

**WSR 06-04-001**  
**NOTICE OF PUBLIC MEETINGS**  
**SOUTH PUGET SOUND**  
**COMMUNITY COLLEGE**  
 [Memorandum—January 12, 2006]

To ensure a quorum, the South Puget Sound Community College board of trustees has changed the date of their regular meeting in February. The meeting on Thursday, February 9, 2006, has been changed to Wednesday, February 15, 2006, 3:00 p.m. in Building 25-Boardroom on the campus of South Puget Sound Community College.

If you have any questions, please contact Diana Toledo at 596-5206.

**WSR 06-04-005**  
**NOTICE OF PUBLIC MEETINGS**  
**OFFICE OF THE**  
**INTERAGENCY COMMITTEE**  
 [Filed January 19, 2006, 10:35 a.m.]

**IAC REGULAR MEETING**  
 February 2 and 3, 2006  
 Room 172, Natural Resources Building  
 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 January 27, 2006, at (360) 902-2637 or TDD (360) 902-1996.

**WSR 06-04-006**  
**NOTICE OF PUBLIC MEETINGS**  
**BEEF COMMISSION**  
 [Memorandum—January 16, 2006]

This is to notify you that the January 17 meeting date of the Washington state beef commission has been rescheduled for Tuesday, January 24. Should there be questions, please contact Rosalee Mohney at (206) 444-2902.

**WSR 06-04-007**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**  
 [Memorandum—January 17, 2006]

Following are meeting notices for materials science and engineering, geography and Tacoma's building and facility use committee. Also, following is a revised schedule for the School of Marine Affairs which shows no meetings July through September.

The department of geography has scheduled faculty meetings on Tuesdays, 2:30-3:30 p.m. in Smith 409 during the year 2006, for the following dates: January 10, 17, 24, and 31, February 7, 14, 21, and 28, March 14, 21, and 28, April 4, 11, 18, and 25, May 2, 9, 16, 23, and 30, June 6, Sep-

tember 19 and 26, October 3, 10, 17, 24, and 31, November 7, 14, 21, and 28, December 5 and 12.

Materials Science and Engineering

**2006 MSE FACULTY MEETING SCHEDULE**

DATES	Day	Location	Time
January 6, 2006	Fridays	243 Wilcox	2:30 p.m.
January 20, 2006	Fridays	243 Wilcox	2:30 p.m.
February 3, 2006	Fridays	243 Wilcox	2:30 p.m.
February 17, 2006	Fridays	243 Wilcox	2:30 p.m.
March 3, 2006	Fridays	243 Wilcox	2:30 p.m.
March 17, 2006	Fridays	243 Wilcox	2:30 p.m.
April 7, 2006	Fridays	243 Wilcox	2:30 p.m.
April 21, 2006	Fridays	243 Wilcox	2:30 p.m.
May 5, 2006	Fridays	243 Wilcox	2:30 p.m.
May 19, 2006	Fridays	243 Wilcox	2:30 p.m.
June 2, 2006	Fridays	243 Wilcox	2:30 p.m.
October 6, 2006	Fridays	243 Wilcox	2:30 p.m.
October 20, 2006	Fridays	243 Wilcox	2:30 p.m.
November 3, 2006	Fridays	243 Wilcox	2:30 p.m.
November 17, 2006	Fridays	243 Wilcox	2:30 p.m.
December 1, 2006	Fridays	243 Wilcox	2:30 p.m.
December 15, 2006	Fridays	243 Wilcox	2:30 p.m.

UW Tacoma  
 Building and Facility Use Committee

Meeting Date	Location (Building and Room #)	Time
January 10 (Monday)	Library LIB240	12:45-1:45
January 24 (Monday)	Library LIB240	12:45-1:45
February 14 (Monday)	Library LIB240	12:45-1:45
February 28 (Monday)	Library LIB240	12:45-1:45
March 14 (Monday)	Library LIB240	12:45-1:45
March 28 (Monday)	Library LIB240	12:45-1:45
April 11 (Monday)	Library LIB240	12:45-1:45
April 25 (Monday)	Library LIB240	12:45-1:45
May 9 (Monday)	Library LIB240	12:45-1:45
May 23 (Monday)	Library LIB240	12:45-1:45
June 13 (Monday)	Library LIB222A	12:45-1:45
June 29 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
July 13 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
July 27 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
August 10 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
August 24 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
September 14 (Wednesday)	Mattress Factory MAT 354	12:45-1:45*
September 28 (Wednesday)	Mattress Factory MAT 354	12:45-1:45*
September 7 (Wednesday)	Mattress Factory MAT 354	12:45-1:45**
September 21 (Wednesday)	Mattress Factory MAT 354	12:45-1:45**
October 12 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
October 26 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
November 9 (Wednesday)	Mattress Factory MAT 354	12:45-1:45*
November 16 (Wednesday)	Mattress Factory MAT 354	11:00-12:00**
November 23 (Wednesday)	Mattress Factory MAT 354	12:45-1:45*
December 14 (Wednesday)	Mattress Factory MAT 354	12:45-1:45
*Cancelled		
**Special		

School of Marine Affairs Faculty Meeting

Meeting Date	Location (Building and Room #)	Time
January 6	MAR 168	12:00 noon - 1:30 p.m.
February 3	MAR 168	12:00 noon - 1:30 p.m.
March 3	MAR 168	12:00 noon - 1:30 p.m.
April 7	MAR 168	12:00 noon - 1:30 p.m.
May 5	MAR 168	12:00 noon - 1:30 p.m.
June 2	MAR 168	12:00 noon - 1:30 p.m.
July - none	none	
August - none	none	
September - none		
October 6	MAR 168	12:00 noon - 1:30 p.m.
November 3	MAR 168	12:00 noon - 1:30 p.m.
December 1	MAR 168	12:00 noon - 1:30 p.m.

**WSR 06-04-008**  
**NOTICE OF PUBLIC MEETINGS**  
**CONVENTION AND TRADE**  
**CENTER**

[Memorandum—January 18, 2006]

A regular meeting of the Washington state convention and trade center board of directors will be held on Tuesday, January 24, 2006, at 2:00 p.m., in Room 3003 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

**WSR 06-04-011**

**AGENDA**

**HEALTH CARE AUTHORITY**

[Filed January 20, 2006, 8:08 a.m.]

**January 31, 2006 Semi-Annual Rule-Making Agenda**

Approximate Preproposal 1. Date 2. Subject Area 3. Contact/Telephone Number	Purpose of the Rule Why is this Significant?	Rule(s) Mandate	Other Agencies who may have interest in the Subject of Rule(s)
1. CR-101 2. November 2005 3. Dolores Reyes-Gonzales, (360) 923-2781	The 2005 legislature created a new dental residency program and appropriated funds in the 2005-07 biennium to HCA for start-up and operating costs for one clinic to establish a program. The community health services (CHS) program will allocate funds to a clinic to implement the legislative initiative. The proposed rules will establish requirements to apply for the dental residency program funding and protocols for stipends for dental residents, and will provide a mechanism for distribution of funds to the clinic(s) that is/are approved for funding.	No mandate, but authorized under chapter 454, Laws of 2005 (SHB 1689).	<ul style="list-style-type: none"> <li>The department of health (DOH) - dental residency work group, lead by CHS, will continue to meet on a quarterly basis.</li> <li>University of Washington - networks with contracted clinics and DOH for adherence to curriculum and licensures.</li> </ul>
1. CR-101 2. November 2005 3. Rosanne Reynolds, (360) 923-2948	Basic health eligibility and premium level are determined based in part on gross family income. Rules need to be evaluated and possibly revised to ensure that they support the intent of the program. Issues to be evaluated include the definition of income, with particular attention to whether clarification is needed regarding specific income sources, such as capital gains, the calculation of self-employment income, and the methodology to be used with one-time payments. Other issues regarding eligibility determinations may also be evaluated as they arise during this review.	No mandate, but authorized under RCW 70.47.050.	Department of social and health services.

