

**WSR 07-02-003**  
**NOTICE OF PUBLIC MEETINGS**  
**HEALTH CARE AUTHORITY**  
 [Memorandum—December 21, 2006]

PHARMACY AND THERAPEUTICS (P&T) COMMITTEE

2007 Meeting Schedule

All meetings are held on Wednesdays and begin at 9:00 a.m.

1.	<b>February 21, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA
2.	<b>April 18, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA
3.	<b>June 20, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA
4.	<b>August 15, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA
5.	<b>October 17, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA
6.	<b>December 19, 2007</b> 9:00 a.m. - 4:00 p.m. Location: TBA

If you are a person with a disability and need a special accommodation or if you have any questions regarding the meeting schedule or need further information please contact Regina Chacon at (206) 521-2027.

**WSR 07-02-004**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Real Estate Commission)  
 [Memorandum—December 7, 2006]

Following is the schedule for 2007 real estate commission meetings:

March 15, 2007	9:00 a.m. Annual Planning Session 1:30 p.m. Commission Meeting Phoenix Inn Suites 415 Capitol Way North Olympia, WA 98501 (360) 570-0555
June 7, 2007	9:00 a.m. Commission Meeting TBA Vancouver
September 25, 2007	9:00 a.m. Commission Meeting Campbell's a Resort on Lake Chelan Chelan, WA 98816-0278

December 3, 2007 9:00 a.m. Commission Meeting  
TBA  
SeaTac, Washington

The department of licensing has a policy of providing equal access to its services. This correspondence is available in an alternate format. If you need special accommodations, please call (360) 902-3600 or TTY (360) 664-8885.

**WSR 07-02-009**  
**NOTICE OF PUBLIC MEETINGS**  
**BENTON CLEAN**  
**AIR AUTHORITY**  
 [Memorandum—December 15, 2006]

We would like to publish our regular board meetings schedule for 2007 in the state register as provided for in RCW 34.08.040. The meetings are held on the third Thursday of each month. The meetings begin at 7:00 p.m.

The location for the meetings will be the conference room at 114 Columbia Point Drive, Richland, WA 99352.

Terry Flores is the contact person for information and can be reached at (509) 943-3396.

**WSR 07-02-010**  
**NOTICE OF PUBLIC MEETINGS**  
**CLEMENCY AND PARDONS BOARD**  
 [Memorandum—December 20, 2006]

The Washington state clemency and pardons board hereby gives notice of the following dates and times of the meetings of the Washington state clemency and pardons board for the year 2007:

Date	Time	Location
March 9, 2007	10:00 a.m.	7141 Cleanwater Drive S.W. Room 108 Tumwater
June 8, 2007	10:00 a.m.	O'Brien Building Capitol Campus, Room C
September 14, 2007	10:00 a.m.	O'Brien Building
December 14, 2007	10:00 a.m.	O'Brien Building

**WSR 07-02-011**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Board of Registration for Architects)  
 [Memorandum—December 22, 2006]

The board of registration for architects 2007 meeting dates, times, and locations are as follows:

Date	Place
June 1, 2007	Location TBD Seattle, Washington

All meetings begin at 9:00 a.m. and end at 5:00 p.m.  
 If you need any additional information, please feel free to call Elizabeth Stancil at (360) 664-6597 or e-mail estancil@dol.wa.gov.

All meetings begin at 9:00 a.m. and end at 5:00 p.m.  
 If you need any additional information, please feel free to call Elizabeth Stancil at (360) 664-6597 or e-mail estancil@dol.wa.gov.

**WSR 07-02-012**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Geologists Licensing Board)  
 [Memorandum—December 22, 2006]

The geologists licensing board 2007 meeting dates, times, and locations are as follows:

Date	Place
March 20, 2007	Department of Licensing 405 Black Lake Boulevard 1st Floor, Conference Room 102 Olympia, WA 98502
July 12, 2007	Department of Licensing 405 Black Lake Boulevard 1st Floor, Conference Room 102 Olympia, WA 98502
September 18, 2007	Washington State University Webster Physical Science Building Room 1234 Pullman, WA 99164
December 11, 2007	Department of Licensing 405 Black Lake Boulevard 2nd Floor, Conference Room 2209 Olympia, WA 98502

**WSR 07-02-013**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Board of Registration for Landscape Architects)  
 [Memorandum—December 22, 2006]

The board of registration for landscape architects 2007 meeting dates, times, and locations are as follows:

Date	Place
April 19, 2007	University of Washington 3949 15th Avenue N.E. Gould Hall, Room 102 Seattle, WA

All meetings begin at 9:00 a.m. and end at 5:00 p.m.  
 If you need any additional information, please feel free to call Elizabeth Stancil at (360) 664-6597 or e-mail estancil@dol.wa.gov.

**WSR 07-02-014**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF HEALTH**  
 [Memorandum—December 21, 2006]

**2007 Board Meeting Schedule**

Meeting Date	City	County	Location
January 10, 2007	Tumwater	Thurston	Point Plaza East
February 14, 2007			Tentative - meet if needed
March 14, 2007	Tumwater	Thurston	Comfort Inn of Tumwater
April 11, 2007			Tentative - meet if needed
May 9, 2007	Winthrop	Okanogan*	Sun Mountain Lodge
June 13, 2007	Pullman	Whitman*	Location to be determined
July 11, 2007			Tentative - meet if needed
August 8, 2007	Everett	Snohomish*	Location to be determined
September 12, 2007			Tentative - meet if needed
October 10, 2007	Yakima	Yakima	Yakima Convention Center to coincide with joint conference on health
November 14, 2007	Tumwater	Thurston	Location to be determined
December 12, 2007	SeaTac	King	To coincide with legislative conference

\*Counties not visited in the past ten years.

\*\*First Wednesday of the month instead of the usual second Wednesday.

\*\*\*Third Wednesday of the month instead of the usual second Wednesday.

Locations subject to change as needed - see our web site at [www.sboh.wa.gov](http://www.sboh.wa.gov) for the most current information.

**WSR 07-02-016**  
**NOTICE OF PUBLIC MEETINGS**  
**CITIZENS' COMMISSION ON**  
**SALARIES FOR ELECTED OFFICIALS**  
 [Memorandum—December 21, 2006]

**Corrected Officials' 2007 Public Meeting Schedule**

<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>Meeting</b>
January 9 and 10 (Tuesday and Wednesday)	9 a.m. - 4 p.m.	Phoenix Inn Olympia	Testimony by the Elected Officials Public Hearing Work Session Adopted the Proposed 2007-08 Salary Schedule
February 22 (Thursday)	6 p.m. - 9 p.m.	Holiday Inn Everett	Public Hearing Work Session
March 22 (Thursday)	6 p.m. - 9 p.m.	Red Lion Inn Port Angeles	Public Hearing Work Session
April 19 (Thursday)	6 p.m. - 9 p.m.	Red Lion River Inn Spokane	Public Hearing Work Session
May 15 (Tuesday)	9 a.m. - 4 p.m.	Radisson Gateway Hotel SeaTac	Public Hearing Work Session Adopt 2007-08 Salary Schedule

Please disregard the letter on December 18. The meeting schedule listed was incomplete. The above is the corrected meeting schedule.

