07-076
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230-25-040	AMD	96-07-077
230-25-220	AMD-P	96-03-076
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230-30-103	AMD-P	96-19-083
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232-12-064	AMD-P	96-14-131
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232-12-107	AMD-P	96-14-134
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232-12-114	AMD-P	96-14-127
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232-12-121	AMD-P	96-14-135
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232-12-124	AMD-P	96-14-128
232-12-124	AMD	96-18-063
232-12-128	NEW-P	96-14-136
232-12-128	NEW-W	96-18-028
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232-12-147	AMD-C	96-05-044
232-12-147	AMD-W	96-11-083
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232-12-168	AMD-C	96-05-044
232-12-168	AMD	96-11-079
232-12-168	AMD-P	96-06-063
232-12-168	AMD	96-15-096
232-12-16800A	NEW-E	96-10-070
232-12-16800A	REP-E	96-10-070
232-12-275	AMD-P	96-06-064
232-12-275	AMD	96-12-045
232-12-284	AMD-P	96-14-143
232-12-284	AMD	96-22-073
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232-12-619	AMD-P	96-21-150
232-12-61900B	NEW-E	96-10-070
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232-12-827	REP	96-04-027
232-12-828	NEW	96-03-084
232-12-829	REP-E	96-03-083
232-12-829	REP	96-03-084
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232-12-829	REP	96-12-056
232-12-831	REP	96-04-027
232-16-080	AMD-P	96-06-066
232-16-080	AMD	96-12-046
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232-16-080	REP-E	96-17-073
232-16-080	REP	96-18-010
232-16-410	REP-P	96-06-067
232-16-410	REP	96-12-057
232-16-730	NEW-P	96-14-141
232-16-730	NEW-W	96-18-028
232-16-740	NEW-P	96-14-140
232-16-740	NEW	96-18-005
232-16-74000A	NEW-E	96-17-074
232-16-74000B	NEW-E	96-21-004
232-16-750	NEW-P	96-14-125
232-16-750	NEW	96-18-006
232-16-760	NEW-P	96-14-139
232-16-760	NEW	96-18-007
232-16-770	NEW-P	96-14-138
232-16-770	NEW	96-18-008
232-24-120	REP	96-04-027
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232-28-02202	AMD-P	96-21-169
232-28-02203	AMD	96-04-027
232-28-02203	AMD-P	96-21-170

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232-28-02205	AMD-P	96-21-172
232-28-02206	AMD-P	96-21-173
232-28-02210	AMD	96-04-027
232-28-02210	AMD-P	96-21-160
232-28-02220	AMD	96-04-027
232-28-02220	AMD-P	96-21-161
232-28-02230	AMD-P	96-21-162
232-28-02240	AMD	96-04-027
232-28-02240	AMD-P	96-21-163
232-28-02250	AMD	96-04-027
232-28-02250	AMD-P	96-21-164
232-28-02260	AMD-P	96-21-165
232-28-02270	AMD	96-04-027
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232-28-02280	AMD	96-04-027
232-28-02280	AMD-P	96-21-167
232-28-02290	AMD	96-04-027
232-28-02290	AMD-P	96-21-152
232-28-206	REP	96-04-027
232-28-209	REP	96-04-027
232-28-21201	REP	96-04-027
232-28-215	REP	96-04-027
232-28-216	REP	96-04-027
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232-28-240	AMD	96-15-102
232-28-240	AMD-P	96-15-116
232-28-240	AMD	96-18-051
232-28-240	AMD-P	96-21-153
232-28-241	AMD	96-04-027
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232-28-241	AMD	96-12-044
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232-28-249	AMD	96-04-027
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232-28-250	AMD-P	96-06-069
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232-28-252	AMD-P	96-06-071
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232-28-254	AMD-P	96-06-073
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232-28-256	AMD-P	96-06-074
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232-28-257	AMD	96-04-027
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232-28-260	AMD	96-18-066
232-28-261	NEW-P	96-06-075
232-28-261	NEW	96-12-053
232-28-262	NEW-P	96-06-076
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232-28-263	NEW-P	96-14-133
232-28-263	NEW	96-18-067
232-28-264	NEW-P	96-21-158
232-28-265	NEW-P	96-21-159
232-28-404	REP	96-04-027
232-28-407	REP	96-04-027
232-28-419	REP-P	96-06-077
232-28-419	REP	96-12-055
232-28-420	NEW-P	96-14-124
232-28-420	NEW	96-18-003

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232-28-60102	REP	96-04-027
232-28-604	REP	96-04-027
232-28-60415	REP	96-04-027
232-28-605	REP	96-04-027
232-28-60508	REP	96-04-027
232-28-61610	REP	96-04-027
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232-28-619	AMD	96-11-079
232-28-619	AMD-P	96-21-150
232-28-61900K	NEW-E	96-03-053
232-28-61900K	REP-E	96-03-053
232-28-61900L	NEW-E	96-03-054
232-28-61900L	REP-E	96-03-054
232-28-61900M	NEW-E	96-04-043
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232-28-61900P	NEW-E	96-06-007
232-28-61900P	REP-E	96-06-007
232-28-61900P	REP-E	96-13-019
232-28-61900Q	NEW-E	96-10-070
232-28-61900Q	REP-E	96-10-070
232-28-61900R	NEW-E	96-13-019
232-28-61900R	NEW-P	96-14-145
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232-28-61900R	NEW-W	96-18-028
232-28-61900R	REP-W	96-18-028
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232-28-61900S	REP-E	96-15-120
232-28-61900T	NEW-E	96-15-121
232-28-61900U	NEW-E	96-16-019
232-28-61900U	REP-E	96-16-019
232-28-61900V	NEW-E	96-18-048
232-28-61900V	REP-E	96-18-048
232-28-61900W	NEW-E	96-19-052
232-28-61900X	NEW-E	96-20-083
232-28-61900X	REP-E	96-21-032
232-28-61900Y	NEW-E	96-21-032
232-28-812	REP	96-04-027
236-12-015	AMD-E	96-09-006
236-12-015	AMD-P	96-10-019
236-12-015	AMD	96-13-001
236-12-18003	NEW-P	96-21-115
236-12-18005	NEW-P	96-21-115
236-12-18007	NEW-P	96-21-115
236-12-351	AMD-E	96-09-006
236-12-351	AMD-P	96-10-019
236-12-351	AMD	96-13-001
236-12-360	AMD-E	96-09-006
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236-12-361	AMD-E	96-09-006
236-12-361	AMD-P	96-10-019
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236-12-362	REP-E	96-09-006
236-12-362	REP-P	96-10-019
236-12-362	REP	96-13-001
236-12-370	AMD-E	96-09-006
236-12-370	AMD-P	96-10-019
236-12-370	AMD	96-13-001
236-12-371	AMD-E	96-09-006
236-12-371	AMD-P	96-10-019
236-12-371	AMD	96-13-001
236-24-010	PREP-X	96-13-040
236-24-010	REP	96-17-090
236-24-020	PREP-X	96-13-040
236-24-020	REP	96-17-090
236-24-030	PREP-X	96-13-040
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236-48-095	PREP-X	96-13-038
236-48-095	REP	96-17-088

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236-56-100	PREP-X	96-13-037
236-56-100	REP	96-17-087
236-60-001	PREP-X	96-13-036
236-60-005	PREP-X	96-13-036
236-60-010	PREP-X	96-13-036
236-60-020	PREP-X	96-13-036
236-60-030	PREP-X	96-13-036
236-60-040	PREP-X	96-13-036
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246-100-207	AMD-P	96-22-070
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246-826-080	PREP	96-15-072
246-830-005	AMD-P	96-18-095
246-830-005	AMD	96-22-098
246-838-010	PREP-W	96-06-028
246-838-130	PREP-W	96-06-028
246-839-120	PREP-W	96-06-028
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246-840-920	NEW	96-05-060
246-840-930	NEW	96-05-060
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246-840-980	NEW	96-05-060
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246-851-080	REP	96-20-087
246-851-480	PREP	96-11-049
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246-851-480	REP	96-20-087
246-851-490	PREP	96-11-049
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246-851-500	PREP	96-11-049
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246-851-500	AMD	96-20-087
246-851-990	AMD-P	96-15-033
246-851-990	AMD	96-20-088
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246-861-040	AMD	96-11-042
246-869-240	REP	96-03-016
246-872	PREP	96-15-110
246-879	PREP	96-15-109
246-883-020	PREP	96-03-012
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246-883-020	AMD-C	96-14-109
246-883-020	AMD	96-21-041
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246-887-170	PREP	96-10-038
246-904	PREP	96-11-130
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246-915-030	AMD-E	96-03-050
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246-920-890	REP	96-03-073
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246-924-080	AMD	96-08-007
246-924-240	PREP	96-16-009
246-924-250	AMD-P	96-02-086
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246-924-370	PREP	96-16-006
246-924-470	AMD-P	96-02-086
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246-924-480	PREP	96-16-008
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246-924-500	PREP	96-16-009
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246-924-990	AMD	96-08-006
246-924-990	PREP	96-15-071
246-976	PREP	96-17-063
246-976	PREP	96-21-118
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246-976-140	PREP	96-06-049
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246-976-165	NEW	96-03-052
246-976-181	PREP	96-06-049
246-976-181	NEW-P	96-14-111
246-976-181	NEW	96-17-067
249A-01-010	NEW-P	96-20-061
249A-02-010	NEW-P	96-20-062
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249A-02-030	NEW-P	96-20-062
249A-02-040	NEW-P	96-20-062
249A-02-050	NEW-P	96-20-062
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249A-02-830	NEW-P	96-20-062
249A-02-860	NEW-P	96-20-062
249A-04-010	PREP	96-18-056
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250-20-021	AMD-P	96-11-101
250-20-021	AMD	96-18-024
250-65	PREP	96-07-095
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250-65-020	AMD	96-18-023
250-65-060	AMD-P	96-11-090
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251-04-050	AMD	96-11-063
251-06-020	AMD-P	96-08-088
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251-06-070	AMD-P	96-22-084
251-10-030	AMD-P	96-10-065
251-10-030	AMD	96-13-078
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251-12-075	AMD-P	96-22-084
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251-12-099	AMD	96-09-055
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251-12-100	AMD-C	96-07-091
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251-12-104	NEW-C	96-07-091
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251-12-106	NEW-C	96-07-091
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251-12-180	AMD-P	96-04-053
251-12-180	AMD-C	96-07-091
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251-12-232	AMD-C	96-07-091
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251-14-110	AMD-C	96-07-091
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251-14-110	AMD-E	96-19-079
251-14-110	AMD-P	96-22-084
251-14-120	AMD-P	96-22-084
251-14-130	NEW-P	96-04-053
251-14-130	NEW-C	96-07-091
251-14-130	NEW	96-09-055
251-14-130	AMD-P	96-22-084
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251-17-150	AMD	96-11-061
251-17-170	AMD	96-02-072
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251-19-060	AMD-P	96-22-084
251-19-105	REP-W	96-02-069
251-19-105	AMD-P	96-02-071
251-19-105	AMD	96-05-026
251-22-045	AMD-E	96-15-047
251-22-045	AMD-P	96-18-018
251-22-045	AMD	96-21-036
251-22-116	AMD-P	96-08-081
251-22-116	AMD-C	96-09-089
251-22-116	AMD	96-13-077
251-22-124	AMD-E	96-15-047
251-22-124	AMD-P	96-18-018
251-22-124	AMD	96-21-036
251-22-167	AMD-P	96-08-081
251-22-167	AMD-C	96-09-089
251-22-167	AMD	96-13-077
251-22-195	AMD-P	96-08-081
251-22-195	AMD-C	96-09-089
251-22-195	AMD	96-13-077
251-22-197	REP-P	96-08-081
251-22-197	REP-C	96-09-089
251-22-197	REP	96-13-077
251-22-200	AMD-P	96-08-081
251-22-200	AMD-C	96-09-089
251-22-200	AMD	96-13-077
251-22-250	AMD-P	96-08-084
251-22-250	AMD	96-11-059
251-22-260	AMD-E	96-15-047
251-22-260	AMD-P	96-18-018
251-21-260	AMD	96-21-036
251-22-270	AMD-W	96-02-069
251-22-270	AMD-P	96-08-084
251-22-270	AMD	96-11-059
251-22-280	AMD-P	96-08-084
251-22-280	AMD	96-11-059
251-22-280	AMD-E	96-15-047
251-22-280	AMD-P	96-18-018
251-22-280	AMD	96-21-036
251-22-290	AMD-P	96-08-084
251-22-290	AMD	96-11-059
251-22-290	AMD-E	96-15-047
251-22-290	AMD-P	96-18-018
251-22-290	AMD	96-21-036
260-12	PREP	96-03-142
260-12	PREP	96-12-084
260-20	PREP	96-03-143
260-24	PREP	96-06-086
260-24-010	REP-P	96-09-097
260-24-010	REP-W	96-22-020
260-24-020	REP-P	96-09-097
260-24-020	REP-W	96-22-020
260-24-030	REP-P	96-09-097
260-24-030	REP-W	96-22-020
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260-24-070	REP-P	96-09-097
260-24-070	REP-W	96-22-020
260-24-080	REP-P	96-09-097
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260-24-100	REP-W	96-22-020
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260-24-170	REP-P	96-09-097
260-24-170	REP-W	96-22-020
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260-24-230	REP-P	96-09-097
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260-24-270	REP-P	96-09-097
260-24-270	REP-W	96-22-020
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260-24-290	REP-P	96-09-097
260-24-290	REP-W	96-22-020
260-24-300	REP-P	96-09-097
260-24-300	REP-W	96-22-020
260-24-310	REP-P	96-09-097
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260-24-320	REP-P	96-09-097
260-24-320	REP-W	96-22-020
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260-24-440	REP-P	96-09-097
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260-24-450	REP-P	96-09-097
260-24-450	REP-W	96-22-020
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260-24-465	REP-P	96-09-097
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260-24-530	NEW-P	96-09-097
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260-24-670	NEW-P	96-09-097
260-24-670	NEW-W	96-22-020
260-24-680	NEW-P	96-09-097
260-24-680	NEW-W	96-22-020
260-24-690	NEW-P	96-09-097