Approximate Preproposal 1. Date 2. Subject Area 3. Contact/Telephone Number	Purpose of the Rule Why is this Significant?	Rule(s) Mandate	Other Agencies who may have interest in the Subject of Rule(s)
1. CR-101 2. January 2006 3. Barbara Scott, (360) 923-2642	The HCA will be amending WAC 182-12-115 to address part-time academic employee eligibility for summer coverage.	None.	<ul style="list-style-type: none"> <li>All state and higher education agencies, especially community and technical colleges.</li> </ul>
1. CR-101 2. January 2006 3. Barbara Scott, (306) 923-2642	HCA will be reviewing all requirements in Title 182 WAC related to premium refunds, retiree eligibility and waiving coverage.	None.	<ul style="list-style-type: none"> <li>All state and higher education agencies.</li> <li>K-12 school districts purchasing employee benefits via the PEBB program.</li> <li>Local governments purchasing employee benefits via the PEBB program.</li> </ul>
1. CR-101 2. January 2006 3. Barbara Scott, (360) 923-2642	The HCA will be amending WAC 182-12-116 to further clarify who is eligible to participate in the PEBB medical flexible spending account plan.	None.	<ul style="list-style-type: none"> <li>All state and higher education agencies.</li> </ul>
1. CR-101 2. May 2006 3. Barbara Scott, (360) 923-2642	The HCA will be reviewing options for clarifying, and perhaps modifying, provisions that define employee eligibility.	None.	<ul style="list-style-type: none"> <li>All state and higher education agencies.</li> <li>K-12 school districts purchasing employee benefits via the PEBB program.</li> <li>Local governments purchasing employee benefits via the PEBB program.</li> </ul>

If you have any questions, contact Pete Cutler, Rules Coordinator, at (360) 923-2720.

Pete Cutler  
Rules Coordinator

**WSR 06-04-013**  
AGENDA  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
[Filed January 20, 2006, 12:39 p.m.]

**Semi-Annual Agenda for Rules Under Development**  
**January 1, 2006 - June 30, 2006**

**DIVISION OF CONSUMER SERVICES**

- Chapter 208-620 WAC, Consumer Loan Act, amendments to the rules to conform to statutory changes.

**DIVISION OF SECURITIES**

- WAC 460-24A-105, amendments to conform with a 2004 Model Rule of the North American Securities Administrators Association (NASAA) concerning requirements imposed on investment advisors who take "custody" of client funds or securities.

**WSR 06-04-017**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF AGRICULTURE**  
(Blueberry Commission)  
[Memorandum—January 19, 2006]

At our January 17 meeting of the Washington blueberry commission, the following meeting dates were set for the 2006 year:

April 11, 2006	10:00 a.m.	Chicona Room WSU Puyallup, Washington
June 6, 2006	9:00 a.m.	Teleconference, contact WSDA for call in number
October 17, 2006	10:00 a.m.	Chicona Room WSU Puyallup, Washington
January 16, 2007	10:00 a.m.	Chicona Room WSU Puyallup, Washington

**WSR 06-04-024**  
**INTERPRETIVE AND POLICY STATEMENT**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed January 24, 2006, 12:10 p.m.]

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department for December 2005.

If you have any questions or need additional information, please call Carmen Moore at (360) 902-4206.

**POLICY AND INTERPRETIVE STATEMENTS**

**WISHA Services Division**

WISHA Regional Directive (WRD) 1.65, "Expert Testimony by WISHA Staff" WISHA Regional Directive (WRD) 1.65, "Expert Testimony by WISHA Staff," which provided guidance to WISHA staff regarding expert testimony arising out of their job duties, has been repealed. The policy is no longer needed because guidance on the subject is included in the Compliance and Consultation Manuals. This policy was repealed December 12, 2005.

Contact Marcia Benn, Mailstop 44648, phone (360) 902-5503.

Carmen Moore  
Legislative and  
Governmental Affairs Office

**WSR 06-04-028**  
**NOTICE OF PUBLIC MEETINGS**  
**DEVELOPMENTAL DISABILITIES**  
**ENDOWMENT TRUST FUND**

[Memorandum—January 24, 2006]

**Board Meeting Dates, 2006**

DATE	TIME
March 2, 2006	10 a.m. - 2 p.m.
June 1, 2006	10 a.m. - 2 p.m.
September 7, 2006	10 a.m. - 2 p.m.
December 7, 2006	10 a.m. - 2 p.m.

All of these meetings will be held at the administrative offices of the King County Library System, 960 Newport Way N.W., Issaquah, WA 98027.

**WSR 06-04-030**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY ECONOMIC**  
**REVITALIZATION BOARD**

[Memorandum—January 24, 2006]

**Change of Meeting Location for CERB Meetings**

The community economic revitalization board (CERB) will change the meeting location for the remainder of the biennium (March 06 through May 07). The meeting location

is at the SeaTac International Airport located at 17801 Pacific Highway South, Seattle, WA 98158. The CERB meetings will be held in the Moscow Room. The meeting will begin at 9:00 a.m.

**WSR 06-04-031**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF AGRICULTURE**

(Hop Commission)

[Memorandum—January 23, 2006]

The Washington hop commission has changed the date of its next regular meeting, previously scheduled for February 21. The meeting has been rescheduled for February 23, 2006, beginning at 9:30 a.m. Location: Washington Hop Growers Office, 301 West Prospect Place, Moxee, WA 98936.

This information is being filed as required by RCW 42.30.075.

Interested individuals may contact the Washington hop commission at (509) 453-4749 for additional information.

**WSR 06-04-032**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Memorandum—January 25, 2006]

**2006 MEETING SCHEDULE**

The Washington state board of pilotage commissioners meets the second Thursday of each month at 9:30 a.m., at 2901 Third Avenue, Seattle, WA. The following is the schedule of 2006 board meetings:

- January 12
- February 9
- March 9
- April 13
- May 11
- June 8
- July 13
- August 10
- September 14
- October 12
- November 9
- December 14

In accordance with RCW 42.30.075, this schedule of regular meeting dates for the board of pilotage commissioners is filed with the office of the code reviser for publication in the Washington State Register.