**WSR 07-02-017**  
**NOTICE OF PUBLIC MEETINGS**  
**CITIZEN COMMISSION FOR PERFORMANCE**  
**MEASUREMENT OF TAX PREFERENCES**  
 [Memorandum—December 20, 2006]

Following is the schedule of meetings the citizen commission for performance measurement of tax preferences plans to hold during 2007:

	<b>Date</b>	<b>Location</b>
Special Meeting:	January 19	Olympia
Regular Meetings:	February 23	Olympia
	August 3	SeaTac
	September 7	Olympia
	October 26	SeaTac

Meetings usually begin at 1:00 p.m. The exact location of each meeting has not been determined.

Distribution of agendas to all individuals and groups on the commission's mailing list also provides notice of these meetings. To be added to the mailing list, please contact Lisa

Hennessy at (360) 786-5288, or visit the commission's web site at [www.citizen taxpref.wa.gov](http://www.citizen taxpref.wa.gov).

**WSR 07-02-018**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**  
 [Memorandum—December 20, 2006]

The following dates and locations list the meeting schedule for the 2007 transportation improvement board.

<b>DATE</b>	<b>CITY</b>
January 25-26	Lacey
March 22-23	Yakima
May 17-18	Walla Walla
July 26-27	Port Angeles
September 27-28	Wenatchee
November 29-30	Tacoma

Please contact Eileen Bushman at 586-1146 or at eileenb@tib.wa.gov if you need additional information.

**WSR 07-02-022**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**GENERAL ADMINISTRATION**  
 (Capital Projects Advisory Review Board)  
 [Memorandum—December 21, 2006]

Please record the following capital projects advisory review board (CPARB) meeting dates, time and location in the Washington state register:

- Dates:** January 11, 2007  
 February 8, 2007  
 March 8, 2007  
 April 12, 2007  
 May 10, 2007  
 June 14, 2007  
 July 12, 2007  
 August 9, 2007  
 September 13, 2007  
 October 11, 2007  
 November 8, 2007  
 December 13, 2007
- Time:** 9:00 a.m. - 3:00 p.m.
- Location:** Office Building 2 (DSHS headquarters), Conference Room SL-03 (January through March 2007), then back to the John L. O'Brien hearing rooms after legislative session has adjourned.
- Subcommittee Meetings:** The January 2007 subcommittee meetings will be held at 17900 International Boulevard, Suite 301, Kilroy Building, SeaTac, WA (across the street from SeaTac Airport).

*After January 2007 the meetings will be held in a location to be determined.*

**Industry-Wide Issues Subcommittee**

Next Meeting: Friday, January 5, 2007, "World Class" Conference Room, 12:00 Noon - 4:00 p.m. Lead: Nora Huey, (206) 684-2049.

**Subcommittee Meeting Dates for 2007**

- January 5, 2007
- February 2, 2007
- March 2, 2007
- April 6, 2007
- June 1, 2007
- July 6, 2007

**Subcommittee Meeting Dates for 2007**

- August 3, 2007
- September 7, 2007
- October 5, 2007
- November 2, 2007
- December 7, 2007

Check for the latest information at [www.ga.wa.gov/cparb/](http://www.ga.wa.gov/cparb/).

If you would like to request this information in alternative formats (Braille, large type, etc.), please call (360) 902-7941.

If you have any questions, please contact Searetha Kelly at (360) 902-7941.

**WSR 07-02-023**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**INFORMATION SERVICES**  
 [Memorandum—December 20, 2006]

2007 Meeting Notices

Customer advisory board: All meetings are held from 1:30 - 3:30 p.m. in the Department of Information Services Boardroom, 2nd Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 22
- February 26
- March 26
- April 23
- May 29
- June 25
- July 23
- August 27
- September 24
- October 22
- November 26

Information services board: All meetings are held from 1:00 - 5:00 p.m., in the Department of Information Services Boardroom, 2nd Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA. The board will meet informally for lunch prior to the meeting at the academy classroom, located in the same building.

- January 4
- March 8
- May 10
- July 12
- September 13
- November 8

K-20 network board: All meetings are held from 1:30 - 4:00 p.m., in the Department of Information Services Boardroom, 2nd Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

March 13  
June 12  
September 11  
December 11

State interoperability executive committee: All meetings are held from 1:30 - 3:30 p.m., in the Department of Information Services Boardroom, 2nd Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

February 15  
April 19  
June 21  
August 16  
October 18  
December 20

Washington state geographic information council: All meetings are held from 10:00 a.m. - 12:00 p.m., in the Department of Information Services Boardroom, 2nd Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

February 15  
April 19  
June 21  
August 16  
October 18  
December 20

Geographic information technology: All meetings are held from 10:00 a.m. - 12:00 p.m., in the Department of Information Services Academy Classroom, 1st Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 16  
March 29  
June 28  
September 27  
December 13

Washington integrated justice information board: All meetings are held from 10:00 a.m. - 12:00 p.m., in the Department of Information Services Academy Classroom, 1st Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

January 16  
February 20  
March 20  
April 17  
May 15

June 19  
July 17  
August 21  
September 18  
October 16  
November 20  
December 18

Enterprise architecture program committee: Meetings are held every other week starting January 10, 2007, from 10:30 a.m. - 12:30 p.m., in the Department of Information Services Academy Classroom, 1st Floor, James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

For further information please contact Laurel McMillan at (360) 902-3566.

### WSR 07-02-026

#### INTERPRETIVE AND POLICY STATEMENT UTILITIES AND TRANSPORTATION COMMISSION

[Filed December 22, 2006, 1:15 p.m.]

#### NOTICE OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Docket UT-053025.

Subject: In the matter of the investigation concerning the status of competition and impact of the FCC's triennial review remand order on the competitive telecommunications environment in Washington state.

Effective Date: December 15, 2006.

Document Description: The Washington utilities and transportation commission (commission) explains its interpretation of provisions of the Federal Communications Commission's (FCC) triennial review remand order, or TRRO, and accompanying FCC rules governing access by competitive local exchange carriers to high-capacity loops and transport in wire centers owned or controlled by incumbent local exchange carriers. The commission designates certain wire centers owned and controlled by Qwest Corporation and Verizon Northwest Inc. as nonimpaired, or ineligible for unbundled access by competing local exchange carriers. The commission entered an interpretive statement on October 5, 2006, and modified it by order entered December 15, 2006.

To receive a copy of the initial or modified interpretive statement, contact the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, phone (360) 664-1160, fax (360) 586-1150, e-mail [records@wutc.wa.gov](mailto:records@wutc.wa.gov), or go to the commission's web site <http://wutc.wa.gov> (click on documents, click on Docket Number, enter docket "053025," click on "No company name," click on "Documents," and click on "10/5/06" or "12/15/06").