WAC #		WSR #
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260-48-010	REP	96-10-014
260-48-020	REP-P	96-04-066
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260-48-035	REP-P	96-04-066
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260-48-040	REP-P	96-04-066
260-48-040	REP	96-10-014
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260-48-050	REP	96-10-014
260-48-060	REP-P	96-04-066
260-48-060	REP	96-10-014
260-48-070	REP-P	96-04-066
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260-48-170	REP	96-10-014
260-48-180	REP-P	96-04-066
260-48-180	REP	96-10-014
260-48-190	REP-P	96-04-066
260-48-190	REP	96-10-014
260-48-200	REP-P	96-04-066
260-48-200	REP	96-10-014
260-48-210	REP-P	96-04-066
260-48-210	REP	96-10-014
260-48-220	REP-P	96-04-066
260-48-220	REP	96-10-014
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260-48-331	REP-P	96-04-066
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260-48-350	REP	96-10-014
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260-48-890	NEW	96-10-014
260-48-900	NEW-P	96-04-066
260-48-900	NEW	96-10-014
260-48-910	NEW-P	96-04-066
260-48-910	NEW-W	96-19-006
260-48-920	NEW-P	96-04-066
260-48-920	NEW	96-10-014
260-52	PREP	96-12-085
260-60	PREP	96-03-145
260-60-010	REP-P	96-09-098
260-60-010	REP	96-12-008
260-60-020	REP-P	96-09-098
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260-60-390	NEW	96-12-008
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260-60-410	NEW-P	96-09-098

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260-60-470	NEW-P	96-09-098
260-60-470	NEW	96-12-008
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260-70-010	REP	96-10-001
260-70-021	REP-P	96-04-067
260-70-021	REP	96-10-001
260-70-025	REP-P	96-04-067
260-70-025	REP	96-10-001
260-70-026	REP-P	96-04-067
260-70-026	REP	96-10-001
260-70-027	REP-P	96-04-067
260-70-027	REP	96-10-001
260-70-028	REP-P	96-04-067
260-70-028	REP	96-10-001
260-70-029	REP-P	96-04-067
260-70-029	REP	96-10-001
260-70-031	REP-P	96-04-067
260-70-031	REP	96-10-001
260-70-032	REP-P	96-04-067
260-70-032	REP	96-10-001
260-70-040	REP-P	96-04-067
260-70-040	REP	96-10-001
260-70-050	REP-P	96-04-067
260-70-050	REP	96-10-001
260-70-060	REP-P	96-04-067
260-70-060	REP	96-10-001
260-70-070	REP-P	96-04-067
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260-70-120	REP-P	96-04-067
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260-70-130	REP-P	96-04-067
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260-70-140	REP-P	96-04-067
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260-70-170	REP	96-10-001
260-70-180	REP-P	96-04-067
260-70-180	REP	96-10-001
260-70-190	REP-P	96-04-067
260-70-190	REP	96-10-001
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260-70-200	REP	96-10-001
260-70-210	REP-P	96-04-067
260-70-210	REP	96-10-001
260-70-220	REP-P	96-04-067
260-70-220	REP	96-10-001
260-70-230	REP-P	96-04-067
260-70-230	REP	96-10-001
260-70-240	REP-P	96-04-067
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260-70-250	REP	96-10-001
260-70-260	REP-P	96-04-067
260-70-260	REP	96-10-001
260-70-270	REP-P	96-04-067
260-70-270	REP	96-10-001
260-70-280	REP-P	96-04-067
260-70-280	REP	96-10-001
260-70-290	REP-P	96-04-067
260-70-290	REP	96-10-001
260-70-300	REP-P	96-04-067
260-70-300	REP	96-10-001
260-70-500	NEW-P	96-04-067
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260-70-710	NEW-P	96-04-067
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260-70-730	NEW-P	96-04-067
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275-16-085	PREP	96-14-002
275-16-085	AMD-P	96-15-057
275-16-085	AMD	96-18-090
275-26-010	AMD-P	96-07-090
275-26-010	AMD	96-10-076
275-26-074	NEW-P	96-07-090
275-26-074	NEW	96-10-076
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275-26-077	NEW-P	96-07-090
275-26-077	NEW	96-10-076
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275-27-026	PREP	96-12-034
275-27-030	PREP	96-12-034
275-27-031	PREP	96-12-034
275-27-032	PREP	96-12-034
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275-27-036	PREP	96-12-034
275-27-037	PREP	96-12-034
275-27-040	PREP	96-12-034
275-27-050	PREP	96-12-034
275-27-220	PREP	96-12-016
275-27-221	PREP	96-12-016
275-27-223	PREP	96-12-016
275-30-020	PREP	96-10-058
275-30-020	AMD-P	96-16-091
275-30-020	AMD	96-20-017
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275-46-070	NEW-P	96-14-056
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275-47	PREP	96-15-081
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275-47-050	NEW-P	96-19-020
275-56	PREP	96-12-015
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284-02-010	AMD	96-09-038
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284-04-025	NEW-P	96-19-066
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284-04-030	NEW-S	96-21-128
284-04-035	NEW-P	96-19-066
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284-04-045	NEW-P	96-19-066

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284-04-063	NEW-P	96-19-066
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284-04-080	NEW-P	96-19-066
284-04-080	NEW-S	96-21-128
284-04-090	NEW-P	96-19-066
284-04-090	NEW-S	96-21-128
284-07	AMD-C	96-08-017
284-07	AMD-C	96-09-046
284-07	AMD-C	96-11-046
284-07-050	AMD-P	96-05-091
284-07-050	AMD-C	96-11-046
284-07-050	AMD-C	96-17-033
284-07-050	AMD	96-17-079
284-07-070	AMD-P	96-05-091
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284-07-070	AMD-C	96-17-033
284-07-070	AMD	96-17-079
284-10-140	NEW-C	96-03-033
284-10-140	NEW-C	96-03-075
284-10-140	NEW	96-04-060
284-17	AMD-C	96-15-085
284-17	AMD-C	96-17-006
284-17-220	AMD-P	96-11-144
284-17-220	AMD	96-17-029
284-17-230	AMD-P	96-11-144
284-30-395	NEW-P	96-21-140
284-36A-005	NEW-P	96-19-067
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284-36A-035	NEW-P	96-19-067
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284-43	AMD-P	96-12-072
284-43	AMD	96-16-050
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284-43-100	NEW	96-16-050
284-43-110	NEW-P	96-20-118
284-43-120	NEW-P	96-20-118
284-43-130	NEW-P	96-20-118
284-43-200	NEW-P	96-20-118
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284-44-140	AMD-P	96-07-081
284-44-140	AMD	96-11-004
284-44-240	REP-P	96-20-118
284-44-345	REP-P	96-05-091
284-44-345	REP-C	96-08-017
284-44-345	REP-C	96-09-046
284-44-345	REP-C	96-11-046
284-44-345	REP-C	96-17-033
284-44-345	REP	96-17-079
284-44-410	REP-P	96-20-118
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284-46-025	NEW	96-11-004
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284-46-060	REP-C	96-09-046
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284-58-250	AMD	96-11-004
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284-66-063	AMD-P	96-04-086
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284-66-077	AMD-P	96-04-086
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284-66-110	AMD-P	96-04-086
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284-66-135	NEW	96-09-047
284-66-142	AMD-P	96-04-086
284-66-142	AMD	96-09-047
284-66-203	AMD-P	96-04-086
284-66-203	AMD	96-09-047
284-85	PREP	96-15-044
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284-85	NEW-C	96-17-006
284-85-005	NEW-P	96-11-144
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284-85-900	NEW	96-17-029
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286-13-085	AMD-E	96-11-113
286-13-085	AMD-S	96-12-065
286-13-085	AMD	96-15-082
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286-13-100	AMD	96-08-044
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286-27-040	AMD-P	96-04-054
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286-27-050	AMD-P	96-04-054
286-27-050	AMD	96-08-044