**WSR 06-04-037**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD FOR VOLUNTEER**  
**FIRE FIGHTERS AND RESERVE OFFICERS**  
 [Memorandum—January 25, 2006]

The state board for volunteer firefighters has changed the meeting dates for April and July of 2006. The April meeting date will be Thursday, April 20, 2006, instead of April 21. The July meeting date will be Friday, July 7, 2006, instead of July 21. The meetings will be in the James R. Larson Forum Building, 605 11th Avenue S.E., Suite 112.

**WSR 06-04-038**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (State Capitol Committee)  
 [Memorandum—January 26, 2006]

**WHEN:** January 31, 2006  
**TIME:** 10:00 a.m. to 2:00 p.m.  
**LOCATION:** General Administration Building, Room 207

**WSR 06-04-042**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**SERVICES FOR THE BLIND**  
 [Memorandum—January 26, 2006]

**Community Meeting**  
**Friday, March 3, 2006**  
**4:30 - 6:30 p.m.**

**Location:**  
**Department of Services for the Blind**  
**Conference Room #130**  
**3411 South Alaska Street**  
**Seattle, WA 98118**  
**(800) 552-7103**

**We Want To Hear From You!**

Community meetings give us a chance to inform you about the latest changes at the department of services for the blind, and to discuss issues and challenges. We want to know about your experience with our services. What is working well in your community? What could we do better? What needs are not being met? We will use your comments to develop our state and strategic plans for the coming year.

Whether you are a past, present, or potential consumer of the department of services for the blind, a family member, a community service provider, a friend to someone who is blind, a member of a blind consumer organization, or an interested citizen, we want to hear from you. Please join us

to talk to us in person at our upcoming Seattle community meeting.

**Rehabilitation Council Meeting**  
**Saturday, March 4, 2006**  
**9 a.m. - 4 p.m.**

**Location:**  
**Department of Services for the Blind**  
**Conference Room #130**  
**3411 South Alaska Street**  
**Seattle, WA 98118**  
**(800) 552-7103**

The state rehabilitation council meets on a quarterly basis. The purpose of the council is to develop, analyze, make recommendations, and agree to state goals, the state plan, state policies, and state activities to insure that persons who are blind in Washington state receive the most effective and efficient services possible. **Public comment is scheduled from 10-10:30 a.m.** An agenda is available upon request. Requests for alternative format need to be made by February 24, 2006.

For more information, contact Marla Oughton directly at (206) 721-6430 or toll-free at 1-800-552-7103 or by e-mail at maroughton@dsb.wa.gov. Both meeting sites are barrier free, including the restrooms.

**WSR 06-04-050**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 (Pharmacy and Therapeutics Committee)  
 [Memorandum—January 27, 2006]

PHARMACY AND THERAPEUTICS (P&T) COMMITTEE  
 2006-2007 Meeting Schedule  
 All meetings are held on Wednesdays and begin at 9:00 a.m.

1.	<b>February 15, 2006</b> 9:00 a.m. - 4:00 p.m. Location: Marriott Hotel 3201 South 176th Street Seattle, WA 98188
2.	<b>April 19, 2006</b> 9:00 a.m. - 4:00 p.m. Location: TBA
3.	<b>June 21, 2006</b> 9:00 a.m. - 4:00 p.m. Location: TBA
4.	<b>August 16, 2006</b> 9:00 a.m. - 4:00 p.m. Location: TBA
5.	<b>October 18, 2006</b> 9:00 a.m. - 4:00 p.m. Location: TBA

6.	<p><b>December 20, 2006</b>                  9:00 a.m. - 4:00 p.m.                  Location: TBA</p>
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If you are a person with a disability and need a special accommodation, please contact Regina Chacon, (206) 521-2027.

Please contact Regina Chacon at (206) 521-2027, if you have any questions regarding the meeting schedule or need further information.

**WSR 06-04-052**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed January 27, 2006, 11:34 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: PCM 06-001IRS Injured Spouse Claims.

Subject: IRS injured spouse claims.

Effective Date: January 25, 2006.

Document Description: This notice explains to the division of child support (DCS) staff the changes that DCS support enforcement management system (SEMS) has made to how DCS processes intercepted IRS refunds on joint tax returns. DCS has automated the processing of refunds which might be subject to injured spouse claims to reduce the workload on staff.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail fferry@dshs.wa.gov.

January 26, 2006  
 Fran Ferry

**WSR 06-04-054**  
**POLICY STATEMENT**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed January 27, 2006, 1:52 p.m.]

In accordance with RCW 34.05.230, the following are policy statements issued by the Board of Pilotage Commissioners, 2901 Third Avenue, Seattle, WA 98121.

**The Definition of One Day of Duty Time as Used in Calculating Sea Service:**

The board defines one day of duty time as one day of sea service with no multiples or reductions based upon the type of industry or the watch and schedule a certain officer has to stand. This new policy was issued on September 8, 2005.

Contact Person: Peggy Larson, (206) 515-3904.

**Qualifications of Pilot Applicants Under WAC 363-116-075 When Experience is on Vessels Employing More Than One Master:**

The board is aware that vessel owners of certain classes of vessels may require that two masters, a senior and a junior master, be employed. The board will consider one's time as a junior master to be qualifying time as a master under WAC 363-116-075, if the pilot applicant can demonstrate clearly to the satisfaction of the board that he or she meets certain license, experience and job duty criteria. This new policy was issued on September 8, 2005.

Contact Person: Peggy Larson, (206) 515-3904.

**The Written Examination and Simulator Evaluation Given in November 2005:**

At the request of the agency, the 2005 legislature adopted numerous statutes regarding pilot examination and training reform. The statutory amendments to chapter 88.16 RCW necessitated the adoption of several new and amended sections of chapter 363-116 WAC by the board. This policy statement addresses many of the mandates established by rule regarding the development and administration of the 2005 pilot examination and training program. This new policy was issued on November 10, 2005.

Contact Person: Peggy Larson, (206) 515-3904.

**WSR 06-04-055**  
**RULES COORDINATOR**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed January 27, 2006, 1:53 p.m.]

The Washington state board of pilotage commissioners has a new mailing address: 2901 Third Avenue, Suite 500, Seattle, WA 98121-3014.

Our new office location is 2901 Third Avenue, First Floor, Seattle, WA 98121-3014.

Our new web site is [www.pilotage.wa.gov](http://www.pilotage.wa.gov).

Other contact information that has not changed is phone (206) 515-3904 and (206) 515-3647 and fax (206) 515-3906.

**WSR 06-04-056**  
**PUBLIC RECORDS OFFICER**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed January 27, 2006, 1:54 p.m.]

In accordance with RCW 42.17.253, the public records officer of the Washington state board of pilotage commissioners is Judy Bell. Her contact information is 2901 Third Avenue, Suite 500, Seattle, WA 98121, phone (206) 515-3647, fax (206) 515-3906, [belljud@wsdot.wa.gov](mailto:belljud@wsdot.wa.gov).

**WSR 06-04-060**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**  
 [Memorandum—January 30, 2006]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for Thursday, February 16, 2006, has been cancelled and rescheduled for Thursday, February 23, 2006, 9:00 - 11:00 a.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

**WSR 06-04-061**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**  
 [Memorandum—January 26, 2006]

Following are the regular meeting notices for Portage Bay Insurance Board and the School of Music faculty at the University of Washington. Also following is a revised schedule for the Information School.