Carole J. Washburn  
Executive Secretary

**WSR 07-02-029**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMISSION ON**  
**HISPANIC AFFAIRS**

[Memorandum—December 21, 2006]

Here are the dates for our 2007 public meetings and study sessions:

February 23-24	Olympia
April 13-14	Pullman
June 15-16	Othello
August 10-11	Pasco
October 20-21	Walla Walla
November 30-December 1	Vancouver

Please don't hesitate to call Alicia Luna at (360) 725-5661 if you have any questions.

**WSR 07-02-030**  
**NOTICE OF PUBLIC MEETINGS**  
**HIGHLINE COMMUNITY COLLEGE**

[Memorandum—December 20, 2006]

Listed below is the meeting schedule for 2007 for the board of trustees of Community College District 9. All meetings are held in Building 25 and begin with a study session followed by the regular meeting. These meeting dates were approved by the board at their December 14, 2006, meeting.

DATE	STUDY SESSION	MEETING
January 18, 2007	8:00 a.m.	10:00 a.m.
February 15, 2007	8:00 a.m.	10:00 a.m.
March 20, 2007	8:00 a.m.	10:00 a.m.
April 12, 2007		
May 10, 2007	8:00 a.m.	10:00 a.m.
June 14, 2007	8:00 a.m.	10:00 a.m.
July 12, 2007	10:00 a.m.	11:30 a.m.
August 2007 - NO MEETING		
September 13, 2007	8:00 a.m.	10:00 a.m.
October 11, 2007	8:00 a.m.	10:00 a.m.
November 8, 2007	8:00 a.m.	10:00 a.m.
December 13, 2007	8:00 a.m.	10:00 a.m.

**WSR 07-02-032**  
**NOTICE OF PUBLIC MEETINGS**  
**BATES TECHNICAL COLLEGE**

[Memorandum—December 21, 2006]

**Revised Annual Meeting Schedule—Board of Trustees**

Pursuant to RCW 42.30.075, this letter will notify you of Bates Technical College board of trustees' regularly scheduled meetings beginning January 2007.

The board of trustees of Bates Technical College will meet on the last Tuesday of each month. All meetings begin at 3 p.m.

Date (2007)	Location
January 30, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
February 27, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
March 27, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
April 24, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
May 29, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
June 26, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)
July 31, 2007	Bates Technical College 1101 South Yakima Avenue Tacoma, WA 98405-4895 (Clyde Hupp Board Room)

**WSR 07-02-037**  
**NOTICE OF PUBLIC MEETINGS**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**

[Memorandum—December 26, 2006]

**2007 Meeting Calendar**

Board Meeting	Location
January 25 8:00 - 12:00	The Evergreen State College Longhouse 2700 Evergreen Parkway N.W. Olympia
February 22 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia

Board Meeting	Location
March 22 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
April 26 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
May 24 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
June 28 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
July 26 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
September 27 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia
October 25 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia

Board Meeting	Location
November 15 8:00 - 12:00	Seattle University Student Center 130 901 12th Avenue Seattle
December 13 8:00 - 12:00	State Investment Board Board Room 2100 Evergreen Park Drive S.W. Olympia

Contact: Katie Youngers, phone (360) 753-7859.

**WSR 07-02-040**  
**AGENDA**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed December 26, 2006, 3:35 p.m.]

In accordance with RCW 34.05.314 the following is the department of labor and industries' semi-annual rules development agenda for December 31, 2006 - July 1, 2007.

Please contact Josh Swanson at (360) 902-6805 or e-mail swaj235@lni.wa.gov, if you have any questions.

**Semi-annual Rules Development Agenda**  
**(January 1, 2007, to June 30, 2007)**

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
<b>DIVISION: SPECIALTY COMPLIANCE SERVICES</b>						
Chapter 296-05 WAC	Apprenticeship rules	Sally Elliott (360) 902-6411	1/23/07	5/22/07	7/31/07	The purpose of this rule making is to review the apprenticeship rules for clarifying and technical changes.
Chapter 296-96 WAC	Elevators	Sally Elliott (360) 902-6411	11/23/04	2/20/07	4/17/07	As a result of the new licensing requirements for elevator contractor and elevator mechanics, the department is working with stakeholders to identify areas where the rules need substantive, housekeeping, and clarifying changes.
Chapter 296-104 WAC	Board of boiler rules	Sally Elliott (360) 902-6411	1/23/07	3/20/07	5/22/07	This [The] purpose of this rule making is to review the board of boiler rules for clarifying and technical changes. The department will also review the fees for possible changes.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-125 WAC	Nonagricultural employment of minors*	Suchi Sharma (360) 902-6744	9/20/05	3/6/07	5/22/07	The purpose of this rule making is to integrate administrative policies into rule.
Chapter 296-126 WAC	Standards of labor for the protection of the safety, health and welfare of employees for all occupations subject to chapter 49.12 RCW*	Suchi Sharma (360) 902-6744	9/20/05	3/6/07	5/22/07	The purpose of this rule making is to integrate administrative policies into rule.
Chapter 296-126 WAC	Payment intervals	Suchi Sharma (360) 902-6744	1/17/06	8/22/06	1/23/07	This rule making will incorporate the administrative policies regarding payment intervals into rule and clarify whether the regulation applies to all employees or only to employees paid on a monthly basis.
Chapter 296-127 WAC	Electronic technician	Sally Elliott (360) 902-6411	5/2/06	2/20/07	5/1/07	This rule making will amend the scope of work definition for electronic technicians. The department will work with stakeholders throughout the rule-making process.
<b>DIVISION: SPECIALTY COMPLIANCE SERVICES</b>						
Chapter 296-127 WAC	Prevailing wage	Sally Elliott (360) 902-6411	7/5/06	To be determined	To be determined	The purpose of this rule making is to write scope of work descriptions for job classifications that currently have a wage rate and no scope of work.
Chapter 296-128 WAC	Minimum wage*	Suchi Sharma (360) 902-6744	9/20/05	3/6/07	5/22/07	The purpose of this rule making is to integrate administrative policies into rule.
Chapter 296-131 WAC	Agricultural employment standards*	Suchi Sharma (360) 902-6744	9/20/05	3/6/07	5/22/07	The purpose of this rule making is to integrate administrative policies into rule.
Chapter 296-134 WAC	Parental (family) leave	Suchi Sharma (360) 902-6744	NA	Expedited 1/23/07	4/3/07	The purpose of this rule making is to repeal most of the language in chapter 296-134 WAC that is no longer applicable.
Chapter 296-400A WAC	Contractor certificate of registration	Sally Elliott (360) 902-6411	1/23/07	3/20/07	5/22/07	The purpose of this rule making is to review the contractor certificate of registration rules for clarifying and technical changes.
Chapters 296-96, 296-150C, 296-150F, 296-150M, 296-150P, 296-150R, 296-150T, 296-150V, 296-200A, and 296-400A WAC	Annual fee increase for specialty compliance services programs	Sally Elliott (360) 902-6411	1/23/07	3/20/07	5/22/07	The purpose of this rule making is to review the fees for possible changes.
To be determined	Wage payment requirements (administrative remedies)	Suchi Sharma (360) 902-6744	6/6/06	6/19/07	9/4/07	This rule making is a result of chapter 89, Laws of 2006 (SHB 3185), which passed the 2006 legislature. New rules for wage payment requirements will be created.



WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
<b>DIVISION: INSURANCE SERVICES (WORKERS' COMPENSATION AND CRIME VICTIMS' COMPENSATION)</b>						
WAC 296-20-135	Conversion factors	Tom Davis (360) 902-6687	12/19/06	2/20/07	5/1/07	This rule making will update the conversion factors used by the department for calculating reimbursement rates for most professional health care and anesthesia services.
WAC 296-23-220	Physical therapy rules	Tom Davis (360) 902-6687	12/19/06	2/20/07	5/1/07	Update the maximum daily reimbursement level for physical therapy services so the department may, if necessary, give cost-of-living increases to affected providers.
WAC 296-23-230	Occupational therapy rules—Maximum daily reimbursement	Tom Davis (360) 902-6687	12/19/06	2/20/07	5/1/07	Update the maximum daily reimbursement level for occupational therapy services so the department may, if necessary, give cost-of-living increases to affected providers.
WAC 296-20-010, 296-20-125, 296-23A-0160, 296-23A-0230, 296-31-080	General information, billing procedures, how must hospitals submit charges for ambulance and professional services?, how does the department or self-insurer pay out-of-state hospitals for hospital services?, how do providers bill for services?	Bob Mayer (360) 902-5021	10/17/06	12/19/06	4/3/07	The purpose of this rule making is to correct references, update billing forms, and make other housekeeping changes.
Chapter 296-17 WAC	General reporting rules, classifications, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance	Bill Moomau/ JoAnne Smith (360) 902-4774 or (360) 902-4777	3/21/06	11/1/06	1/24/07	The purpose of this rule making is to consider changing rates to temporarily suspend payments made to the medical-aid fund.
Chapter 296-17A WAC	Classifications	Bill Moomau/ JoAnne Smith (360) 902-4774 or (360) 902-4777	2/7/07	3/21/07	5/23/07	The purpose of this rule making is to consider making changes to the industrial insurance classifications.
Chapter 296-15 WAC	Workers' compensation self-insurance rules and regulations—Claim administrator certification and continuing education requirements	Margaret Conley (360) 902-6906	6/20/06	6/2007	8/2007	In response to a request from the self-insured community, the department has agreed to evaluate the need for a continuing education model and also look at the current requirements for recertification of department-approved claims administrators. Rule making may be implemented in response to the department's findings.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-15 WAC	Workers' compensation self-insurance rules and regulations—Electronic claim data	Margaret Conley (360) 902-6906	1/2007	4/2008	6/2008	Pursuant to chapter 145, Laws of 2005 (SHB 1310) the department will implement rules to enable self-insured employers to provide claim data electronically via the self-insurance electronic data reporting system (SIEDRS) by July 1, 2008.
Chapter 296-15 WAC	Workers' compensation self-insurance rules and regulations—Experience rating and second injury fund	Margaret Conley (360) 902-6906	1/2007	12/2008	2009	Pursuant to chapter 475, Laws of 2005 (SSB 5992) the department will implement rules to establish an experience rating for self-insurers and use of the second injury fund by July 1, 2009.
Chapter 296-14 WAC	Industrial insurance—Worker employment patterns	Valerie Grimm (360) 902-5005	8/21/02	To be determined	To be determined	This rule making will provide clarification on how to determine a worker's employment pattern at the time of injury or on the date of disease manifestation for the purpose of calculating the worker's wage. This rule will impact crime victims' compensation.
Chapter 296-14 WAC	Industrial insurance—Transitional/light duty job	Valerie Grimm (360) 902-5005	2/06	To be determined	To be determined	This rule making will provide clarification on: <ul style="list-style-type: none"> <li>• The required elements of a valid transitional/light duty job offered from the employer of record.</li> <li>• What is expected of the employer and worker?</li> <li>• How to determine a worker's entitlement to time-loss compensation and loss of earning power benefits when a transitional/light duty job is offered.</li> </ul>
Chapter 296-14 WAC	Industrial insurance—Confidentiality of worker's compensation claim files	Valerie Grimm (360) 902-5005	11/6/04	4/07	9/07	This rule making will define the responsibility of employers, workers, and other parties who have access to workers' compensation claim files for confidentiality and release of claim information.
Chapter 296-14 WAC	Industrial insurance—Definitions	Valerie Grimm (360) 902-5005	5/3/05	3/07	8/07	This rule making will define terms used in chapter 296-14 WAC and move definitions currently in chapter 296-20 WAC to chapter 296-14 WAC. The rule making will amend the definition of temporary partial disability. This rule making will impact crime victims' compensation.
Chapter 296-14 WAC	Industrial insurance—Pension discount rates and mortality assumptions	Valerie Grimm Policy and Quality Coordination (360) 902-5005	6/20/01	6/07	11/07	This rule making will amend the pension discount rate and update the mortality assumptions used to determine pension reserves and actuarial benefit reductions.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapter 296-19A WAC	Vocational rehabilitation	Valerie Grimm Policy and Quality Coordination (360) 902-5005		CR-105 Expedited rule making 11/21/06	1/25/07	Based on a court ruling, the department will repeal the rules that establish: <ul style="list-style-type: none"> <li>The criteria used to evaluate a vocational provider's performance,</li> <li>The performance measurements used to make referrals to providers, and</li> <li>How the department evaluates a vocational rehabilitation consultant's performance when he or she does not have a performance rating or previous experience delivering services to Washington injured workers.</li> </ul>
<b>DIVISION: DIVISION OF OCCUPATIONAL SAFETY AND HEALTH (DOSH)</b>						
Chapter 296-800 WAC	Core rules	Kimberly Johnson (360) 902-5008	To be determined	3/07	7/07	The fire protection rules and requirements relating to stairs are being rewritten for clarity and moved into the safety and health core rules. In addition, some technical corrections will be made to the exit route rules and housekeeping changes will be made throughout the chapter.
Chapters 296-24 and 296-155 WAC	Cranes	Kimberly Johnson (360) 902-5008	To be determined	6/07	12/07	The crane rules are being rewritten and organized for clarity and ease of use. These rules will also be updated to reflect current American National Standards Institute (ANSI) requirements. The project will include bridge style, mobile, tower/portal, personnel lifting, hoists, and derricks.
Chapter 296-24 WAC	Rigging	Kimberly Johnson (360) 902-5008	3/07	6/07	12/07	The rigging rules are being rewritten and organized for clarity and ease of use. Requirements from both general industry and construction are being combined into one rule and updated to the current American National Standards Institute (ANSI).
Chapter 29[6]-155 WAC	Excavating and trenching	Kimberly Johnson (360) 902-5008	2/21/06	6/07	7/07	The excavating and trenching rules are being rewritten, reorganized, and updated.
Chapter 296-155 WAC	Fall protection	Kimberly Johnson (360) 902-5008	4/4/06	To be determined	To be determined	The fall protection rules are being rewritten and reorganized, and updated.
Chapter 296-62 WAC	Lead	Kimberly Johnson (360) 902-5008	To be determined	To be determined	To be determined	The lead rules from general industry and construction are being combined, rewritten and organized for clarity and ease of use.
Chapter 296-307 WAC	Temporary housing for workers	Kimberly Johnson (360) 902-5008	To be determined	To be determined	To be determined	We are working with the department of health on updating the rules relating to temporary housing for workers.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
Chapters 296-62 and 296-800 WAC	Heat related illness prevention	Kimberly Johnson (360) 902-5008	12/19/06	3/20/07	5/5/07	The department is reviewing the rules relating to preventing heat-related illnesses, and working with stakeholders to determine a permanent rule-making solution on heat-related illnesses.
Chapter 296-841 WAC	Airborne contaminants	Kimberly Johnson (360) 902-5008		CR-105 Expedited rule making 12/19/06	2/20/07	The Occupational Safety and Health Administration (OSHA) recently adopted rules regulating hexavalent chromium. We are making changes to our permissible exposure limit table to remain as-effective-as OSHA. We are also changing the title of the rule, reformatting it, and clarifying some language.
Chapter 296-842 WAC	Respirators	Kimberly Johnson (360) 902-5008		CR-105 Expedited rule making 12/19/06	2/20/07	In August, OSHA revised its existing respiratory protection standard to add definitions and requirements for assigned protection factors (APFs) and maximum use concentrations (MUCs). We are amending our rules to be consistent with OSHA. In addition, we are making housekeeping corrections in these rules.