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286-27-070	REP-P	96-04-054
286-27-070	REP	96-08-044
286-27-075	NEW-P	96-04-054
286-27-075	NEW	96-08-044
286-27-080	REP-P	96-04-054
286-27-080	REP	96-08-044
286-30-010	AMD-P	96-04-054
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286-30-020	REP-P	96-04-054
286-30-020	REP	96-08-044
286-30-030	AMD-P	96-04-054
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286-35-030	AMD-P	96-04-054
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286-35-040	AMD-P	96-04-054
286-35-040	AMD	96-08-044
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286-35-050	REP	96-08-044
286-35-060	AMD-P	96-04-054
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286-40-020	AMD-P	96-04-054
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286-40-030	AMD-P	96-04-054
286-40-030	AMD	96-08-044
292-04-270	AMD-E	96-03-092
292-06-001	NEW-P	96-04-083
292-06-001	NEW-W	96-17-053
292-06-005	NEW-P	96-04-083
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292-06-010	NEW-P	96-04-083
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292-06-030	NEW-P	96-04-083
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292-06-170	NEW-P	96-04-083
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292-06-250	NEW-P	96-04-083
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292-06-270	NEW-W	96-17-053
292-06-280	NEW-P	96-04-083
292-06-280	NEW-W	96-17-053
292-08	REP-C	96-17-023
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292-08-010	REP	96-17-024
292-08-020	REP-P	96-05-006
292-08-020	REP	96-17-024
292-08-030	REP-P	96-05-006
292-08-030	REP	96-17-024
292-08-040	REP-P	96-05-006
292-08-040	REP	96-17-024
292-08-050	REP-P	96-05-006
292-08-050	REP	96-17-024
292-11-010	NEW-P	96-21-130
292-11-020	NEW-P	96-21-130
292-11-030	NEW-P	96-21-130
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292-12-160	REP-P	96-05-006
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292-12-170	REP-P	96-05-006
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292-12-180	REP-P	96-05-006
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292-100-010	NEW-P	96-15-095
292-100-010	NEW	96-22-028
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296-17-741	AMD-P	96-05-065
296-17-741	AMD	96-12-039
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296-17-756	AMD-P	96-05-064
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296-17-76209	AMD	96-12-039
296-17-763	AMD-P	96-05-064
296-17-763	AMD-P	96-05-065
296-17-763	AMD	96-12-039
296-17-778	AMD-P	96-05-064
296-17-778	AMD-P	96-05-065
296-17-778	AMD	96-12-039
296-17-855	AMD-P	19-19-100
296-17-870	AMD-P	96-05-064
296-17-870	AMD-P	96-05-065
296-17-870	AMD	96-12-039
296-17-875	AMD-P	96-19-100
296-17-880	AMD-P	96-19-100
296-17-885	AMD-P	96-05-064
296-17-885	AMD-P	96-05-065
296-17-885	AMD	96-12-039
296-17-885	AMD-P	96-19-100
296-17-890	AMD-P	96-19-100
296-17-895	AMD-P	96-03-115
296-17-895	AMD-P	96-05-064
296-17-895	AMD-P	96-05-065
296-17-895	AMD	96-06-025
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296-17-89501	REP-P	96-19-100
296-17-90100	NEW-P	96-13-105
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296-17-90150	NEW-P	96-13-105
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296-17-915	AMD-P	96-05-064
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296-17-915	AMD	96-12-039
296-17-919	PREP	96-03-153
296-17-919	AMD-P	96-07-098
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296-17-91902	AMD-P	96-19-100
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296-17-920	AMD-P	96-03-115
296-17-920	AMD-P	96-05-064
296-17-920	AMD-P	96-05-065
296-17-920	AMD	96-06-025
296-17-920	AMD-W	96-19-007
296-17-920	AMD-P	96-19-100
296-18A-520	PREP	96-03-106
296-20-010	AMD-P	96-05-066
296-20-010	AMD	96-10-086
296-20-01002	PREP	96-17-092
296-20-132	AMD-P	96-05-066
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296-20-135	AMD-P	96-05-066
296-20-135	AMD	96-10-086
296-20-135	PREP	96-13-104
296-20-135	AMD-E	96-14-065
296-20-135	AMD-P	96-16-025
296-20-135	AMD	96-19-060
296-20-200	PREP	96-17-092
296-20-210	PREP	96-17-092
296-20-220	PREP	96-17-092
296-23-180	AMD-P	96-05-066
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296-23-185	AMD-P	96-05-066
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296-23-220	AMD-P	96-05-066
296-23-220	AMD	96-10-086
296-23-230	AMD-P	96-05-066
296-23-230	AMD	96-10-086
296-23-265	PREP	96-17-092
296-23A	PREP	96-11-066
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296-23A-400	AMD	96-10-086
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296-24-23533	AMD-P	96-03-024
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296-27	PREP	96-06-033
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296-30	PREP	96-17-055
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296-31	PREP	96-17-055
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296-31-020	AMD-P	96-21-015
296-31-080	AMD-P	96-21-015
296-45	PREP	96-05-075
296-45-60013	NEW-P	96-09-101
296-45-60013	NEW	96-22-013
296-54	PREP	96-05-075
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296-54-501	AMD-P	96-09-010
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296-54-505	AMD-P	96-09-010
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296-62-07668	AMD-P	96-03-024
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296-62-07701	AMD-P	96-18-114
296-62-07703	AMD-P	96-18-114
296-62-07705	AMD-E	96-08-072
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296-62-07706	AMD-P	96-18-114
296-62-07707	REP-P	96-18-114
296-62-07709	AMD-P	96-18-114
296-62-07711	AMD-P	96-18-114
296-62-07712	AMD-P	96-18-114
296-62-07713	AMD-P	96-18-114
296-62-07715	AMD-P	96-18-114
296-62-07717	AMD-P	96-18-114
296-62-07719	AMD-P	96-18-114
296-62-07721	AMD-P	96-18-114
296-62-07722	NEW-P	96-18-114
296-62-07723	AMD-P	96-18-114
296-62-07725	AMD-P	96-18-114
296-62-07727	AMD-P	96-18-114

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296-62-07731	REP-P	96-18-114
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296-62-07737	AMD-P	96-18-114
296-62-07739	AMD-P	96-03-024
296-62-07739	AMD	96-09-030
296-62-07741	AMD-P	96-18-114
296-62-07745	AMD-P	96-18-114
296-62-07747	AMD-P	96-18-114
296-62-07749	AMD-P	96-18-114
296-62-07751	AMD-P	96-18-114
296-62-07753	AMD-P	96-18-114
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296-65-005	AMD	96-05-056
296-65-007	AMD	96-05-056
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296-65-012	AMD	96-05-056
296-65-015	AMD	96-05-056
296-65-015	PREP	96-14-119
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296-78-750	AMD-P	96-10-085
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296-78-84005	AMD-P	96-10-085
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296-78-84007	AMD-P	96-10-085
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296-93	PREP	96-22-012
296-99	PREP	96-14-117
296-104-010	AMD-P	96-16-063
296-104-010	AMD	96-21-081
296-104-025	PREP	96-09-086
296-104-025	AMD-P	96-16-063
296-104-025	AMD	96-21-081
296-104-065	PREP	96-09-086
296-104-065	AMD-P	96-16-063
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296-104-102	PREP	96-09-086
296-104-102	AMD-P	96-16-063
296-104-102	AMD	96-21-081
296-104-140	AMD-P	96-16-063
296-104-140	AMD	96-21-081
296-104-151	NEW-P	96-16-063
296-104-151	NEW	96-21-081
296-104-170	PREP	96-09-086
296-104-170	AMD-P	96-16-063
296-104-170	AMD	96-21-081
296-104-195	REP-P	96-16-063
296-104-195	REP	96-21-081
296-104-200	AMD-P	96-16-063
296-104-200	AMD	96-21-081
296-104-205	PREP	96-09-086
296-104-205	AMD-P	96-16-063
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296-104-210	PREP	96-09-086
296-104-210	AMD-P	96-16-063
296-104-210	AMD	96-21-081
296-104-215	PREP	96-09-086
296-104-215	AMD-P	96-16-063
296-104-215	AMD	96-21-081
296-104-220	PREP	96-09-086
296-104-220	AMD-P	96-16-063
296-104-220	AMD	96-21-081
296-104-225	REP-P	96-16-063
296-104-225	REP	96-21-081
296-104-230	PREP	96-09-086
296-104-230	AMD-P	96-16-063
296-104-230	AMD	96-21-081
296-104-235	PREP	96-09-086
296-104-235	AMD-P	96-16-063
296-104-235	AMD	96-21-081
296-104-240	PREP	96-09-086
296-104-240	AMD-P	96-16-063
296-104-240	AMD	96-21-081
296-104-245	PREP	96-09-086
296-104-245	AMD-P	96-16-063
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296-104-255	PREP	96-09-086
296-104-255	AMD-P	96-16-063
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296-104-256	PREP	96-09-086
296-104-256	NEW-P	96-16-063
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296-104-260	PREP	96-09-086
296-104-260	AMD-P	96-16-063
296-104-260	AMD	96-21-081
296-104-273	PREP	96-09-086
296-104-273	NEW-P	96-16-063
296-104-273	NEW	96-21-081
296-116-070	PREP	96-21-124
296-116-185	PREP	96-05-054
296-116-185	AMD-P	96-10-055
296-116-185	AMD-C	96-13-057
296-116-185	AMD	96-14-062
296-116-200	PREP	96-21-122
296-116-300	PREP	96-04-052
296-116-300	AMD-P	96-08-067
296-116-300	AMD	96-12-017
296-116-300	AMD-P	96-19-070
296-116-300	AMD-C	96-21-125
296-116-360	PREP	96-21-123
296-126-098	AMD-P	96-14-115
296-126-224	REP-P	96-14-115
296-128-013	NEW-P	96-14-116
296-150A	PREP	96-06-032
296-150A-005	REP-P	96-15-089
296-150A-005	REP	96-21-146
296-150A-011	REP-P	96-15-089
296-150A-011	REP	96-21-146
296-150A-016	REP-P	96-15-089
296-150A-016	REP	96-21-146
296-150A-021	REP-P	96-15-089
296-150A-021	REP	96-21-146
296-150A-024	REP-P	96-15-089
296-150A-024	REP	96-21-146
296-150A-030	REP-P	96-15-089
296-150A-030	REP	96-21-146
296-150A-035	REP-P	96-15-089
296-150A-035	REP	96-21-146
296-150A-040	REP-P	96-15-089
296-150A-040	REP	96-21-146
296-150A-045	REP-P	96-15-089
296-150A-045	REP	96-21-146
296-150A-051	REP-P	96-15-089
296-150A-051	REP	96-21-146
296-150A-055	REP-P	96-15-089
296-150A-055	REP	96-21-146
296-150A-060	REP-P	96-15-089
296-150A-060	REP	96-21-146
296-150A-065	REP-P	96-15-089
296-150A-065	REP	96-21-146
296-150A-070	REP-P	96-15-089
296-150A-070	REP	96-21-146
296-150A-075	REP-P	96-15-089
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296-150A-080	REP-P	96-15-089
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296-150A-090	REP-P	96-15-089
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296-150A-105	REP-P	96-15-089
296-150A-105	REP	96-21-146
296-150A-110	REP-P	96-15-089
296-150A-110	REP	96-21-146
296-150A-115	REP-P	96-15-089
296-150A-115	REP	96-21-146
296-150A-120	REP-P	96-15-089
296-150A-120	REP	96-21-146
296-150A-125	REP-P	96-15-089
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296-150A-130	REP-P	96-15-089
296-150A-130	REP	96-21-146
296-150A-135	REP-P	96-15-089
296-150A-135	REP	96-21-146
296-150A-140	REP-P	96-15-089
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296-150A-150	REP-P	96-15-089
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296-150A-155	REP-P	96-15-089
296-150A-155	REP	96-21-146
296-150A-160	REP-P	96-15-089
296-150A-160	REP	96-21-146
296-150A-170	REP-P	96-15-089
296-150A-170	REP	96-21-146
296-150A-300	REP-P	96-15-089
296-150A-300	REP	96-21-146
296-150A-800	REP-P	96-15-089
296-150A-800	REP	96-21-146
296-150A-805	REP-P	96-15-089
296-150A-805	REP	96-21-146
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296-150A-815	REP	96-21-146
296-150A-820	REP-P	96-15-089