**2006 PBI BOARD MEETINGS/PUBLIC MEETINGS**

Wed 1/25	3:00-5 p.m.	142 Gerberding
Wed 4/26	3:00-5 p.m.	26 Gerberding
Wed 7/26	3:00-5 p.m.	142 Gerberding
TBD	3:30-5 p.m.	Gerberding and Hawaii (this is the annual meeting)

Below is the schedule for the "just in case" meetings that are used in case the regularly scheduled meeting is cancelled.

Wed 2/22	3:00-4:30 p.m.	26 Gerberding
Wed 5/24	3:00-4:30 p.m.	142 Gerberding
Wed 8/30	3:00-4:30 p.m.	26 Gerberding

**SCHOOL OF MUSIC FACULTY**  
 Seattle

Meeting Date	Location (Building and Room Number)	Time
January 3, 2006	Music 126	12:30
February 7, 2006	Music 126	12:30
March 7, 2006	Music 126	12:30
April 4, 2006	Music 126	12:30
May 2, 2006	Music 126	12:30
June 6, 2006	Music 126	12:30
October 3, 2006	Music 126	12:30
November 7, 2006	Music 126	12:30
December 5, 2006	Music 126	12:30

**INFORMATION SCHOOL FACULTY MEETING**  
 Seattle

Meeting Date	Location (Building and Room Number)	Time
January 9, 2006	MGH 420	9 a.m. - Noon
February 13, 2006	MGH 420	9 a.m. - Noon
March 13, 2006	MGH 420	9 a.m. - Noon
April 3, 2006	MGH 420	9 a.m. - Noon

Meeting Date	Location (Building and Room Number)	Time
May 8, 2006	MGH 420	9 a.m. - Noon
*cancelled	MGH 420	9 a.m. - Noon
June 5, 2006	MGH 420	9 a.m. - Noon
*October 9, 2006	MGH 420	9 a.m. - Noon
October 30, 2006	MGH 420	9 a.m. - Noon
November 13, 2006	MGH 420	9 a.m. - Noon
December 4, 2006	MGH 420	9 a.m. - Noon

\*Changes per conversation with Karen Erickson on January 25, 2006.

**WSR 06-04-063**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**  
 [Memorandum—January 27, 2006]

**Change of Place of the March Board of Regents' Meeting**

At the direction of the president of the board of regents, the place of the University of Washington board of regents meeting scheduled on Thursday, March 16, 2006, has been changed. The new schedule is noted below.

The Thursday, March 16, 2006, meeting of the board of regents scheduled for 3:00 p.m. in Seattle, Washington on the University of Washington campus in the Peterson Room of the Allen Library will be held on Thursday, March 16, 2006, at 3:00 p.m. in Tacoma on the University of Washington Tacoma campus, in Room 320 of the GWP Building.

If you have any questions about meetings of the board of regents, please contact the board of regents' office at (206) 543-1633.

**WSR 06-04-064**  
**NOTICE OF PUBLIC MEETINGS**  
**NOXIOUS WEED CONTROL BOARD**  
 [Memorandum—January 30, 2006]

The meeting schedule of the Washington state noxious weed control board for the remainder of 2006 is shown below:

March 15 Wednesday 8:30 a.m.	Regular Meeting	Best Western Lake Inn & Conference Center 3000 West Marina Drive Moses Lake, WA
May 17 Wednesday 8:30 a.m.	Regular Meeting	The Center for Urban Horticulture 3501 N.E. 41st Street Seattle, WA 98005
July 19 Wednesday 8:30 a.m.	Regular Meeting	Wenatchee Public Library 310 Douglas Street Wenatchee, WA 98801
September 20 Wednesday 8:30 a.m.	Regular Meeting	Best Western Cottonwood Inn 2300 Market Street Mt. Vernon, WA 98273

November 15 Regular Washington Cattlemen's Association  
 Wednesday Meeting 1301 North Dolarway Road  
 8:30 a.m. Ellensburg, WA 98926  
 1:30 p.m. Hearing on  
 2007 Noxious  
 Weed List

**WSR 06-04-067**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF REVENUE**  
 [Filed January 30, 2006, 1:52 p.m.]

**CANCELLATION OF INTERPRETIVE STATEMENTS**

The department of revenue is announcing the cancellation of the following interpretive statements in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The department of revenue has cancelled the following excise tax advisories (ETAs). A determination as to whether income associated with the activities addressed in these ETAs should be based on the provisions of WAC 458-20-194 Doing business inside and outside the state, as amended effective January 1, 2006.

**ETA 019.04.194 Engaging in Business within the State of Washington**

**ETA 269.04.194 Out-of-State Engineering Firm Performing Services in this State which are Incidental to those Performed by its Out-of-State Office**

**ETA 270.04.194 Interest Income Derived from the Extension of Credit to a party in another State by a Washington Taxpayer with Business Situs in Both States**

**ETA 280.04.193/194 Commissions Earned on Interstate Sales**

**ETA 324.04.194/224 Application of Business and Occupation Tax to Royalty Income Earned Through Grant of Patent Privileges**

Copies of the cancelled documents are available via the internet at <http://www.dor.wa.gov/content/laws/eta/eta.aspx>, or a request for copies may be directed to Roseanna Hodson, Interpretations and Technical Advice Unit, P.O. Box 47453, Olympia, WA 98504-7453, phone (360) 570-6119, fax (360) 586-5543.

Alan R. Lynn  
 Rules Coordinator

**WSR 06-04-068**  
**AGENDA**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed January 30, 2006, 4:21 p.m.]

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 06-06 issue of the Register.

**WSR 06-04-074**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Memorandum—January 31, 2006]

**BOARD OF TRUSTEES**  
**February 3, 2006**  
**Open Public Session at 12:30 p.m. (TAW 215 B&C)**  
**Executive Session at 11:30 a.m. (TAW 215 A)**

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

**WSR 06-04-075**  
**NOTICE OF PUBLIC MEETINGS**  
**PIERCE COLLEGE**  
 [Memorandum—January 31, 2006]

**PIERCE COLLEGE BOARD OF TRUSTEES**  
**2006 REGULAR MEETING SCHEDULE**

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075). The president shall file, with the code reviser, a schedule of the time and place of such meetings on or before January of each year for publication in the Washington State Register.

**2006 REGULAR MEETING SCHEDULE**

DATE	TIME	LOCATION
January 11	12:30 p.m.	Pierce College Puyallup
February 15	12:30 p.m.	Pierce College Fort Steilacoom
March 8	12:30 p.m.	Pierce College Puyallup <i>Joint Lunch with Foundation Board</i>
April 12	12:30 p.m.	Pierce College at McChord
May 10	12:30 p.m.	Pierce College Fort Steilacoom
June	(date, time, and location to be announced at least twenty days prior)	
July 12	12:30 p.m.	Pierce College Puyallup
August	(No meeting is scheduled)	
September 13	12:30 p.m.	Pierce College Fort Steilacoom
October 11	12:30 p.m.	Pierce College Puyallup
November 8	12:30 p.m.	Pierce College Fort Steilacoom
December	(No meeting is scheduled)	

**PLEASE NOTE:** Special meetings may be called at any time by the chairperson or a majority vote of the board. All special meetings will be publicly advertised at least twenty-four hours prior to being convened. A lunch and study session will take place at 11:30 a.m. prior to each board meeting.