**WSR 07-02-041**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
 [Memorandum—December 27, 2006]

Pursuant to RCW 42.30.075, please publish the following REVISED 2007 schedule of regular meetings of Western Washington University's board of trustees:

Western Washington University's board of trustees, at their December 8, 2006, board meeting, approved the following revised schedule of regular meetings for 2007:

- February 8, 2007  
Board of Trustees Retreat
- February 9, 2007
- April 20, 2007
- June 15, 2007
- August 3, 2007
- October 12, 2007
- December 14, 2007

Any questions regarding the meeting schedule can be directed to Barbara Stoneberg, assistant secretary to the board, at (360) 650-7614.

**WSR 07-02-042**  
**NOTICE OF PUBLIC MEETINGS**  
**WHATCOM COMMUNITY COLLEGE**  
 [Memorandum—November 21, 2006]

**NOTIFICATION OF CHANGE OF LOCATION**  
**FOR DECEMBER 6, 2006**  
**BOARD OF TRUSTEES MEETING**

The board of trustees of Whatcom Community College, District Number Twenty-One, has changed the location of its scheduled Wednesday, December 6, 2006, board of trustees meeting. The board of trustees will now meet in the **Syre Student Center Conference Room #216** on the Whatcom Community College Campus, 237 West Kellogg Road, Bellingham, WA, beginning at 2:00 p.m. instead of the previously announced Laidlaw Center Boardroom location. A closed executive session of the board of trustees will be convened at approximately 3:00 p.m. at the same location to discuss personnel issues. Guests include representatives from the firm of Gold Hill Associates and the presidential search advisory committee. Board action may follow this executive session.

In addition, the specially appointed committee of the board, the presidential search advisory committee, will hold a closed executive session meeting on **Tuesday, December 5, 2006**, at 4:00 p.m. in the WCC Foundation Building, Boardroom #201, 333 Calluna Court, Bellingham, WA 98226, to discuss personnel issues. Guests include representatives from the firm of Gold Hill Associates. There will be no action taken at this meeting.

**WSR 07-02-043**  
**NOTICE OF PUBLIC MEETINGS**  
**WHATCOM COMMUNITY COLLEGE**  
 [Memorandum—December 21, 2006]

Following is the 2007 Whatcom Community College board of trustees regular meeting schedule as approved at the December 6, 2006, board of trustees meeting:

2007 Meeting Schedule of  
 the Board of Trustees  
 Second Wednesday of the Month  
 2:00 p.m.  
 Laidlaw Center Board Room

Whatcom Community College  
 237 West Kellogg Road  
 Bellingham, WA 98226

- January 10
- February 14
- March 14
- April 11
- May 9
- June 13
- July 11
- August (no meeting)
- September 12
- October 10
- November 14
- December 12

**WSR 07-02-044**  
**NOTICE OF PUBLIC MEETINGS**  
**WHATCOM COMMUNITY COLLEGE**  
 [Memorandum—December 21, 2006]

Notice of Special Board of Trustees Meeting

Members of the board of trustees of Whatcom Community College, Bellingham Technical College, and Skagit Valley College, will hold a special dinner meeting on Monday, January 22, 2007, beginning at 6:30 p.m. with legislators from the 10th, 39th, 40th, and 42nd districts. The meeting will be held at Portofino Ristorante, 101 Division Street N.W., Olympia, WA 98502-8617.

**WSR 07-02-045**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**  
 (Driver Training Schools Advisory Committee)  
 [Memorandum—December 21, 2006]

The driver training schools advisory committee meeting scheduled for Thursday, December 28, Department of Natu-

ral Resources Building, Room #172, 1111 Washington Street S.E., Olympia, WA, from 9:00 a.m. to 3:00 p.m. has been cancelled.

It has been rescheduled for Thursday, January 11, 2007, Department of Licensing HLB, Room 413, 1125 Washington Street S.E., Olympia, WA, from 9:00 a.m. to 3:00 p.m.

**WSR 07-02-046**  
**NOTICE OF PUBLIC MEETINGS**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**  
 [Memorandum—December 21, 2006]

The following schedule of regular meetings of the board of trustees of Walla Walla Community College for 2007 was adopted by the board at its meeting held December 20, 2006.

**2007 Board of Trustees Meeting Schedule**

Date	Time	Location
January 17	8:45 a.m.	WWCC Board Room
February 21	8:45 a.m.	WWCC Board Room
March 21	8:45 a.m.	WWCC Board Room
April 18	10:00 a.m.	Clarkston Center
May 16	9:30 a.m.	WWCC Board Room
June 27	9:30 a.m.	WWCC Board Room
*July 18	9:30 a.m.	WWCC Board Room
*August 15	9:30 a.m.	WWCC Board Room
September 19	9:30 a.m.	WWCC Board Room
October 17	9:30 a.m.	WWCC Board Room
November 21	9:30 a.m.	WWCC Board Room
December 19	9:30 a.m.	WWCC Board Room

\*Optional

**WSR 07-02-047**  
**AGENDA**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**

[Filed December 27, 2006, 1:48 p.m.]

**RULES DEVELOPMENT AGENDA (JANUARY - JUNE 2007)**

Following is the department of natural resources' semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please call Jamey Taylor at (360) 902-1561, or e-mail at jamey.taylor@wa.dnr.gov if you have questions.

**RULES DEVELOPMENT AGENDA**  
January 2007 to June 2007

WAC Chapter or Section	Purpose of rule being developed or amended
332-18	Update surface mining rules regarding eligibility for blanket performance securities.
332-22	Removes from rule the application of the rules for commercial land leasing, leaving commercial leases governed by statute only.
332-24-710	Update boundary of forest protection zone in Kitsap County.
332-24-720	Update boundary of forest protection zone in Pierce County.
332-24-730	Update boundary of forest protection zone in King County.
332-41	Update the referenced RCW and WACs that have been recodified. Clarify existing SEPA language.
332-52	Revise and update rules to reflect current recreation and public access policy.