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296-150A-825	REP-P	96-15-089
296-150A-825	REP	96-21-146
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296-150A-830	REP	96-21-146
296-150A-835	REP-P	96-15-089
296-150A-835	REP	96-21-146
296-150A-840	REP-P	96-15-089
296-150A-840	REP	96-21-146
296-150A-845	REP-P	96-15-089
296-150A-845	REP	96-21-146
296-150A-850	REP-P	96-15-089
296-150A-850	REP	96-21-146
296-150A-855	REP-P	96-15-089
296-150A-855	REP	96-21-146
296-150A-860	REP-P	96-15-089
296-150A-860	REP	96-21-146
296-150A-865	REP-P	96-15-089
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296-150A-870	REP-P	96-15-089
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296-150A-875	REP-P	96-15-089
296-150A-875	REP	96-21-146
296-150A-950	REP-P	96-15-089
296-150A-950	REP	96-21-146
296-150A-990	REP-P	96-15-089
296-150A-990	REP	96-21-146
296-150B-005	REP-P	96-15-089
296-150B-005	REP	96-21-146
296-150B-010	REP-P	96-15-089
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296-150B-015	REP-P	96-15-089
296-150B-015	REP	96-21-146
296-150B-020	REP-P	96-15-089
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296-150B-025	REP-P	96-15-089
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296-150B-030	REP-P	96-15-089
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296-150B-035	REP-P	96-15-089
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296-150C-0330	NEW	96-21-146

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296-150C-0380	NEW-P	96-15-089
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308-12-320	AMD-P	96-20-077
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308-12-326	AMD-P	96-20-077
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308-20-208	REP	96-17-040
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308-20-510	REP	96-17-040
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308-48-140	PREP-X	96-13-021
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308-56A-210	AMD	96-03-047
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308-66-110	AMD	96-19-025
308-66-120	AMD-P	96-13-042
308-66-120	AMD	96-19-025
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308-66-155	AMD-P	96-13-042
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308-66-160	AMD	96-19-025
308-66-170	AMD-P	96-13-042
308-66-170	AMD	96-19-025
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308-66-180	AMD-P	96-13-042
308-66-180	AMD	96-19-025
308-66-182	NEW-P	96-21-089
308-66-190	AMD-P	96-13-042
308-66-190	AMD	96-19-025
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308-66-227	NEW-P	96-13-042
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308-90-130	AMD-P	96-21-090
308-90-160	AMD-P	96-21-090
308-93-010	AMD-P	96-07-030
308-93-010	AMD-S	96-11-128
308-93-010	AMD	96-16-038
308-93-050	AMD-P	96-07-030
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308-93-050	AMD	96-16-038
308-93-070	AMD	96-04-004
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308-93-174	REP-P	96-09-041
308-93-174	REP	96-13-055
308-93-440	AMD	96-03-046
308-93-670	AMD	96-03-046
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308-93-700	NEW-S	96-11-128
308-93-700	NEW	96-16-038
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308-93-720	NEW	96-16-038
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308-93-730	NEW-S	96-11-128
308-93-730	NEW	96-16-038
308-93-740	NEW-P	96-07-030
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308-93-750	NEW-P	96-07-030
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308-93-760	NEW	96-16-038
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308-93-770	NEW-S	96-11-128
308-93-770	NEW	96-16-038
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308-94-035	REP	96-13-053
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308-96A-175	AMD	96-21-043
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308-96A-505	AMD-P	96-09-040
308-96A-505	AMD	96-13-054
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308-102-006	AMD	96-20-089
308-104	PREP	96-14-095
308-104-018	NEW-P	96-17-069
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308-124A-422	AMD-P	96-21-113
308-124A-570	AMD-P	96-21-113
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308-124D-040	PREP	96-13-049
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308-124H-025	AMD-P	96-21-113
308-125-010	AMD-P	96-22-062
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308-125-030	AMD-P	96-22-062
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308-126C-090	REP	96-17-040
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308-126C-100	REP	96-17-040
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308-126C-110	REP	96-17-040
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308-129-010	NEW	96-14-092
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308-129-020	NEW-P	96-11-102
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308-129-110	NEW	96-14-092
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308-129-120	NEW-P	96-11-102
308-129-120	NEW	96-14-092
308-129-130	NEW-W	96-08-057
308-129-130	NEW-P	96-11-102
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308-129-220	NEW-W	96-08-057
308-129-230	NEW-W	96-08-057
308-129-230	NEW-P	96-11-102
308-129-230	NEW	96-14-092
308-129-240	NEW-W	96-08-057
308-129-300	NEW-W	96-08-057
308-129-300	NEW-P	96-11-102
308-129-300	NEW	96-14-092

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308-129-320	REP-P	96-21-126
308-129-335	NEW-P	96-21-126
308-129-340	NEW-P	96-21-126
308-129-350	NEW-P	96-21-126
308-330-300	AMD-P	96-10-039
308-330-300	AMD	96-13-089
308-330-305	AMD-P	96-10-039
308-330-305	AMD	96-13-089
308-330-307	AMD-P	96-10-039
308-330-307	AMD	96-13-089
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314-10-100	PREP	96-15-042
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314-14-160	NEW	96-03-074
314-14-170	NEW-W	96-13-087
314-16-190	PREP	96-21-055
314-16-196	AMD	96-03-005
314-16-196	PREP	96-21-055
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314-24-190	AMD-P	96-07-101
314-24-190	AMD-W	96-11-075
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314-24-220	AMD	96-11-076
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315-06-120	PREP	96-12-095
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315-06-120	AMD-P	96-15-126
315-06-120	AMD	96-19-071
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315-06-123	NEW	96-15-124
315-10	PREP	96-15-123
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315-10-050	REP	96-11-107
315-10-070	PREP	96-15-123
315-11	PREP	96-15-123
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315-11A-163	NEW-P	96-03-157
315-11A-163	NEW	96-07-015
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315-11A-163	AMD-P	96-15-126
315-11A-163	AMD	96-19-071
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315-11A-164	AMD	96-15-124
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315-11A-181	NEW	96-19-071
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315-11A-182	NEW	96-19-071
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315-11A-186	NEW-P	96-19-072
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317-21-530	AMD	96-03-070
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317-30-110	REP-P	96-03-071
317-30-110	REP	96-12-077
317-30-120	REP-P	96-03-071
317-30-120	REP	96-12-077
317-30-130	REP-P	96-03-071
317-30-130	REP	96-12-077
317-30-140	REP-P	96-03-071
317-30-140	REP	96-12-077
317-30-150	REP-P	96-03-071
317-30-150	REP	96-12-077
317-30-900	REP-P	96-03-071
317-30-900	REP	96-12-077
317-31	NEW-C	96-09-008
317-31-010	NEW-P	96-03-071
317-31-010	NEW	96-12-077
317-31-020	NEW-P	96-03-071
317-31-020	NEW	96-12-077
317-31-030	NEW-P	96-03-071
317-31-030	NEW	96-12-077
317-31-100	NEW-P	96-03-071
317-31-100	NEW	96-12-077
317-31-110	NEW-P	96-03-071
317-31-110	NEW	96-12-077
317-31-120	NEW-P	96-03-071
317-31-120	NEW	96-12-077
317-31-130	NEW-P	96-03-071
317-31-130	NEW	96-12-077
317-31-140	NEW-P	96-03-071
317-31-140	NEW	96-12-077
317-31-200	NEW-P	96-03-071

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317-31-200	NEW	96-12-077
317-31-200	AMD-E	96-18-022
317-31-210	NEW-P	96-03-071
317-31-210	NEW	96-12-077
317-31-220	NEW-P	96-03-071
317-31-220	NEW	96-12-077
317-31-220	AMD-E	96-18-022
317-31-230	NEW-P	96-03-071
317-31-230	NEW	96-12-077
317-31-230	AMD-E	96-18-022
317-31-240	NEW-P	96-03-071
317-31-240	NEW	96-12-077
317-31-250	NEW-P	96-03-071
317-31-250	NEW	96-12-077
317-31-300	NEW-P	96-03-071
317-31-300	NEW	96-12-077
317-31-310	NEW-P	96-03-071
317-31-310	NEW	96-12-077
317-31-900	NEW-P	96-03-071
317-31-900	NEW	96-12-077
317-50-999	NEW-E	96-08-002
326-02-030	AMD-E	96-13-010
326-02-030	AMD-P	96-21-174
326-30-041	PREP	96-07-089
326-30-041	AMD-P	96-11-100
326-30-041	AMD	96-14-064
326-30-051	AMD-E	96-13-010
326-30-051	AMD-P	96-21-174
326-40-030	PREP	96-07-088
326-40-060	AMD-E	96-13-010
326-40-060	AMD-P	96-21-174
332-24-221	AMD-P	96-08-027
332-24-221	AMD	96-12-020
332-24-301	PREP	96-12-021
332-24-301	AMD-P	96-16-037
332-24-301	AMD	96-21-094
332-24-720	AMD	96-03-003
332-26-040	NEW-E	96-13-048
332-26-050	NEW-E	96-13-048
332-26-060	NEW-E	96-13-048
332-130-025	AMD-P	96-21-093
352-20-010	AMD-P	96-19-080
352-20-010	AMD	96-22-018
352-32-010	AMD-P	96-19-080
352-32-010	AMD	96-22-018
352-32-130	AMD-P	96-19-080
352-32-130	AMD	96-22-018
352-32-250	AMD-P	96-19-080
352-32-250	AMD	96-22-018
352-32-251	AMD-P	96-19-080
352-32-251	AMD	96-22-018
352-32-300	PREP	96-13-079
352-32-300	AMD-P	96-15-108
352-32-300	AMD	96-19-031
352-32-330	NEW-P	96-19-080
352-32-330	NEW	96-22-018
356-05-171	REP-P	96-08-082
356-05-171	REP-C	96-09-088
356-05-171	REP	96-13-076
356-05-415	AMD-W	96-02-069
356-06-080	AMD-P	96-08-087
356-06-080	AMD	96-11-062
356-10-020	AMD-P	96-08-087
356-10-020	AMD	96-11-062
356-14-240	AMD	96-02-073
356-14-260	AMD-P	96-08-082
356-14-260	AMD-C	96-09-088
356-14-260	AMD	96-13-076
356-15-030	AMD-P	96-08-082
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356-15-060	AMD-P	96-02-070
356-15-060	AMD-C	96-07-092
356-15-060	AMD-W	96-09-053
356-15-060	AMD-P	96-10-064
356-15-060	AMD	96-13-075
356-15-070	AMD	96-02-073
356-15-090	AMD	96-02-073
356-15-110	AMD	96-02-073
356-18-025	AMD-E	96-15-046
356-18-025	AMD-P	96-18-019
356-18-025	AMD	96-21-037
356-18-050	AMD-E	96-15-046
356-18-050	AMD-P	96-18-019
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356-18-060	AMD-C	96-09-088
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356-18-080	AMD	96-13-076
356-18-110	AMD-P	96-08-082
356-18-110	AMD-C	96-09-088
356-18-110	AMD	96-13-076
356-18-112	AMD-W	96-02-069
356-18-112	AMD-P	96-08-083
356-18-112	AMD	96-11-058
356-18-112	AMD-E	96-15-046
356-18-112	AMD-P	96-18-019
356-18-112	AMD	96-21-037
356-18-116	AMD	96-02-073
356-18-140	AMD-P	96-08-082
356-18-140	AMD-C	96-09-088
356-18-140	AMD	96-13-076
356-18-145	AMD-P	96-08-082
356-18-145	AMD-C	96-09-088
356-18-145	AMD	96-13-076
356-18-150	AMD-P	96-08-082
356-18-150	AMD-C	96-09-088
356-18-150	AMD	96-13-076
356-22-220	AMD-P	96-08-085
356-22-220	AMD	96-11-060
356-30-025	REP-W	96-02-069
356-30-050	AMD	96-02-073
356-30-065	AMD-W	96-02-069
356-30-067	AMD-W	96-02-069
356-30-230	AMD	96-02-073
356-30-315	AMD	96-02-073
356-30-330	AMD	96-02-073
356-37-020	AMD-P	96-04-052A
356-37-020	AMD	96-07-093
356-37-030	AMD-P	96-04-052A
356-37-030	AMD	96-07-093
356-37-040	AMD-P	96-04-052A
356-37-040	AMD	96-07-093
356-37-050	AMD-P	96-04-052A
356-37-050	AMD	96-07-093
356-37-100	AMD-P	96-04-052A
356-37-100	AMD	96-07-093
356-37-160	NEW-P	96-04-052A
356-37-160	NEW	96-07-093
356-37-170	NEW-P	96-04-052A
356-37-170	NEW	96-07-093
356-42-020	AMD-P	96-06-059
356-42-020	AMD-C	96-09-054
356-42-020	AMD-C	96-11-057
356-42-020	AMD	96-13-074
356-42-045	AMD-P	96-10-066
356-42-045	AMD-W	96-13-073
356-42-055	AMD-P	96-04-052A
356-42-055	AMD	96-07-093
356-46-080	AMD	96-02-073
356-56-115	AMD-P	96-08-089
356-56-115	AMD	96-12-004
359-07	AMD-P	96-20-038
359-09	AMD-P	96-20-038
359-39	AMD-P	96-20-038
359-48	AMD-P	96-20-038
365-135	PREP	96-19-014
365-185-010	NEW-E	96-03-045
365-185-010	NEW	96-04-046
365-185-020	NEW-E	96-03-045
365-185-020	NEW	96-04-046
365-185-030	NEW-E	96-03-045
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365-185-050	NEW-E	96-03-045
365-185-050	NEW	96-04-046
365-185-060	NEW-E	96-03-045
365-185-060	NEW	96-04-046
371-08-001	REP-P	96-10-063
371-08-001	REP	96-15-003
371-08-002	REP-P	96-10-063
371-08-002	REP	96-15-003
371-08-005	REP-P	96-10-063
371-08-005	REP	96-15-003
371-08-010	REP-P	96-10-063
371-08-010	REP	96-15-003
371-08-020	REP-P	96-10-063
371-08-020	REP	96-15-003
371-08-030	REP-P	96-10-063
371-08-030	REP	96-15-003
371-08-032	REP-P	96-10-063
371-08-032	REP	96-15-003
371-08-033	REP-P	96-10-063
371-08-033	REP	96-15-003
371-08-035	REP-P	96-10-063
371-08-035	REP	96-15-003
371-08-040	REP-P	96-10-063
371-08-040	REP	96-15-003
371-08-050	REP-P	96-10-063
371-08-050	REP	96-15-003
371-08-055	REP-P	96-10-063
371-08-055	REP	96-15-003
371-08-061	REP-P	96-10-063
371-08-061	REP	96-15-003
371-08-065	REP-P	96-10-063
371-08-065	REP	96-15-003
371-08-071	REP-P	96-10-063
371-08-071	REP	96-15-003
371-08-075	REP-P	96-10-063
371-08-075	REP	96-15-003
371-08-080	REP-P	96-10-063
371-08-080	REP	96-15-003
371-08-085	REP-P	96-10-063
371-08-085	REP	96-15-003
371-08-100	REP-P	96-10-063
371-08-100	REP	96-15-003
371-08-104	REP-P	96-10-063
371-08-104	REP	96-15-003
371-08-106	REP-P	96-10-063
371-08-106	REP	96-15-003
371-08-125	REP-P	96-10-063
371-08-125	REP	96-15-003
371-08-130	REP-P	96-10-063
371-08-130	REP	96-15-003
371-08-140	REP-P	96-10-063
371-08-140	REP	96-15-003
371-08-144	REP-P	96-10-063
371-08-144	REP	96-15-003
371-08-146	REP-P	96-10-063
371-08-146	REP	96-15-003
371-08-147	REP-P	96-10-063
371-08-147	REP	96-15-003
371-08-148	REP-P	96-10-063
371-08-148	REP	96-15-003
371-08-150	REP-P	96-10-063