**WSR 06-04-077****AGENDA****OFFICE OF  
FINANCIAL MANAGEMENT**

[Filed January 31, 2006, 10:26 a.m.]

In accordance with RCW 34.05.314, the office of financial management (OFM) submits this semiannual agenda for rules under development.

In the past three years, OFM has reviewed and updated three chapters in Title 82 WAC. During the next six-month period, OFM will be reviewing the remaining chapters in Title 82 WAC to determine if changes need to be made, including rule additions, repeals or amendments, to accommodate changes in statute or practice. A rules schedule will be developed based on the outcome of this review.

If you have any questions, please feel free to contact Roselyn Marcus at (360) 902-0568.

Roselyn Marcus  
Director of Legal Affairs  
Rules Coordinator

**WSR 06-04-080****ATTORNEY GENERAL'S OFFICE**

[Filed January 31, 2006, 2:59 p.m.]

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by February 22, 2006. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The attorney general's office seeks public input on the following opinion request(s).

**06-01-04 Request by Ken Jacobsen  
State Representative, 46th District**

**Does RCW 89.08.400(4), as revised by Laws of 2005, ch. 466, require that all collected conservation district special assessments, except for an amount covering costs incurred by the county assessor and county treasurer in spreading and collecting the assessments, not exceeding actual costs, be transferred to the conservation district for use by the district for statutorily-authorized purpose?**

**WSR 06-04-086****INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed January 31, 2006, 4:16 p.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: Division of Child Support Administrative Policy 7.01.

Subject: IRS confidentiality and security.

Effective Date: January 23, 2006.

Document Description: This notice is a sunset review of Administrative Policy 1.07. The policy explains to the division of child [support] (DCS) staff the IRS requirements for security and disclosure of IRS information that DCS must following to participate in the IRS tax refund offset program.

To receive a copy of the interpretive or policy statement, contact Fran Ferry, Division of Child Support, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5322, TDD (360) 753-9122, fax (360) 586-3274, e-mail [fferry@dshs.wa.gov](mailto:fferry@dshs.wa.gov).

January 27, 2006

Fran Ferry

**WSR 06-04-092****NOTICE OF PUBLIC MEETINGS  
EDMONDS COMMUNITY COLLEGE**

[Memorandum—January 27, 2006]

Following are the two revisions to the 2006 meeting schedule of the Edmonds Community College board of trustees.

**Additional Special Study Session: Friday, February 3, 12:00 - 5:00 p.m.**, Special Study Session, Edmonds Conference Center, 201 4th Avenue North, Edmonds, WA.

**Rescheduled Meeting:** The March 20 regular meeting **rescheduled** to a special meeting on **Tuesday, March 14, 4:30 p.m.**, Business and Training Center, 728 134th Street S.W., Building A #128, Everett, WA.

If you have any questions, please feel free to contact Patty Michajla at (425) 640-1516.

**WSR 06-04-093****NOTICE OF PUBLIC MEETINGS  
SKAGIT VALLEY COLLEGE**

[Memorandum—January 25, 2006]

Change of Date for Regular  
February 2006 Board of Trustees Meeting  
for Skagit Valley College  
Community College District 4

At the November 8, 2005, board meeting, the Skagit Valley College board of trustees approved changing the date of the regular February 2006 board meeting from Tuesday, February 14, 4:30 p.m. to Tuesday, February 21, 4:30 p.m.

**WSR 06-04-096****DEPARTMENT OF ECOLOGY**

[Filed February 1, 2006, 10:49 a.m.]

**PUBLIC NOTICE**

**Announcing public comment period  
and formal draft of the  
Phase II Municipal Stormwater Permit  
for Eastern Washington**

The department of ecology (ecology) is issuing a draft general permit to cover municipal stormwater. The title of the draft permit is "Draft National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Stormwater Sewers in Eastern Washington." The permit is also referred to as the "Phase II Municipal Stormwater Permit for Eastern Washington."

**What is being regulated by this permit and who is affected?** In December 1999, the federal Environmental Protection Agency (EPA) published the Phase II municipal stormwater regulations. These regulations went into effect in March 2003. This permit regulates discharges from small municipal separate storm sewer systems (MS4s) located in eastern Washington that discharge into waters of the state. A MS4 is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and/or storm drains which is:

1. Owned or operated by a city, town, county, district, association or other public body created pursuant to state law having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as sewer districts, flood control districts or drainage districts, or similar entity;
2. Designed or used for collecting or conveying stormwater;
3. Not a combined sewer system; and
4. Not part of a publicly owned treatment works (POTW) (see 40 C.F.R. 122.2).

Under EPA rules, entities that need a permit: Own or operate a MS4 that discharges to surface waters; are located in urbanized areas as defined by the United States Census

Bureau; and serve a population of more than 1,000. For maps of census defined urban areas in eastern Washington and associated permit coverage areas, please consult ecology's webpage [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

Cities, towns, and counties that may be subject to this permit include:

**Cities and Towns:** Asotin, Clarkston, East Wenatchee, Ellensburg, Liberty Lake, Kennewick, Millwood, Moses Lake, Pasco, Pullman, Richland, Selah, Spokane, Spokane Valley, Sunnyside, Union Gap, Walla Walla, Wenatchee, West Richland, and Yakima.

**Counties:** Asotin, Benton, Chelan, Douglas, Franklin, Spokane, Walla Walla, and Yakima.

In addition, the EPA rules also require permit coverage for special purpose districts operating a regulated MS4 within census defined urban areas (see list above). A special purpose district is subject to this permit if the district:

1. Is a public entity;
2. Is located within or partially within the census defined urban areas of eastern Washington;
3. Owns or operates a stormdrain system that discharges to surface waters; and
4. Serves more than 1,000 people, including resident and commuter population.

Special purpose districts that could be subject to this permit include public ports, irrigation districts, diking and drainage districts, flood control districts, public schools, public universities, and state agencies. Ecology will regulate special purpose districts subject to this permit as secondary permittees. Secondary permittees will generally have reduced permit requirements.

This permit will not apply to the Washington state department of transportation, which ecology will cover under a separate permit.

**Purpose of the general permit:** The proposed general permit covers stormwater discharges from separate stormwater sewer systems in certain urbanized areas of eastern Washington. Federal and state water quality laws require a permit for the discharge of stormwater (Federal Water Pollution Control Act Title 22 United States Code, Section 1251 et seq., State Water Pollution Control Act, chapter 90.48 RCW). The proposed permit addresses these legal requirements and requires the public entities covered by the permit to control the discharge of pollutants to protect surface water and ground water quality in Washington state.

The proposed general permit will require municipalities and other entities covered by the permit to develop and implement a stormwater management program. A stormwater management program contains the following elements:

1. Public education and outreach,
2. Public involvement and participation,
3. Illicit discharge detection and elimination,
4. Construction site stormwater runoff control,
5. Post construction stormwater management, and
6. Pollution prevention and good housekeeping.