Bonnie B. Bunning  
Executive Director  
Policy and Administration

**WSR 07-02-049**  
**NOTICE OF PUBLIC MEETINGS**  
**PARKS AND RECREATION**  
**COMMISSION**

[Memorandum—December 26, 2006]

2007 Schedule of Regular Meetings

The Washington state parks and recreation commission's **snowmobile advisory committee** has adopted the following schedule of regular meetings for 2007:

Date	Location
February 3, 2007	Chelan at Campbell's Resort
July 27-29, 2007	Wenatchee

The state parks and recreation commission's **winter recreation (sno-park) advisory committee** has adopted the following schedule of regular meetings for 2006 [2007]:

Date	Location
January 27, 2007	Lake Wenatchee at Kahler Glenn Resort
July 21, 2007	Ellensburg

All snowmobile advisory committee and winter recreation advisory committee meetings will begin at 8 a.m. The meeting locations of the snowmobile and the winter recreation advisory committees may be obtained by writing to

Colleen Maguire, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, e-mail [colleen.maguire@parks.wa.gov](mailto:colleen.maguire@parks.wa.gov), or by calling (360) 586-6646.

The public is welcome to attend all state parks and recreation commission advisory committee meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments, if a request is received at the appropriate address shown above at least ten working days in advance of the scheduled meeting date.

**WSR 07-02-056**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**

[Memorandum—December 18, 2006]

**NOTICE OF PUBLIC MEETINGS**  
**FOR 2007**

Following is a schedule of meetings of the Washington state human rights commission for 2007.

With the exception of conference calls, the usual format for the meetings is a public forum on Thursday evenings from 7:00 p.m. to 9:00 p.m. (for meetings that have Thursdays noted) and a regular business meeting beginning at 9:00 a.m. on Friday. All meetings are held in accessible locations.

Conference calls start at 10 a.m. originating out of Olympia. Individuals can participate in commission meetings held by conference call by coming to the commission's headquarters office at 711 South Capitol Way, Suite 402, Olympia, WA.

The time for work study sessions is 3:00 to 7:00 p.m. unless otherwise noted.

If you have questions or need additional information, please contact Tanya Calahan at (360) 753-4876 or [tcalahan@hum.wa.gov](mailto:tcalahan@hum.wa.gov).

DATES	LOCATION
January 19 (Friday)	Seattle
February 9 (Friday) - Work Study Session	Olympia
February 23 (Friday)	Fife
March 16 (Friday) - Work Study Session	Olympia
March 30 (Friday)	Port Angeles
April 13 (Friday) - Work Study Session	Olympia
April 26-27 (Thursday and Friday)	S. Seattle
May 11 (Friday) - Work Study Session	Olympia
May 24-25 (Thursday and Friday)	Grays Harbor or Mason County
June 15 (Friday) - Work Study Session	Olympia
June 28-29 (Thursday and Friday)	Spokane
July 13 (Friday) - Work Study Session	Olympia
July 26-27 (Thursday and Friday)	Pasco
August 10 (Friday) - Work Study Session	Olympia
August 23-24 (Thursday and Friday)	Seattle
September 14 (Friday) - Work Study Session	Olympia
September 27-28 (Thursday and Friday)	Wenatchee
October 12 (Friday) - Work Study Session	Olympia

	DATE	LOCATION	ROOM
October 26 (Friday)		Longview	
November 9 (Friday) - Work Study Session	August 21, 2007	Lewis-Mason-Thurston Area	Conference Room
November 16 (Friday)		Everett	
December 7 (Friday) - Work Study Session		Agency on Aging	
December 21 (Friday)		3603 Mud Bay Road West	
		Suite A	
		Olympia	
	October 16, 2007	Lewis-Mason-Thurston Area	Conference Room
		Agency on Aging	
		3603 Mud Bay Road West	
		Suite A	
		Olympia	
	December 18, 2007	Lewis-Mason-Thurston Area	Conference Room
		Agency on Aging	
		3603 Mud Bay Road West	
		Suite A	
		Olympia	

Adopted in open meeting by the Washington state human rights commission December 15, 2006.

**WSR 07-02-057**  
**NOTICE OF PUBLIC MEETINGS**  
**HOME CARE**  
**QUALITY AUTHORITY**  
 [Memorandum—December 28, 2006]

**2007 BOARD MEETING SCHEDULE**  
 (Third Tuesday of even months)  
 10:00 a.m. - 3:00 p.m.

DATE	LOCATION	ROOM
February 20, 2007	Charley Reed Building (ADSA) 640 Woodland Square Loop S.E. Lacey	7.1 and 7.2
April 17, 2007	Charley Reed Building (ADSA) 640 Woodland Square Loop S.E. Lacey	7.1 and 7.2
June 19, 2007	Lewis-Mason-Thurston Area Agency on Aging 3603 Mud Bay Road West Suite A Olympia	Conference Room

**WSR 07-02-058**  
**AGENDA**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed December 28, 2006, 1:45 p.m.]

The Washington utilities and transportation commission submits its semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Please direct any questions to Kippi Walker at (360) 664-1139 or [kwalker@wutc.wa.gov](mailto:kwalker@wutc.wa.gov).

**Semi-annual Rules Development Agenda**  
**(January 1, 2007 - June 30, 2007)**

This report is the utilities and transportation commission's semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rule-making activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The commission maintains a schedule of rule-making activity that is updated several times per month. See <[www.wutc.wa.gov](http://www.wutc.wa.gov)>.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102	CR-103 HEARING	
Chapters 480-108, 480-100 WAC	Public Utility Regulatory Policies Act (PURPA) standard compliance rule making	Dick Byers Policy (360) 664-1209	<b>6/7/06</b>	3/7/07	5/9/07	Examine whether new or modified regulations are needed to govern aspects of investor-owned electric utility operations for which new federal standards are included in the Energy Policy Act of 2005. These new federal standards address: (1) Net-metering, (2) fuel sources, (3) fossil fuel generation efficiency, (4) smart metering, and (5) interconnection.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102	CR-103 HEARING	
Chapters 480-80, 480-120, 480-121 WAC	Price list elimination rule making	Tom Wilson Telecom Section (360) 664-1282	5/3/06	7/25/06 Supp. CR-102 10/13/06	12/13/06	Consider changes to rules relating to price lists in light of SSB 6473, which eliminates the requirement that telecommunications companies file price lists.
Chapter 480-93 WAC	Pipeline safety rules	Ilyne Lawson Pipeline Safety (360) 664-1302	7/19/06	2/7/07	4/11/07	Review of rules in chapter 480-93 WAC, Gas safety rules.
Chapter 480-75 WAC	Hazardous liquids safety rules	Ilyne Lawson Pipeline Safety (360) 664-1302	7/19/06	12/6/06	2/7/07	Review of rules in chapter 480-75 WAC, Hazardous liquid safety rules.
WAC 480-120-071	Telecom line extension rule making	Wilford Saunders (360) 664-1245	3/1/07	To be determined	To be determined	Consider standards for line extensions to unserved areas.
Chapter 480-15 WAC	Household goods rules	Steve King (360) 664-1115	3/15/07	9/12/07	11/7/07	Review of rules in chapter 480-15 WAC.
WAC 480-62-155	Repeal train speed rule	Vicki Elliott (360) 664-1100	2/15/07	To be determined	To be determined	An expedited rule making to repeal WAC 480-62-155 which has been rendered meaningless by the passage of ESSB 6679 (chapter 70, Laws of 2006).
Chapters 480-93 and 480-75 WAC	Gas and hazardous liquid pipelines procedural rules	Alan Rathbun (360) 664-1254	5/1/07	To be determined	To be determined	Consider rules establishing procedures for enforcing pipeline safety rules.
Chapters 480-93 and 480-75 WAC	Gas and hazardous liquid pipelines corrosion control rules	Alan Rathbun (360) 664-1254	5/1/07	To be determined	To be determined	Consider rules related to protecting pipelines from internal corrosion.
Chapter 480-100 WAC	Renewable resource rules	Nicolas Garcia (360) 664-1346	1/07	6/07	11/07	Consider changes to electric and gas rules related to certain conservation standards as a result of I-937 which requires that utilities obtain a certain proportion of their electricity needs from renewable resources.