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371-08-150	REP	96-15-003
371-08-155	REP-P	96-10-063
371-08-155	REP	96-15-003
371-08-156	REP-P	96-10-063
371-08-156	REP	96-15-003
371-08-162	REP-P	96-10-063
371-08-162	REP	96-15-003
371-08-165	REP-P	96-10-063
371-08-165	REP	96-15-003
371-08-167	REP-P	96-10-063
371-08-167	REP	96-15-003
371-08-180	REP-P	96-10-063
371-08-180	REP	96-15-003
371-08-183	REP-P	96-10-063
371-08-183	REP	96-15-003
371-08-184	REP-P	96-10-063
371-08-184	REP	96-15-003
371-08-185	REP-P	96-10-063
371-08-185	REP	96-15-003
371-08-186	REP-P	96-10-063
371-08-186	REP	96-15-003
371-08-187	REP-P	96-10-063
371-08-187	REP	96-15-003
371-08-188	REP-P	96-10-063
371-08-188	REP	96-15-003
371-08-189	REP-P	96-10-063
371-08-189	REP	96-15-003
371-08-195	REP-P	96-10-063
371-08-195	REP	96-15-003
371-08-196	REP-P	96-10-063
371-08-196	REP	96-15-003
371-08-197	REP-P	96-10-063
371-08-197	REP	96-15-003
371-08-200	REP-P	96-10-063
371-08-200	REP	96-15-003
371-08-215	REP-P	96-10-063
371-08-215	REP	96-15-003
371-08-220	REP-P	96-10-063
371-08-220	REP	96-15-003
371-08-230	REP-P	96-10-063
371-08-230	REP	96-15-003
371-08-235	REP-P	96-10-063
371-08-235	REP	96-15-003
371-08-240	REP-P	96-10-063
371-08-240	REP	96-15-003
371-08-250	REP-P	96-10-063
371-08-250	REP	96-15-003
371-08-255	REP-P	96-10-063
371-08-255	REP	96-15-003
371-08-260	REP-P	96-10-063
371-08-260	REP	96-15-003
371-08-300	NEW-P	96-10-063
371-08-300	NEW	96-15-003
371-08-305	NEW-P	96-10-063
371-08-305	NEW	96-15-003
371-08-310	NEW-P	96-10-063
371-08-310	NEW-S	96-13-065
371-08-310	NEW	96-17-016
371-08-315	NEW-P	96-10-063
371-08-315	NEW	96-15-003
371-08-320	NEW-P	96-10-063
371-08-320	NEW	96-15-003
371-08-325	NEW-P	96-10-063
371-08-325	NEW	96-15-003
371-08-330	NEW-P	96-10-063
371-08-330	NEW	96-15-003
371-08-335	NEW-P	96-10-063
371-08-335	NEW-S	96-13-065
371-08-335	NEW	96-17-016
371-08-340	NEW-P	96-10-063
371-08-340	NEW	96-15-003
371-08-345	NEW-P	96-10-063
371-08-345	NEW-S	96-13-065
371-08-345	NEW	96-17-016
371-08-350	NEW-P	96-10-063
371-08-350	NEW	96-15-003
371-08-355	NEW-P	96-10-063
371-08-355	NEW	96-15-003
371-08-360	NEW-P	96-10-063
371-08-360	NEW	96-15-003
371-08-365	NEW-P	96-10-063
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371-08-370	NEW-P	96-10-063
371-08-370	NEW	96-15-003
371-08-375	NEW-P	96-10-063
371-08-375	NEW	96-15-003
371-08-380	NEW-P	96-10-063
371-08-380	NEW	96-15-003
371-08-385	NEW-P	96-10-063
371-08-385	NEW	96-15-003
371-08-390	NEW-P	96-10-063
371-08-390	NEW	96-15-003
371-08-395	NEW-P	96-10-063
371-08-395	NEW	96-15-003
371-08-400	NEW-P	96-10-063
371-08-400	NEW	96-15-003
371-08-405	NEW-P	96-10-063
371-08-405	NEW	96-15-003
371-08-410	NEW-P	96-10-063
371-08-410	NEW	96-15-003
371-08-415	NEW-P	96-10-063
371-08-415	NEW	96-15-003
371-08-420	NEW-P	96-10-063
371-08-420	NEW	96-15-003
371-08-425	NEW-P	96-10-063
371-08-425	NEW	96-15-003
371-08-430	NEW-P	96-10-063
371-08-430	NEW	96-15-003
371-08-435	NEW-P	96-10-063
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371-08-455	NEW	96-15-003
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371-08-460	NEW	96-15-003
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371-08-490	NEW	96-15-003
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371-08-500	NEW	96-15-003
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371-08-505	NEW-S	96-13-065
371-08-505	NEW	96-17-016
371-08-510	NEW-P	96-10-063
371-08-510	NEW	96-15-003
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371-08-515	NEW	96-15-003
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371-08-555	NEW	96-15-003
371-08-560	NEW-P	96-10-063
371-08-560	NEW	96-15-003
371-08-565	NEW-P	96-10-063
371-08-565	NEW	96-15-003
371-08-570	NEW-P	96-10-063
371-08-570	NEW	96-15-003
374-60-030	AMD	96-04-005
374-60-120	AMD	96-04-005
388-08-425	AMD-P	96-14-102
388-08-425	AMD	96-20-010
388-08-449	AMD-P	96-14-102
388-08-449	AMD	96-20-010
388-08-462	NEW	96-20-010
388-08-466	NEW	96-20-010
388-08-595	NEW-P	96-14-102
388-08-605	NEW-P	96-14-102
388-11-010	REP-P	96-06-039
388-11-010	REP	96-09-036
388-11-011	AMD-P	96-06-039
388-11-011	AMD	96-09-036
388-11-015	AMD-P	96-06-039
388-11-015	AMD	96-09-036
388-11-030	REP-P	96-06-039
388-11-030	REP	96-09-036
388-11-032	REP-P	96-06-039
388-11-032	REP	96-09-036
388-11-035	REP-P	96-06-039
388-11-035	REP	96-09-036
388-11-040	REP-P	96-06-039
388-11-040	REP	96-09-036
388-11-045	AMD-P	96-06-039
388-11-045	AMD	96-09-036
388-11-048	AMD-P	96-06-039
388-11-048	AMD	96-09-036
388-11-055	REP-P	96-06-039
388-11-055	REP	96-09-036
388-11-060	REP-P	96-06-039
388-11-060	REP	96-09-036
388-11-065	AMD-P	96-06-039
388-11-065	AMD	96-09-036
388-11-120	AMD-P	96-06-039
388-11-120	AMD	96-09-036
388-11-140	AMD-P	96-06-039
388-11-140	AMD	96-09-036
388-11-150	AMD-P	96-06-039
388-11-150	AMD	96-09-036
388-11-210	AMD-P	96-06-039
388-11-210	AMD	96-09-036
388-11-215	AMD-P	96-06-039
388-11-215	AMD	96-09-036
388-11-220	AMD-P	96-06-039
388-11-220	AMD	96-09-036
388-11-280	NEW-P	96-06-039
388-11-280	NEW	96-09-036
388-11-285	NEW-P	96-06-039
388-11-285	NEW	96-09-036
388-11-285	PREP	96-21-131
388-11-290	NEW-P	96-06-039
388-11-290	NEW	96-09-036
388-11-295	NEW-P	96-06-039
388-11-295	NEW	96-09-036
388-11-300	NEW-P	96-06-039