The stormwater management program includes requirements for controlling pollution in stormwater from areas of existing development, as well as in areas of expected future growth. In addition, the proposed permit requires programs

to address approved total maximum daily loads (TMDLs) or water cleanup plan requirements, and to evaluate the program itself.

**How to obtain a copy of the draft permit:** The draft permit, fact sheet, and application (also called notice of intent or NOI) are available online at [http://www.ecy.wa.gov/programs/wq/stormwater/eastern\\_manual/index.html](http://www.ecy.wa.gov/programs/wq/stormwater/eastern_manual/index.html).

To obtain printed copies of the draft permit, fact sheet, and NOI, contact Jennifer Hennessey, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7529, fax (360) 407-6426, e-mail [jenh461@ecy.wa.gov](mailto:jenh461@ecy.wa.gov).

**Submitting comments:** Ecology will accept written and oral comments on the draft permit and fact sheet. Comments should reference specific text, including page and line numbers, where possible.

Please submit written comments to Department of Ecology, Water Quality Program, Eastern Washington Phase II Municipal Stormwater Permit, P.O. Box 47696, Olympia, WA 98504-7696, e-mail [EasternComments@ecy.wa.gov](mailto:EasternComments@ecy.wa.gov), fax (360) 407-6426.

Ecology must receive all written, e-mailed and faxed comments by 5:00 p.m. on May 19, 2006. Oral comments can be made by attending and testifying at the public hearing on April 25 (see the information below).

**Hearing:** The hearing provides the public an opportunity to give formal comments on the proposed permit. A short workshop, including a question and answer session, will precede the hearing.

**Ellensburg:** Tuesday, April 25, 2006 following the workshop at 1:00 p.m., Hal Holmes Community Center, 201 North Ruby Street, Ellensburg.

**Public workshops:** The purpose of the workshops is to explain the general permit, to inform participants of how this draft of the permit has changed from the previous draft of the permit, and to answer questions. Ecology will **not** accept formal oral testimony/comments on the draft permit, fact sheet, or NOI at the public workshops. The public workshops on the draft general permit will be held at the following locations, dates, and times:

**Kennewick:** Wednesday, April 5, 2006 from 1:00 p.m. to 5:00 p.m., Benton County PUD Auditorium, 2721 West 10th Avenue, Kennewick.

**Spokane:** Thursday, April 13, 2006 from 1:00 p.m. to 5:00 p.m., Spokane Public Health District Room 140 (Auditorium), 1101 West College Avenue, Spokane.

**Secondary permittee workshops:** Ecology will also hold two public workshops specifically for the public entities who are not cities, towns, or counties that may also be required to obtain coverage under this permit. The purpose of the workshops is to explain the general permit, to go through the stormwater management program requirements for these entities, and to answer questions.

**Ellensburg:** Tuesday, March 14, 2006 from 1:00 p.m. to 5:00 p.m., Hal Holmes Community Center, 201 North Ruby Street, Ellensburg.

**Lacey:** Tuesday, March 28, 2006, from 1:00 p.m. to 5:00 p.m., Lacey Community Center, 6729 Pacific Avenue S.E., Lacey.

**Issuing the final general permit:** Ecology will issue the final permit after it considers all public comments and makes final changes to the draft permit. Ecology expects to issue the final general permit at the end of September 2006. The permit will become effective thirty days after the date of issuance. When ecology issues the permit, it will send a copy of the final permit and fact sheet, including a formal written response to all comments received, to each person who provided comments during the public comment period.

**WSR 06-04-097**

**DEPARTMENT OF ECOLOGY**

[Filed February 1, 2006, 10:50 a.m.]

**PUBLIC NOTICE**

**Announcing public comment period and formal draft for the reissued Municipal Stormwater Phase I General Permit**

The department of ecology (ecology) is issuing a draft general permit to cover municipal stormwater. The title of the draft permit is "National Pollutant Discharge Elimination System and State Waste Discharge General Permit for Discharges from Large and Medium Municipal Separate Stormwater Sewers." The permit is also referred to as the "Phase I Municipal Stormwater Permit," or the "Phase I Permit."

**Background:** In 1987, Congress amended the Clean Water Act to include stormwater discharges in the national pollutant discharge elimination system (NPDES) permit program. Under these amendments, permits for large and medium municipal separate storm sewer systems are required. Ecology issued the first Phase I municipal stormwater permits in 1995. These permits expired in 2000; however, they remain in effect until ecology issues the new permit. The 1995 Phase I Permits cover cities and counties by watershed regions. The permits cover the cities of Seattle and Tacoma and King, Pierce, and Snohomish counties. Storm sewer systems operated by the Washington state department of transportation which are located in the cities of Seattle and Tacoma and the unincorporated areas of King, Pierce, and Snohomish counties are also covered by the Phase I Permit. In 1999, ecology issued an individual Phase I municipal stormwater permit to cover Clark County. Ecology proposes to reissue permit coverage for the 1995 general permits and Clark County's individual permit through the permit announced in this notice.

**What is being regulated by this permit and who is affected?** The Phase I Permit regulates discharges to waters of the state from municipal separate storm sewer systems.

A municipal separate storm sewer system (MS4) is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and/or storm drains which is:

1. Owned or operated by a city, town, county, district, association, or other public body created pursuant to state law

having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as sewer districts, flood control districts or drainage districts, or similar entity;

2. Designed or used for collecting or conveying stormwater;

3. Not a combined sewer system; and

4. Not part of a publicly owned treatment works (POTW) (see 40 C.F.R. 122.2).

This proposed Phase I municipal stormwater permit will apply to the cities of Seattle and Tacoma and the unincorporated areas of Clark, King, Pierce, and Snohomish counties. This permit will also apply to special purpose districts located within those jurisdictions.

A special purpose district is subject to this permit if the district:

1. Is a public entity;

2. Is located within or partially within the cities of Seattle or Tacoma or the unincorporated area of Clark, King, Pierce, and Snohomish counties; and

3. Owns or operates a stormdrain system that discharges to surface waters.

Special purpose districts that could be subject to this permit include public ports (including the ports of Tacoma and Seattle), irrigation districts, diking and drainage districts, flood control districts, public schools, public universities, and state agencies. Ecology will regulate special purpose districts subject to this permit as secondary permittees. Secondary permittees will generally have reduced permit requirements.

This permit will not apply to municipal separate storm sewers systems owned or operated by the Washington state department of transportation (WSDOT). Ecology will issue a separate permit to cover WSDOT.

**Purpose of the permit:** Federal and state water quality laws require a permit for the discharge of stormwater (see Federal Water Pollution Control Act Title 22 United States Code, Section 1251 et seq., state Water Pollution Control Act, chapter 90.48 RCW and Washington waste discharge general permit regulation WAC 173-226-130). The proposed permit addresses these legal requirements and controls the discharge of pollutants to protect surface water and ground water quality in Washington state.

The proposed Phase I Permit will require municipalities and other entities covered by the permit to develop and implement a stormwater management program to control stormwater runoff into and from their storm sewer system. The goals of the stormwater management program are to:

- Reduce the discharge of pollutants to the "maximum extent practicable."
- Protect water quality.
- Satisfy appropriate requirements of the Clean Water Act.