David W. Danner  
Executive Director

**WSR 07-20-061**

**NOTICE OF PUBLIC MEETINGS  
LAW ENFORCEMENT OFFICERS' AND  
FIRE FIGHTERS' PLAN 2 RETIREMENT BOARD**

[Memorandum—December 27, 2006]

The law enforcement officers' and fire fighters' plan 2 retirement board has cancelled the January 24, 2007, board meeting.

The next regularly scheduled meeting is Wednesday, February 28, at 9:30 a.m. located in the Washington state investment board room.

Please feel free to contact Jessica Burkhart at (360) 586-2322 or by e-mail at [jessica.burkhart@leoff.wa.gov](mailto:jessica.burkhart@leoff.wa.gov) should you have any questions.

**WSR 07-02-062**

**NOTICE OF PUBLIC MEETINGS  
PIERCE COLLEGE**

[Memorandum—December 20, 2006]

**BOARD OF TRUSTEES  
2007 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 chancellor 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.

DATE	TIME	LOCATION
January 10	2:30 p.m.	Pierce College Puyallup
February 14	2:30 p.m.	Pierce College Fort Steilacoom



DATE	TIME	LOCATION
March 14	2:30 p.m.	Pierce College Puyallup <i>Joint Lunch with Foundation Board</i>
April 11	2:30 p.m.	Pierce College at McChord
May 9	2:30 p.m.	Pierce College Fort Steilacoom
June	(date, time, and location to be announced at least twenty days prior)	
July 11	2:30 p.m.	Pierce College Puyallup
August	(No meeting is scheduled)	
September 12	2:30 p.m.	Pierce College Fort Steilacoom
October 10	2:30 p.m.	Pierce College Puyallup
November 14	2:30 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 study session will take place at 1:30 p.m. prior to each board meeting.

### WSR 07-02-063

**PUBLIC RECORDS OFFICER  
DEPARTMENT OF  
RETIREMENT SYSTEMS**

[Filed December 29, 2006, 8:31 a.m.]

The director of the Washington state department of retirement systems designates as this agency's public records officer: Allen Nguyen, P.O. Box 48380, Olympia, WA 98504-0108, phone (360) 664-7298, fax (360) 753-3166, e-mail allenn@drs.wa.gov.

Please publish this information in the state register, as required by RCW 42.56.580.

Sandra J. Matheson  
Director

### WSR 07-02-064

**NOTICE OF PUBLIC MEETINGS  
STATE INDEPENDENT  
LIVING ASSOCIATION**

[Memorandum—December 29, 2006]

#### 2007 Quarterly Meetings

January 24, 2007	Ameritel Hotel 4520 Martin Way East Lacey
April 13, 2007	Tri-Cities Area Location to be announced
July 12, 2007	Everett Location to be announced
October 12, 2007	TBA

Please contact Grace Doyle, (360) 725-3692 or Rob Honan (executive director) (360) 725-3695 for more information, including accommodation requests.

Note: All meetings will begin at 9 a.m. and end at approximately 3 p.m. There is also a public forum for consumer and agency input the night before from 6-8 p.m. at the same location as the meeting.

### WSR 07-02-073

**INTERPRETIVE STATEMENT  
DEPARTMENT OF REVENUE**

[Filed December 29, 2006, 10:53 a.m.]

#### CANCELLATION OF INTERPRETIVE STATEMENTS

The department of revenue has cancelled the following excise tax advisories (ETAs).

**ETA 21.12.134 Value of materials used by producer in performance of public road contract.** This document addresses a situation where a taxpayer produces and sells asphalt mix to a county and also uses asphalt mix as a consumer in performing public road contracts. It explains that the measure of tax for the mix used by the taxpayer as a consumer is not necessarily the price at which the taxpayer sells mix to the county. Where there is no evidence to show an established retail selling price for a purchaser like the taxpayer, the value of the mix produced by the taxpayer may be determined on a cost basis. The issues in this ETA are adequately addressed in WAC 458-20-112.

**ETA 27.04.194 Testing and Engineering services by out-of-state corporation.** This document addresses a situation where a business located outside Washington has employees permanently assigned to a Washington location and also has teams of employees come into the state to perform engineering and testing services. It explains that amounts received for services rendered in this state are subject to B&O tax, notwithstanding that no profit is realized. There is no longer any need for this document. The ETA doesn't address separate accounting or cost apportionment under WAC 458-20-194. Further, the use of the term "reimbursement" implies the application of WAC 458-20-111, which does not apply to the situation described.

**ETA 58.04.214 Marketing association: Seller or agent.** This document addresses the B&O tax classification of an in-state marketing association for association members. The document states that based on the association's activities and circumstances, and its bylaws, the association was operating as an agent of its members. The result being that the association was subject to service B&O tax on the gross receipts from services rendered and not the gross receipts from the sale of fresh fruit. This document is not needed as the issues are adequately addressed in WAC 458-20-214, 458-20-159, and Det. 87-355, 4 WTD 383.

**ETA 98.12.134 Overhead costs in computing value on a cost basis.** This document addresses the measure of use tax for catalogs manufactured by a department store and sent to its customers. It explains that where a retail selling price of similar products is not available, the use tax is due on a cost basis, including direct and indirect overhead costs. This issue

is adequately addressed in WAC 458-20-112, 458-20-134, and other documents (e.g., WTDs) issued by the department.

**ETA 208.04.173 Sale of abrasives and masking tape for use in the performance of an automobile painting contract.** This document explains that an automobile paint shop must pay retail sales tax on the purchase of abrasives and masking tape it consumed in performing painting services. The fact that the paint shop separately listed these supplies on bid documents or sales invoices did not change the retail nature of the purchase. This issue is adequately addressed in other documents issued by the department, including WAC 458-20-173 and Det. 91-128, 11 WTD 327.