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388-11-300	NEW	96-09-036
388-11-305	NEW-P	96-06-039
388-11-305	NEW	96-09-036
388-11-310	NEW-P	96-06-039
388-11-310	NEW	96-09-036
388-11-315	NEW-P	96-06-039
388-11-315	NEW	96-09-036
388-11-400	NEW-P	96-06-039
388-11-400	NEW	96-09-036
388-11-405	NEW-P	96-06-039
388-11-405	NEW	96-09-036
388-11-410	NEW-P	96-06-039
388-11-410	NEW	96-09-036
388-11-415	NEW-P	96-06-039
388-11-415	NEW	96-09-036
388-11-420	NEW-P	96-06-039
388-11-420	NEW	96-09-036
388-11-425	NEW-P	96-06-039
388-11-425	NEW	96-09-036
388-11-430	NEW-P	96-06-039
388-11-430	NEW	96-09-036
388-15	PREP	96-06-009
388-15	PREP	96-12-015
388-15-030	AMD-P	96-13-107
388-15-030	AMD	96-20-093
388-15-134	PREP	96-09-076
388-15-145	AMD-P	96-06-014
388-15-145	AMD	96-09-035
388-15-196	AMD-P	96-13-107
388-15-196	AMD	96-20-093
388-15-198	NEW-P	96-13-107
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388-49-160	AMD-P	96-11-146
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388-49-190	AMD-P	96-20-015
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388-49-310	AMD-S	96-20-092
388-49-330	AMD-P	96-04-036
388-49-330	AMD	96-07-053
388-49-360	AMD-E	96-22-067
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388-49-460	PREP	96-15-090
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388-49-480	PREP	96-09-034
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388-49-500	AMD-P	96-21-135
388-49-505	PREP	96-14-054
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388-49-515	AMD-P	96-15-038
388-49-515	AMD	96-18-042
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388-49-520	AMD	96-18-045
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388-49-535	AMD	96-18-044
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388-73-822	NEW-E	96-07-079
388-73-822	NEW	96-10-032
388-73-823	NEW-P	96-06-051
388-73-823	NEW-E	96-07-079

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388-76	AMD-C	96-13-058
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388-76-405	REP-P	96-06-040
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388-76-755	NEW	96-14-003
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388-76-765	NEW-P	96-06-040

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388-86	PREP	96-07-044
388-86	PREP	96-07-045
388-86	PREP	96-12-015
388-87	PREP	96-07-042
388-87	PREP	96-07-043
388-87	PREP	96-07-044
388-87	PREP	96-07-045
388-87-020	PREP	96-08-091
388-91-005	REP-P	96-16-088
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388-155-620	NEW-P	96-07-010

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388-160-530	AMD-P	96-14-099
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388-215-1385	PREP	96-19-019
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388-215-1390	PREP	96-03-096
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388-215-1610	AMD	96-06-045
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388-270-1125	PREP	96-06-008
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388-290	PREP	96-11-047
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388-301	PREP	96-11-047
388-320-140	AMD-P	96-15-028
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388-330	PREP	96-12-010
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388-518-1810	AMD	96-16-092

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388-519-1905	PREP	96-10-034
388-519-1905	AMD-P	96-14-035
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388-519-1910	PREP	96-04-056
388-519-1910	AMD-P	96-11-011
388-519-1910	AMD	96-14-057
388-519-1930	PREP	96-04-056
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388-519-1930	AMD	96-14-057
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388-521-2106	NEW	96-18-091
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388-522-2230	AMD-E	96-10-033
388-522-2230	PREP	96-10-034
388-522-2230	AMD-P	96-14-035
388-522-2230	AMD	96-16-092
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388-528-2810	PREP	96-16-021
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388-546	PREP	96-07-043
388-550	PREP	96-07-044
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392-141-151	REP-P	96-11-137
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392-141-155	AMD-P	96-11-137
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392-141-160	AMD-P	96-11-137
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392-142-155	AMD-P	96-11-138
392-142-155	AMD	96-16-011
392-143	PREP	96-09-069
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392-151	PREP	96-15-048
392-151-025	AMD-P	96-19-096
392-151-025	AMD	96-22-057
392-151-030	AMD-P	96-19-096
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392-153	PREP	96-11-108
392-153-020	AMD-P	96-18-039
392-153-025	AMD-P	96-18-039
392-153-032	AMD-P	96-18-039
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392-162-005	AMD-W	96-22-066
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392-163	AMD-P	96-16-056
392-163	AMD	96-19-097
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392-167A-020	PREP-X	96-14-019
392-167A-020	REP	96-18-014
392-167A-025	PREP-X	96-14-019
392-167A-025	REP	96-18-014
392-167A-030	PREP-X	96-14-019
392-167A-030	REP	96-18-014
392-167A-035	PREP-X	96-14-019
392-167A-035	REP	96-18-014
392-167A-040	PREP-X	96-14-019
392-167A-040	REP	96-18-014
392-167A-045	PREP-X	96-14-019
392-167A-045	REP	96-18-014
392-167A-050	PREP-X	96-14-019
392-167A-050	REP	96-18-014
392-167A-055	PREP-X	96-14-019
392-167A-055	REP	96-18-014
392-167A-060	PREP-X	96-14-019
392-167A-060	REP	96-18-014
392-167A-065	PREP-X	96-14-019
392-167A-065	REP	96-18-014
392-167A-070	PREP-X	96-14-019
392-167A-070	REP	96-18-014
392-167A-075	PREP-X	96-14-019
392-167A-075	REP	96-18-014
392-167A-080	PREP-X	96-14-019
392-167A-080	REP	96-18-014
392-167A-085	PREP-X	96-14-019
392-167A-085	REP	96-18-014
392-167A-090	PREP-X	96-14-019
392-167A-090	REP	96-18-014
392-193-005	PREP-X	96-14-019
392-193-005	REP	96-18-014
392-193-010	PREP-X	96-14-019
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392-193-020	PREP-X	96-14-019
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392-193-025	PREP-X	96-14-019
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392-193-035	PREP-X	96-14-019
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392-193-045	PREP-X	96-14-019
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392-193-060	PREP-X	96-14-019
392-193-060	REP	96-18-014
392-196	PREP	96-11-140
392-196-086	AMD-P	96-15-113
392-196-086	AMD	96-19-038
392-196-100	AMD-P	96-15-113
392-196-100	AMD	96-19-038
392-300-001	NEW-P	96-14-093
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392-310-020	PREP-X	96-14-019
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392-310-025	PREP-X	96-14-019
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392-320-005	AMD	96-15-115
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392-320-025	AMD-P	96-12-075
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392-320-050	AMD	96-15-115
400-12	PREP	96-16-094
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400-12-525	AMD-P	96-20-121
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400-12-545	AMD-P	96-20-121
400-12-615	AMD-P	96-20-121
400-12-645	NEW-P	96-20-121
400-12-700	AMD-P	96-20-121
415	PREP	96-06-079
415-02-099	REP	96-03-100
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415-04-010	AMD	96-16-020
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415-04-050	NEW	96-16-020
415-08-010	AMD-P	96-07-080
415-08-010	AMD	96-11-036
415-08-015	NEW	96-16-020
415-08-020	AMD-P	96-07-080
415-08-020	AMD	96-11-036
415-08-023	NEW-P	96-07-080
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415-08-027	NEW-P	96-07-080
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415-08-080	AMD-P	96-07-080
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415-08-090	AMD-P	96-07-080
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415-08-100	AMD-P	96-07-080
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415-08-105	AMD-P	96-07-080
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415-08-280	AMD-P	96-07-080
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415-08-420	AMD-P	96-07-080
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415-104-298	NEW-P	96-18-074
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415-104-3304	NEW-P	96-18-074
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415-104-3306	NEW-P	96-18-074
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415-104-3401	NEW-P	96-18-074
415-104-3402	NEW-P	96-18-074

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415-104-363	NEW-P	96-18-074
415-104-365	NEW-P	96-18-074
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415-104-375	NEW-P	96-18-074
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415-104-387	NEW-P	96-18-074
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415-104-395	NEW-P	96-18-074
415-104-397	NEW-P	96-18-074
415-104-401	NEW-P	96-18-074
415-104-405	NEW-P	96-18-074
415-108-340	AMD	96-03-100
415-112-0152	AMD-P	96-21-048
415-112-0160	NEW-P	96-18-073
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415-112-330	AMD-E	96-18-072
415-112-335	NEW-E	96-18-072
415-112-410	REP-P	96-18-073
415-112-411	REP-P	96-18-073
415-112-414	REP-P	96-18-073
415-112-444	NEW-P	96-18-073
415-112-445	NEW-P	96-18-073
415-112-450	NEW-P	96-18-073
415-112-460	NEW-P	96-18-073
415-112-4601	NEW-P	96-18-073
415-112-4603	NEW-P	96-18-073
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415-112-477	NEW-P	96-18-073
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415-112-485	NEW-P	96-18-073
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415-112-540	AMD-P	96-21-048
415-112-545	NEW-P	96-21-048
415-113-0306	AMD-P	96-15-080
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415-113-055	AMD-P	96-15-080
415-113-055	AMD	96-20-004
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415-113-059	AMD	96-20-004
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415-210-020	NEW-P	96-21-083
415-501-010	NEW-P	96-13-100
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415-650-030	NEW-P	96-13-100

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419-04-020	REP	96-17-072
419-04-030	PREP-X	96-14-041
419-04-030	REP	96-17-072
419-18	PREP	96-03-037
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419-18-040	DECOD	96-06-011
419-18-045	DECOD	96-06-011
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419-18-080	DECOD	96-06-011
419-20-010	PREP-X	96-14-040
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419-20-020	PREP-X	96-14-040
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419-20-030	PREP-X	96-14-040
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419-20-150	PREP-X	96-14-040
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419-20-900	PREP-X	96-14-040
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419-28-010	PREP-X	96-14-039
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419-28-020	PREP-X	96-14-039
419-28-020	REP	96-17-072
419-28-030	PREP-X	96-14-039
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419-28-040	PREP-X	96-14-039
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419-28-050	PREP-X	96-14-039
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419-28-060	PREP-X	96-14-039
419-28-060	REP	96-17-072
419-28-070	PREP-X	96-14-039
419-28-070	REP	96-17-072
419-28-080	PREP-X	96-14-039
419-28-080	REP	96-17-072
419-28-990	PREP-X	96-14-039
419-28-990	REP	96-17-072
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419-72-080	DECOD	96-06-011
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419-80-070	DECOD	96-06-011
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434-40-230	AMD-E	96-20-081
434-40-235	NEW-E	96-18-103
434-40-310	REP-E	96-18-103
434-75-010	AMD-E	96-03-140
434-75-010	AMD	96-03-141
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434-75-020	AMD-E	96-03-140
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434-75-020	DECOD	96-03-141
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434-75-160	DECOD	96-03-141
434-75-170	REP-E	96-03-140
434-75-170	REP	96-03-141
434-75-180	AMD-E	96-03-140
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434-75-180	DECOD	96-03-141
434-75-190	AMD-E	96-03-140
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434-75-200	REP-E	96-03-140
434-75-200	REP	96-03-141
434-75-210	AMD-E	96-03-140
434-75-210	AMD	96-03-141
434-75-210	DECOD	96-03-141
434-75-220	AMD-E	96-03-140
434-75-220	AMD	96-03-141
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434-75-230	AMD-E	96-03-140
434-75-230	AMD	96-03-141
434-75-230	DECOD	96-03-141
434-75-240	AMD-E	96-03-140
434-75-240	AMD	96-03-141
434-75-240	DECOD	96-03-141