**How to obtain a copy of the draft permit:** The draft Phase I Permit, fact sheet and application (Notice of intent to be covered or NOI) are available online at [http://www.ecy.wa.gov/programs/wq/stormwater/municipal/issue\\_permits.html](http://www.ecy.wa.gov/programs/wq/stormwater/municipal/issue_permits.html).

To obtain printed copies of the draft Phase I Permit, fact sheet, and NOI, contact Jennifer Hennessey, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone

(360) 407-7529, fax (360) 407-6426, e-mail [jenh461@ecy.wa.gov](mailto:jenh461@ecy.wa.gov).

**Submitting comments:** Ecology will accept written and oral comments on the draft Phase I Permit, fact sheet, and NOI. Comments should reference specific text, including page and line numbers where possible.

Please submit written comments to Department of Ecology, Water Quality Program, Phase I Municipal Stormwater Permit Comments, P.O. Box 47696, Olympia, WA 98504-7696, fax (360) 407-6426, e-mail [Phase1Comments@ecy.wa.gov](mailto:Phase1Comments@ecy.wa.gov).

Ecology must receive all written, e-mailed and faxed comments by 5:00 p.m. on May 19, 2006. Oral comments can be made by attending and testifying at the public hearing on May 2 (see information below).

**Hearing:** The hearing provides the public an opportunity to give formal comments on the proposed permit. A short workshop, including a question and answer session, will precede the hearing:

**Tacoma:** Tuesday, May 2, 2006, following a short workshop at 1:00 p.m., Pierce County Library Administrative Services Center, 3005 112 Street East, Tacoma.

**Public workshops:** The purpose of the workshops is to explain the permit, to inform participants of how this draft of the permit has changed from the previous draft of the permit, and to answer questions. Ecology will **not** accept formal oral testimony/comments on the draft permit, fact sheet, or NOI at the public workshops. The public workshops on the draft general permit will be held at the following locations, dates, and times:

**Mount Vernon:** Friday, March 31, 2006, from 10:00 a.m. to 4:00 p.m., Skagit PUD #1, 1415 Freeway Drive, Mount Vernon.

**Tacoma:** Tuesday, April 4, 2006, 10:00 a.m. to 4:00 p.m., Pierce County Library Administrative Center, 3005 112 Street East, Tacoma.

**Vancouver:** Tuesday, April 11, 2006, from 10:00 a.m. to 4:00 p.m., Water Resources Education Center, Bruce Hagensen Community Room, 4600 S.E. Columbia Way, Vancouver.

**Bellevue:** Tuesday, April 18, 2006, from 10:00 a.m. to 3:30 p.m., Lewis Creek Park Visitor Center, 5808 Lakemont Boulevard, Bellevue.

**Secondary permittee workshop:** Ecology will also hold two public workshops specifically for the public entities who are not cities, towns, or counties that may also be required to obtain coverage under this permit. The purpose of these workshops is to explain the general permit, to go through the stormwater management program requirements for these entities, and to answer questions.

**Ellensburg:** Tuesday, March 14, 2006, from 1:00 p.m. to 5:00 p.m., Hal Holmes Community Center, 201 North Ruby Street, Ellensburg.

**Lacey:** Tuesday, March 28, 2006, from 1:00 p.m. to 5:00 p.m., Lacey Community Center, 6729 Pacific Avenue S.E., Lacey.

**Issuing the final general permit:** Ecology will issue the final permit after it considers all public comments and makes final changes to the draft permit. Ecology expects to issue the final Phase I Permit in late September 2006. The

permit will become effective thirty days after the date of issuance. When ecology issues the permit, it will send a copy of the final permit and fact sheet, including a formal written response to all comments received, to each person who provided comments during the public comment period.

**WSR 06-04-098**

**DEPARTMENT OF ECOLOGY**

[Filed February 1, 2006, 10:50 a.m.]

**PUBLIC NOTICE**

**Announcing public comment period and  
formal draft of the Phase II  
Municipal Stormwater Permit  
for Western Washington**

The department of ecology (ecology) is issuing a draft general permit to cover municipal stormwater. The title of the draft permit is: "Draft National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Discharges from Small Municipal Separate Stormwater Sewers in Western Washington." The permit is also referred to as the "Phase II Municipal Stormwater Permit for Western Washington."

**What is being regulated by this permit and who is affected?** In December 1999, the federal Environmental Protection Agency (EPA) published the Phase II municipal stormwater regulations. These regulations went into effect in March 2003. This permit regulates discharges from small municipal separate storm sewer systems located in western Washington. A municipal separate storm sewer system (MS4) is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

1. Owned or operated by a city, town, county, district, association, or other public body created pursuant to state law having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as sewer districts, flood control districts or drainage districts, or similar entity;
2. Designed or used for collecting or conveying stormwater;
3. Not a combined sewer system; and
4. Not part of a publicly owned treatment works (POTW) (see 40 C.F.R. 122.2).

Under EPA rules, entities that need a permit: Own or operate a MS4 that discharges to surface waters; are located in urbanized areas as defined by the United States Census Bureau; and serve a population of more than 1,000. For maps of census defined urban areas in western Washington and associated permit coverage areas, please consult ecology's webpage [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

Cities, towns, and counties in western Washington that may be subject to this permit include:

Cities and Towns: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point.

Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.

In addition, the EPA rules also require permit coverage for special purpose districts operating a regulated MS4 within census defined urban areas (see list above). A special purpose district is subject to this permit if the district:

1. Is a public entity;
2. Is located within or partially within the census defined urban areas of western Washington;
3. Owns or operates a stormdrain system that discharges to surface waters; and
4. Serves more than 1,000 people, including resident and commuter population.

Special purpose districts that could be subject to this permit include public ports, irrigation districts, diking and drainage districts, flood control districts, public schools, public universities, and state agencies. Ecology will regulate special purpose districts subject to this permit as secondary permittees. Secondary permittees will generally have reduced permit requirements.

This permit will not apply to the Washington state department of transportation, which ecology will cover under a separate permit.

**Purpose of the general permit:** The proposed general permit covers stormwater discharges from separate stormwater sewer systems in certain urbanized areas of western Washington. Federal and state water quality laws require a permit for the discharge of stormwater (Federal Water Pollution Control Act Title 22 United States Code, Section 1251 et seq., State Water Pollution Control Act chapter 90.48 RCW). The proposed permit addresses these legal requirements and requires the public entities covered by the permit to control the discharge of pollutants to protect surface water and ground water quality in Washington state.

The proposed general permit will require municipalities and other entities covered by the permit to develop and implement a stormwater management program. A stormwater management program contains the following elements:

1. Public education and outreach,
2. Public involvement and participation,
3. Illicit discharge detection and elimination,
4. Construction site stormwater runoff control,
5. Post construction stormwater management, and

6. Pollution prevention and good housekeeping.

The stormwater management program includes requirements for controlling pollution in stormwater from areas of existing development, as well as in areas of expected future growth. In addition, the proposed permit requires programs to address approved total maximum daily loads (TMDLs) or water cleanup plan requirements, and to evaluate the program itself.