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434-75-250	AMD	96-03-141
434-75-250	DECOD	96-03-141
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434-75-260	AMD	96-03-141
434-75-260	DECOD	96-03-141
434-75-270	AMD-E	96-03-140
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434-75-270	DECOD	96-03-141
434-75-280	AMD-E	96-03-140
434-75-280	AMD	96-03-141
434-75-280	DECOD	96-03-141
434-75-290	AMD-E	96-03-140
434-75-290	AMD	96-03-141
434-75-290	DECOD	96-03-141
434-75-300	REP-E	96-03-140
434-75-300	REP	96-03-141
434-75-310	AMD-E	96-03-140
434-75-310	AMD	96-03-141
434-75-310	DECOD	96-03-141
434-75-320	AMD-E	96-03-140
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434-75-320	DECOD	96-03-141
434-75-330	AMD-E	96-03-140
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434-75-330	DECOD	96-03-141
434-75-340	AMD-E	96-03-140
434-75-340	AMD	96-03-141
434-75-340	DECOD	96-03-141
434-75-350	AMD-E	96-03-140
434-75-350	AMD	96-03-141
434-75-350	DECOD	96-03-141
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434-120-100	AMD-P	96-05-089
434-120-100	AMD	96-10-021
434-120-105	AMD-P	96-05-089
434-120-105	AMD-W	96-19-008
434-120-130	AMD-P	96-05-089
434-120-130	AMD-W	96-19-008
434-120-140	AMD-P	96-05-089
434-120-140	AMD	96-10-021
434-120-225	AMD-P	96-05-089
434-120-225	AMD	96-10-021
434-120-255	AMD-P	96-05-089
434-120-255	AMD-W	96-19-008
434-120-300	AMD-P	96-05-088
434-120-300	AMD	96-08-049
434-120-335	AMD-P	96-05-088
434-120-335	AMD	96-08-049
434-166-260	AMD-P	96-07-069
434-166-260	AMD	96-10-052
434-166-280	AMD-P	96-07-069
434-166-280	AMD	96-10-052
434-166-290	AMD-P	96-07-069
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440-22	PREP	96-12-015
440-22	PREP	96-22-027
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440-22-005	AMD-S	96-14-055
440-22-406	NEW-P	96-09-078
440-22-406	NEW-C	96-12-033
440-22-406	NEW-S	96-14-055
440-22-408	NEW-P	96-09-078
440-22-408	NEW-C	96-12-033
440-22-408	NEW-W	96-22-019
440-26-005	NEW-P	96-13-101
440-26-005	NEW	96-16-015
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440-26-220	NEW-P	96-13-101
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440-26-240	NEW-P	96-13-101
440-26-240	NEW	96-16-015
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446-10-090	AMD-P	96-21-065
446-16-010	PREP	96-21-112
446-16-025	PREP	96-21-112
446-16-030	PREP	96-21-112
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446-16-120	PREP	96-21-112
446-20-050	PREP	96-21-112
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446-20-100	PREP	96-21-112
446-20-110	PREP	96-21-112
446-20-170	PREP	96-21-112
446-20-280	PREP	96-21-112
446-20-285	PREP	96-21-112
446-20-290	REP-E	96-11-069
446-20-290	PREP	96-11-070
446-20-290	REP-P	96-14-078
446-20-290	REP	96-18-017
446-20-500	PREP	96-21-112
446-20-510	PREP	96-21-112
446-20-520	PREP	96-21-112
446-20-530	PREP	96-21-112
446-20-600	NEW-E	96-11-069
446-20-600	PREP	96-11-070
446-20-600	NEW-P	96-14-078
446-20-600	NEW	96-18-017
446-20-610	NEW-E	96-11-069
446-20-610	PREP	96-11-070
446-20-610	NEW-P	96-14-078
446-20-610	NEW	96-18-017
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446-20-620	PREP	96-11-070
446-20-620	NEW-P	96-14-078
446-20-620	NEW	96-18-017
446-20-630	NEW-E	96-11-069
446-20-630	PREP	96-11-070
446-20-630	NEW-P	96-14-078
446-20-630	NEW	96-18-017
446-65-010	AMD-E	96-14-112
446-65-010	PREP	96-14-113
446-65-010	AMD-P	96-19-077
446-65-010	AMD	96-22-035
458-10	PREP	96-15-135
458-10-010	NEW-P	96-21-116
458-10-020	NEW-P	96-21-116
458-10-030	NEW-P	96-21-116
458-10-040	NEW-P	96-21-116
458-10-050	NEW-P	96-21-116
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458-10-070	NEW-P	96-21-116
458-20-101	PREP	96-15-136
458-20-101	AMD-P	96-22-092
458-20-104	PREP	96-15-136
458-20-104	AMD-P	96-22-092
458-20-12401	NEW-P	96-06-056
458-20-12401	NEW-P	96-09-087
458-20-12401	NEW-E	96-10-020
458-20-12401	NEW	96-16-086
458-20-13601	PREP	96-08-040
458-20-14601	PREP	96-07-097
458-20-14601	NEW-P	96-22-091
458-20-199	AMD-P	96-06-057
458-20-199	AMD-C	96-10-040
458-20-199	AMD	96-12-024
458-20-211	AMD	96-03-139
458-20-226	AMD	96-05-080
458-20-232	PREP-X	96-14-051
458-20-232	REP	96-21-142
458-20-262	PREP	96-17-037
458-20-263	PREP	96-14-079
458-20-263	NEW-E	96-14-080
458-20-263	NEW-E	96-22-017
458-20-263	NEW-P	96-22-093
458-24-010	PREP-X	96-14-049
458-24-010	REP	96-21-141
458-24-020	PREP-X	96-14-049
458-24-020	REP	96-21-141
458-24-030	PREP-X	96-14-049
458-24-030	REP	96-21-141
458-24-040	PREP-X	96-14-049
458-24-040	REP	96-21-141

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458-24-060	REP	96-21-141
458-24-070	PREP-X	96-14-049
458-24-070	REP	96-21-141
458-24-080	PREP-X	96-14-049
458-24-080	REP	96-21-141
458-24-090	PREP-X	96-14-049
458-24-090	REP	96-21-141
458-40-540	AMD-P	96-22-089
458-40-660	PREP	96-06-058
458-40-660	AMD-P	96-10-075
458-40-660	AMD	96-14-063
458-40-660	PREP	96-19-087
458-40-660	AMD-P	96-22-090
458-40-690	PREP	96-19-087
458-40-690	AMD-P	96-22-090
458-53-010	AMD	96-05-002
458-53-020	AMD	96-05-002
458-53-030	AMD	96-05-002
458-53-040	REP	96-05-002
458-53-050	AMD	96-05-002
458-53-051	REP	96-05-002
458-53-070	AMD	96-05-002
458-53-080	AMD	96-05-002
458-53-090	AMD	96-05-002
458-53-095	NEW	96-05-002
458-53-100	AMD	96-05-002
458-53-105	NEW	96-05-002
458-53-110	REP	96-05-002
458-53-120	REP	96-05-002
458-53-130	AMD	96-05-002
458-53-135	NEW	96-05-002
458-53-140	AMD	96-05-002
458-53-141	REP	96-05-002
458-53-142	REP	96-05-002
458-53-150	REP	96-05-002
458-53-160	AMD	96-05-002
458-53-163	REP	96-05-002
458-53-165	REP	96-05-002
458-53-180	REP	96-05-002
458-53-200	AMD	96-05-002
458-53-210	AMD	96-05-002
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458-56-010	REP	96-21-143
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458-56-220	REP	96-21-143
458-56-230	PREP-X	96-14-050
458-56-230	REP	96-21-143
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460-10A-035	REP-P	96-07-084
460-10A-035	REP	96-11-026
460-10A-050	AMD-P	96-07-084
460-10A-050	AMD	96-11-026
460-10A-055	REP-P	96-07-084
460-10A-055	REP	96-11-026
460-10A-060	AMD-P	96-07-084
460-10A-060	AMD	96-11-026
460-10A-065	REP-P	96-07-084
460-10A-065	REP	96-11-026
460-10A-075	REP-P	96-07-084
460-10A-075	REP	96-11-026
460-10A-080	REP-P	96-07-084
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460-10A-090	REP-P	96-07-084
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460-10A-110	AMD-P	96-07-084
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460-10A-115	REP-P	96-07-084
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460-10A-120	REP-P	96-07-084
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460-10A-150	REP-P	96-07-084
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460-10A-155	REP-P	96-07-084
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460-10A-180	AMD-P	96-07-084
460-10A-180	AMD	96-11-026
460-10A-185	NEW-P	96-07-084
460-10A-185	NEW	96-11-026
460-10A-190	NEW-P	96-07-084
460-10A-190	NEW	96-11-026
460-10A-195	NEW-P	96-07-084
460-10A-195	NEW	96-11-026
460-10A-200	NEW-P	96-07-084
460-10A-200	NEW	96-11-026
460-10A-205	NEW-P	96-07-084
460-10A-205	NEW	96-11-026
460-10A-210	NEW-P	96-07-084
460-10A-210	NEW	96-11-026
460-16A-010	PREP	96-03-129
460-16A-010	AMD-P	96-07-057
460-16A-010	AMD	96-11-023
460-16A-015	PREP	96-03-128
460-16A-015	AMD-P	96-07-065
460-16A-015	AMD	96-11-019
460-16A-111	PREP	96-03-127
460-16A-111	AMD-P	96-07-063
460-16A-111	AMD	96-11-020
460-16A-120	PREP	96-03-126
460-16A-120	AMD-P	96-07-062
460-16A-120	AMD	96-11-021
460-16A-125	PREP	96-03-125
460-16A-125	AMD-P	96-07-055
460-16A-125	AMD	96-11-024
460-16A-150	PREP	96-03-125
460-16A-150	AMD-P	96-07-055
460-16A-150	AMD	96-11-024
460-16A-205	PREP	96-03-130
460-16A-205	AMD-P	96-07-061
460-16A-205	AMD	96-11-017
460-16A-390	PREP	96-03-129
460-16A-390	AMD-P	96-07-057
460-16A-390	AMD	96-11-023
460-17A	PREP	96-03-120
460-17A	AMD-P	96-07-083
460-17A	AMD	96-11-027
460-17A-010	AMD-P	96-07-083
460-17A-010	AMD	96-11-027
460-17A-020	AMD-P	96-07-083
460-17A-020	AMD	96-11-027
460-17A-030	AMD-P	96-07-083
460-17A-030	AMD	96-11-027
460-17A-040	AMD-P	96-07-083
460-17A-040	AMD	96-11-027
460-17A-050	AMD-P	96-07-083
460-17A-050	AMD	96-11-027
460-17A-060	AMD-P	96-07-083
460-17A-060	AMD	96-11-027
460-17A-070	AMD-P	96-07-083
460-17A-070	AMD	96-11-027
460-20B-020	PREP	96-03-117
460-20B-020	AMD-P	96-07-059
460-20B-020	AMD-W	96-20-109
460-20B-035	NEW-S	96-12-018
460-20B-035	NEW	96-15-062
460-20B-070	PREP	96-03-117
460-20B-070	NEW-P	96-07-059
460-20B-070	NEW-W	96-20-109
460-33A-020	PREP	96-03-124
460-33A-020	AMD-P	96-07-056
460-33A-020	AMD	96-11-025
460-40A-025	PREP	96-03-122
460-40A-025	REP-P	96-07-060
460-40A-025	REP	96-11-018
460-42A-010	PREP	96-03-119
460-42A-010	REP-P	96-07-067
460-42A-010	REP	96-11-028
460-42A-081	AMD-P	96-03-131
460-42A-081	AMD	96-11-016
460-44A-503	PREP	96-03-116
460-44A-503	AMD-P	96-12-019
460-44A-503	AMD	96-15-063
460-44A-505	PREP	96-03-116
460-44A-506	PREP	96-03-116
460-46A-050	AMD-P	96-03-132
460-46A-050	AMD	96-11-015
460-60A-015	PREP	96-03-123
460-60A-015	AMD-P	96-07-058
460-60A-015	AMD	96-11-022

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460-60A-020	PREP	96-03-123
460-60A-020	AMD-P	96-07-058
460-60A-020	AMD	96-11-022
460-80-160	PREP	96-03-118
460-80-160	REP-P	96-07-066
460-80-160	REP	96-11-029
461-08-001	REP-P	96-10-062
461-08-001	REP	96-15-002
461-08-005	REP-P	96-10-062
461-08-005	REP	96-15-002
461-08-010	REP-P	96-10-062
461-08-010	REP	96-15-002
461-08-015	REP-P	96-10-062
461-08-015	REP	96-15-002
461-08-020	REP-P	96-10-062
461-08-020	REP	96-15-002
461-08-025	REP-P	96-10-062
461-08-025	REP	96-15-002
461-08-030	REP-P	96-10-062
461-08-030	REP	96-15-002
461-08-035	REP-P	96-10-062
461-08-035	REP	96-15-002
461-08-040	REP-P	96-10-062
461-08-040	REP	96-15-002
461-08-045	REP-P	96-10-062
461-08-045	REP	96-15-002
461-08-047	REP-P	96-10-062
461-08-047	REP	96-15-002
461-08-050	REP-P	96-10-062
461-08-050	REP	96-15-002
461-08-053	REP-P	96-10-062
461-08-053	REP	96-15-002
461-08-055	REP-P	96-10-062
461-08-055	REP	96-15-002
461-08-060	REP-P	96-10-062
461-08-060	REP	96-15-002
461-08-065	REP-P	96-10-062
461-08-065	REP	96-15-002
461-08-070	REP-P	96-10-062
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461-08-075	REP-P	96-10-062
461-08-075	REP	96-15-002
461-08-080	REP-P	96-10-062
461-08-080	REP	96-15-002
461-08-085	REP-P	96-10-062
461-08-085	REP	96-15-002
461-08-090	REP-P	96-10-062
461-08-090	REP	96-15-002
461-08-093	REP-P	96-10-062
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461-08-095	REP-P	96-10-062
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461-08-115	REP-P	96-10-062
461-08-115	REP	96-15-002
461-08-120	REP-P	96-10-062
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461-08-125	REP-P	96-10-062
461-08-125	REP	96-15-002
461-08-130	REP-P	96-10-062
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461-08-156	REP-P	96-10-062
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461-08-157	REP-P	96-10-062
461-08-157	REP	96-15-002
461-08-160	REP-P	96-10-062
461-08-160	REP	96-15-002
461-08-167	REP-P	96-10-062
461-08-167	REP	96-15-002
461-08-170	REP-P	96-10-062
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461-08-174	REP-P	96-10-062
461-08-174	REP	96-15-002
461-08-175	REP-P	96-10-062
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461-08-185	REP-P	96-10-062
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461-08-190	REP-P	96-10-062
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461-08-205	REP-P	96-10-062
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461-08-210	REP-P	96-10-062
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461-08-215	REP-P	96-10-062
461-08-215	REP	96-15-002
461-08-220	REP-P	96-10-062
461-08-220	REP	96-15-002
461-08-221	REP-P	96-10-062
461-08-221	REP	96-15-002
461-08-225	REP-P	96-10-062
461-08-225	REP	96-15-002
461-08-230	REP-P	96-10-062
461-08-230	REP	96-15-002
461-08-235	REP-P	96-10-062
461-08-235	REP	96-15-002
461-08-237	REP-P	96-10-062
461-08-237	REP	96-15-002
461-08-240	REP-P	96-10-062
461-08-240	REP	96-15-002
461-08-245	REP-P	96-10-062
461-08-245	REP	96-15-002
461-08-250	REP-P	96-10-062
461-08-250	REP	96-15-002
461-08-255	REP-P	96-10-062
461-08-255	REP	96-15-002
461-08-260	REP-P	96-10-062
461-08-260	REP	96-15-002
461-08-265	REP-P	96-10-062
461-08-265	REP	96-15-002
461-08-270	REP-P	96-10-062
461-08-270	REP	96-15-002
461-08-300	NEW-P	96-10-062
461-08-300	NEW	96-15-002
461-08-305	NEW-P	96-10-062
461-08-305	NEW	96-15-002
461-08-310	NEW-P	96-10-062
461-08-310	NEW-S	96-13-064
461-08-310	NEW	96-17-017
461-08-315	NEW-P	96-10-062
461-08-315	NEW	96-15-002
461-08-320	NEW-P	96-10-062
461-08-320	NEW	96-15-002
461-08-325	NEW-P	96-10-062
461-08-325	NEW	96-15-002
461-08-330	NEW-P	96-10-062
461-08-330	NEW	96-15-002
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461-08-335	NEW	96-15-002
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461-08-340	NEW	96-15-002
461-08-345	NEW-P	96-10-062
461-08-345	NEW	96-15-002
461-08-350	NEW-P	96-10-062
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461-08-355	NEW-P	96-10-062
461-08-355	NEW	96-15-002
461-08-360	NEW-P	96-10-062
461-08-360	NEW	96-15-002
461-08-365	NEW-P	96-10-062
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461-08-370	NEW-P	96-10-062
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461-08-380	NEW	96-15-002
461-08-385	NEW-P	96-10-062
461-08-385	NEW	96-15-002
461-08-390	NEW-P	96-10-062
461-08-390	NEW	96-15-002
461-08-395	NEW-P	96-10-062
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461-08-400	NEW-P	96-10-062
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461-08-405	NEW-P	96-10-062
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461-08-430	NEW	96-15-002
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461-08-440	NEW	96-15-002
461-08-445	NEW-P	96-10-062
461-08-445	NEW	96-15-002
461-08-450	NEW-P	96-10-062
461-08-450	NEW	96-15-002
461-08-455	NEW-P	96-10-062
461-08-455	NEW	96-15-002
461-08-460	NEW-P	96-10-062
461-08-460	NEW	96-15-002
461-08-465	NEW-P	96-10-062
461-08-465	NEW	96-15-002
461-08-470	NEW-P	96-10-062
461-08-470	NEW	96-15-002
461-08-475	NEW-P	96-10-062
461-08-475	NEW	96-15-002
461-08-480	NEW-P	96-10-062
461-08-480	NEW	96-15-002
461-08-485	NEW-P	96-10-062
461-08-485	NEW	96-15-002
461-08-490	NEW-P	96-10-062
461-08-490	NEW	96-15-002
461-08-495	NEW-P	96-10-062
461-08-495	NEW	96-15-002
461-08-500	NEW-P	96-10-062
461-08-500	NEW	96-15-002
461-08-505	NEW-P	96-10-062
461-08-505	NEW	96-15-002

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461-08-510	NEW-P	96-10-062
461-08-510	NEW	96-15-002
461-08-515	NEW-P	96-10-062
461-08-515	NEW	96-15-002
461-08-520	NEW-P	96-10-062
461-08-520	NEW-S	96-13-064
461-08-520	NEW	96-17-017
461-08-525	NEW-P	96-10-062
461-08-525	NEW	96-15-002
461-08-530	NEW-P	96-10-062
461-08-530	NEW	96-15-002
461-08-535	NEW-P	96-10-062
461-08-535	NEW	96-15-002
461-08-540	NEW-P	96-10-062
461-08-540	NEW	96-15-002
461-08-545	NEW-P	96-10-062
461-08-545	NEW	96-15-002
461-08-550	NEW-P	96-10-062
461-08-550	NEW	96-15-002
461-08-555	NEW-P	96-10-062
461-08-555	NEW	96-15-002
461-08-560	NEW-P	96-10-062
461-08-560	NEW	96-15-002
461-08-565	NEW-P	96-10-062
461-08-565	NEW	96-15-002
461-08-570	NEW-P	96-10-062
461-08-570	NEW	96-15-002
461-08-575	NEW-P	96-10-062
461-08-575	NEW	96-15-002
461-08-580	NEW-P	96-10-062
461-08-580	NEW	96-15-002
461-08-585	NEW-P	96-10-062
461-08-585	NEW	96-15-002
468-06	PREP	96-09-013
468-06-030	AMD-P	96-12-036
468-06-030	AMD	96-16-004
468-06-040	AMD-P	96-12-036
468-06-040	AMD	96-16-004
468-06-070	AMD-P	96-12-036
468-06-070	AMD	96-16-004
468-06-090	AMD-P	96-12-036
468-06-090	AMD	96-16-004
468-38-070	AMD-P	96-20-040
468-38-071	NEW-P	96-20-040
468-38-120	PREP	96-11-009
468-38-120	AMD-P	96-15-018
468-38-120	AMD	96-18-053
468-66	PREP	96-06-022
468-66-010	AMD-P	96-10-007
468-66-010	AMD	96-13-007
468-66-080	AMD	96-03-031
468-86-010	NEW-W	96-05-032
468-86-020	NEW-W	96-05-032
468-86-030	NEW-W	96-05-032
468-86-040	NEW-W	96-05-032
468-86-050	NEW-W	96-05-032
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468-86-090	NEW-W	96-05-032
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468-200-060	NEW	96-02-067
468-200-080	NEW	96-02-067
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468-200-110	NEW	96-02-067
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468-200-160	NEW	96-02-067
468-200-160	AMD-P	96-22-063
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468-200-230	NEW	96-02-067
468-200-240	NEW	96-02-067
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468-200-280	NEW	96-02-067
468-200-300	NEW	96-02-067
468-200-320	NEW	96-02-067
468-200-340	NEW	96-02-067
468-200-350	NEW	96-02-067
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468-200-360	NEW	96-02-067
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468-210-001	RECOD	96-17-018
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468-210-010	RECOD	96-17-018
468-210-020	RECOD-P	96-14-024
468-210-020	RECOD	96-17-018
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468-210-040	RECOD-P	96-14-024
468-210-040	RECOD	96-17-018
468-210-050	RECOD-P	96-14-024
468-210-050	RECOD	96-17-018
468-220-010	RECOD-P	96-14-024
468-220-010	RECOD	96-17-018
468-230-050	RECOD-P	96-14-024
468-230-050	RECOD	96-17-018
468-240-002	RECOD-P	96-14-024
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468-240-005	RECOD-P	96-14-024
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468-240-035	RECOD	96-17-018
468-240-040	RECOD-P	96-14-024
468-240-040	RECOD	96-17-018
468-240-045	RECOD-P	96-14-024
468-240-045	RECOD	96-17-018
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468-240-150	RECOD-P	96-14-024
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468-240-165	RECOD-P	96-14-024
468-240-165	RECOD	96-17-018
468-240-170	RECOD-P	96-14-024
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468-240-175	RECOD-P	96-14-024
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468-240-180	RECOD-P	96-14-024
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468-240-190	RECOD-P	96-14-024
468-240-190	RECOD	96-17-018
468-240-195	RECOD-P	96-14-024
468-240-195	RECOD	96-17-018
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468-240-200	RECOD	96-17-018
468-240-205	RECOD-P	96-14-024
468-240-205	RECOD	96-17-018
468-240-210	RECOD-P	96-14-024
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468-240-215	RECOD-P	96-14-024
468-240-215	RECOD	96-17-018
468-240-350	RECOD-P	96-14-024
468-240-350	RECOD	96-17-018
468-240-360	RECOD-P	96-14-024
468-240-360	RECOD	96-17-018
468-240-370	RECOD-P	96-14-024
468-240-370	RECOD	96-17-018
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