**How to obtain a copy of the draft permit:** The proposed permit, fact sheet, and application (also called notice of intent or NOI) are available online at [http://www.ecy.wa.gov/programs/wq/stormwater/municipal/issue\\_permits.html](http://www.ecy.wa.gov/programs/wq/stormwater/municipal/issue_permits.html).

To obtain printed copies of the draft permit, fact sheet, and NOI, contact Jennifer Hennessey, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7529, fax (360) 407-6426, e-mail [jenh461@ecy.wa.gov](mailto:jenh461@ecy.wa.gov).

**Submitting comments:** The department of ecology will accept written and oral comments on the draft permit and fact sheet. Comments should reference specific text, including page and line numbers, where possible.

Please submit written comments to: Department of Ecology, Water Quality Program, Western Washington Phase II Municipal Stormwater Permit, P.O. Box 47696, Olympia, WA 98504-7696, e-mail [WesternComments@ecy.wa.gov](mailto:WesternComments@ecy.wa.gov), fax (360) 407-6426.

Ecology must receive all written, e-mailed, and faxed comments by 5:00 p.m., May 19, 2006. Oral comments can be made by attending and testifying at the public hearing on May 2 (see the information below).

**Hearing:** The hearing provides the public an opportunity to give formal comments on the proposed permit. A short workshop, including a question and answer session, will precede the hearing:

**Tacoma:** Tuesday, May 2, 2006, following the workshop at 1:00 p.m., Pierce County Library Administrative Services Center, 3005 112 Street East, Tacoma.

**Public workshops:** The purpose of the workshops is to explain the general permit, to inform participants of how this draft of the permit has changed from the previous draft of the permit, and to answer questions. Ecology will **not** accept formal oral testimony/comments on the draft permit, fact sheet, or NOI at the public workshops. The public workshops on the draft general permit will be held at the following locations, dates, and times:

**Mount Vernon:** Friday, March 31, 2006, from 10:00 a.m. to 4:00 p.m., Skagit PUD #1, 1415 Freeway Drive, Mount Vernon.

**Tacoma:** Tuesday, April 4, 2006, 10:00 a.m. to 4:00 p.m., Pierce County Library Administrative Center, 3005 112 Street East, Tacoma.

**Vancouver:** Tuesday, April 11, 2006, from 10:00 a.m. to 4:00 p.m., Water Resources Education Center, Bruce Hagensen Community Room, 4600 S.E. Columbia Way, Vancouver.

**Bellevue:** Tuesday, April 18, 2006, from 10:00 a.m. to 3:30 p.m., Lewis Creek Park Visitor Center, 5808 Lakemont Boulevard, Bellevue.

**Secondary permittee workshop:** Ecology will also hold two public workshops specifically for the public entities

who are not cities, towns, or counties that may also be required to obtain coverage under this permit. The purpose of these workshops is to explain the general permit, to go through the stormwater management program requirements for these entities, and to answer questions.

**Ellensburg:** Tuesday, March 14, 2006, from 1:00 p.m. to 5:00 p.m., Hal Holmes Community Center, 201 North Ruby Street, Ellensburg.

**Lacey:** Tuesday, March 28, 2006, from 1:00 p.m. to 5:00 p.m., Lacey Community Center, 6729 Pacific Avenue S.E., Lacey.

**Issuing the final general permit:** Ecology will issue the final permit after it considers all public comments and makes final changes to the draft permit. Ecology expects to issue the final general permit in September 2006. The permit will become effective thirty days after the date of issuance. When ecology issues the permit, it will send a copy of the final permit and fact sheet, including a formal written response to all comments received, to each person who provided comments during the public comment period.

**WSR 06-04-099**

**DEPARTMENT OF ECOLOGY**

[Filed February 1, 2006, 10:51 a.m.]

**PUBLIC NOTICE**

**Public Comments on the Natural Gas  
Fired Boiler General Order**

The department of ecology's air quality program is proposing to issue a general order to cover new natural gas and liquefied natural gas fired boilers. The boilers covered are from four to fifty million British thermal units per hour in size. General orders are a new regulatory mechanism for the department of ecology. This is the first of what will eventually be many general orders covering different source categories. The applicant retains the ability to choose whether to be covered by the general order or to apply for a more traditional individual notice of construction approval order.

The draft order and fact sheet are available for review and public comment from February 15, 2006, to March 17, 2006. The public is encouraged to give written comments during the public comment period.

**Purpose of the General Order:** The proposed general order covers emissions of air pollutants to the air of Washington state in those counties and at those sources regulated by ecology. Under federal and state air quality law (federal Clean Air Act and state Washington Clean Air Act), an order of approval is required for the emission of air pollutants above a de minimus threshold. The proposed general order addresses these legal requirements and controls the emission of pollutants to protect public health and the environment in Washington state.

A general order is used instead of a series of individual notice of construction orders of approval when the permitted facilities are similar. Individual facilities that receive coverage under the general order are required to comply with the terms and conditions of the order.

This order will be available to applicants in the counties that are regulated directly by ecology's air quality program. These counties are San Juan, Okanogan, Chelan, Douglas, Ferry, Stevens, Pend Oreille, Kittitas, Walla Walla, Columbia, Garfield, Asotin, Grant, Lincoln, Adams, Whitman, Franklin, and Klickitat counties. Applicants in other areas are regulated by a local air agency and are subject to their notice of construction rules and procedures. This order is also available to those sources of statewide importance that are directly regulated by ecology.

**Requesting Copies of the Order:** You can request copies of the proposed order and fact sheet by contacting Tom Todd, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7528, fax (360) 407-7534, e-mail [ttod461@ecy.wa.gov](mailto:ttod461@ecy.wa.gov).

The proposed order and fact sheet are also available online at [http://www.ecy.wa.gov/programs/air/experts/Todd\\_Notice](http://www.ecy.wa.gov/programs/air/experts/Todd_Notice).

**Submitting Written and Oral Comments:** Ecology will accept written and oral comments on the draft natural gas fired boiler general order and fact sheet. Comments should reference specific text when possible. Comments may address the following:

- Technical issues,
- Accuracy and completeness of information,
- The scope of facilities proposed for coverage,
- Adequacy of environmental protection and order conditions, or
- Any other concern that would result from issuance of the revised order.

Please submit written comments to Tom Todd, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7528, fax (360) 407-7534, e-mail [ttod461@ecy.wa.gov](mailto:ttod461@ecy.wa.gov). Written, e-mailed and faxed comments must be **received** no later than 5 p.m., March 17, 2006.

**Issuing the Final Natural Gas Boiler General Order:** Ecology will issue the final order after it considers all public comments. Ecology expects to issue the general order soon after the end of the public comment period. It will be effective thirty days later. When ecology issues the order, it will send a response to everyone who commented.

**Who would be covered by the order?** The order covers all new natural gas boilers who propose to emit air pollutants to environment. The choice of whether to be covered by a more traditional individual notice of approval or this general order remains with the applicant.

If you have special accommodation needs or require a copy of the order and fact sheet in an alternative format, please contact Tammy Dahlgren at (360) 407-6830. If you are a person with a speech or hearing impairment, call 711 or 800-833-6388 for TTY.