**ETA 210.08.187 Coin operated ski waxing and bowling ball polishing machines.** This document explains that charges for the use of coin-operated machines that wax skis or polish bowling balls are subject to retail sales tax because these activities clean or improve tangible personal property. There is no need for this document. WAC 458-20-187 explains that persons operating "vending machines" are engaged in a retail activity, and "vending machines" as defined in that rule include ["]coin-operated machines that provide facilities for...cleaning... or improving" tangible personal property.

**ETA 213.04.173 Distinction between "manufacturing" and "altering" activities.** This document explains that the cutting of an epitaph is the "altering" of tangible personal property, not a manufacturing activity, because it results in merely extending a utility that already existed in the epitaph. The document also explains that producing a key from a blank was manufacturing because the activity resulted in a "new, different, or useful article." WAC 458-20-136 provides more detailed information about distinguishing between repairing/refurbishing and manufacturing.

**ETA 238.08.12.130 Buildings sold exclusive of the land upon which they are situated.** This document explains that the sale of a building exclusive of the land upon which it is situated with a requirement that it be removed to another location is a sale of tangible personal property (and not a sale of real estate). The substance of the ETA has been incorporated into WAC 458-61A-106 Sales of improvements to land, leases, and leases with option.

**ETA 286.04.193 Freight forwarders.** This document explains that income derived from freight forwarding activities is subject to B&O tax, even if associated with interstate or foreign commerce. This document is not needed as this issue is adequately addressed in WAC 458-20-193D.

**ETA 318.04.106/211 Sales and/or trade-ins of tangible personal property from rental inventory.** This document explains that when trading-in rental property towards the purchase of new property, the lessor is making a taxable wholesale sale of the trade-in property to the dealer. This document is no longer needed because this issue is adequately addressed in WAC 458-20-247.

**ETA 415.12.178 Use tax on private automobiles acquired while a nonresident.** This ETA explains what "private automobiles" means for purposes of the use tax exemption provided by RCW 82.12.0251 (cited in the ETA as RCW 82.12.030(1)). This information is out of date as the term "private automobiles" was removed when the statute was subsequently revised.

**ETA 489.04.170 Lessee as speculative builder.** This document quotes language from the statutory definitions of "consumer" (RCW 82.04.190) and "retail sale" (RCW 82.04.050) as the basis for determining that a lessee who constructs a building on property to which the lessee holds a thirty year lease is a speculative builder. It is not needed. More detailed information for determining whether a person is a speculative contractor is available in WAC 458-20-170, which explains the attributes of ownership of real estate for distinguishing between a speculative and prime contractor, as well as other documents issued by the department (e.g., Det. 94-154, 15 WTD 046).

**ETA 569.61.411/412 REET - Documentation of transfers by inheritance - Documentation of transfers to and from trusts.** This document explains documentation requirements to claim a REET exemption when real property is transferred by inheritance, or, by or to trusts other than revocable trusts. It is no longer needed because the documentation requirements of these transfers are addressed in WAC 458-61A-202 and 458-61A-210.

**ETA 570.61.080 REET - Dual signature - utility rights-of-way or easements - counties.** This document explains the REET affidavit signature requirements when a municipality or city, county, state or instrumentality of the state, or other public entity purchases a utility right-of-way or easement. It is no longer needed because the documentation requirements of these transfers are addressed in WAC 458-61A-303.

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 07-02-075

### NOTICE OF PUBLIC MEETINGS

#### DEPARTMENT OF

#### FISH AND WILDLIFE

(Fish and Wildlife Commission)

[Memorandum—December 29, 2006]

#### LOCATION CHANGES TO 2007 MEETING LIST

The following locations for 2007 Washington fish and wildlife commission meetings have changed:

1. February 2-3, 2007; moved back to OLYMPIA from Tumwater.
2. March 9-10, 2007; moved back to OLYMPIA from Tumwater.
3. August 3-4, 2007; moved to ANACORTES from San Juan Islands.

Below is the updated list of 2007 fish and wildlife commission meetings:

DATE	FUNCTION	LOCATION
January 5	Conference Call	Olympia

DATE	FUNCTION	LOCATION
January 12-13	Meeting	Olympia
January 19	Conference Call	Olympia
February 2-3	Meeting	Olympia
February 16	Conference Call	Olympia
March 2	Conference Call	Olympia
March 9-10	Meeting	Olympia
March 16	Conference Call	Olympia
April 6-7	Meeting	Ellensburg
April 20	Conference Call	Olympia
May 4	Conference Call	Olympia
May 18	Conference Call	Olympia
June 1-2	Meeting	Spokane
June 15	Conference Call	Olympia
July 6	Conference Call	Olympia
July 20	Conference Call	Olympia
<del>August 3</del>	<del>Conference Call</del>	<del>Olympia</del>
<b>August 3-4</b>	<b>Meeting</b>	<b>San Juan Islands <u>Anacortes</u></b>
August 17	Conference Call	Olympia
September 7	Conference Call	Olympia
September 21	Conference Call	Olympia
October 5-6	Meeting	Olympia
October 19	Conference Call	Olympia
November 2-3	Meeting	Chelan
November 16	Conference Call	Olympia
December 7-8	Meeting	Port Angeles
December 21	Conference Call	Olympia

Additional meetings and conference calls may be scheduled on an as-needed basis. Changes to the schedule and agendas will be posted on the web page at <http://www.wdfw.wa.gov/com/meetings.htm>.

For more information, please contact the commission office at (360) 902-2267 or visit the commission web page at [www.wdfw.wa.gov/com/comintro.htm](http://www.wdfw.wa.gov/com/comintro.htm) for further information.

The Washington fish and wildlife commission meetings are open to the public and conducted at barrier-free sites. Persons who need special assistance may contact Susan Yeager at the commission office, (360) 902-2267.

**WSR 07-02-079**

**NOTICE OF PUBLIC MEETINGS  
UNIVERSITY OF WASHINGTON**

[Memorandum—January 2, 2007]

Following is a list of the regular meeting notices submitted to the office of public records and open public meetings for 2007.

**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 07-04 issue of the Register.

**WSR 07-02-080**

**AGENDA**

**DEPARTMENT OF CORRECTIONS**

[Filed January 2, 2007, 2:12 p.m.]

**SEMI-ANNUAL RULE-MAKING AGENDA  
JANUARY 1 - JUNE 30, 2007**

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington state register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

**RULE DEVELOPMENT CALENDAR**

January - June 30, 2007

WAC Chapter	Purpose
WAC 137-09	Public disclosure - revise policies and procedures for disclosure of public records.
WAC 137-59	Facility siting.
WAC 137-32	Administrative segregation.

John Nispel  
Rules Coordinator

**WSR 07-02-082**

**DEPARTMENT OF ECOLOGY**

[Filed January 2, 2007, 3:59 p.m.]

**PUBLIC NOTICE**

**Announcing Final Issuance of the  
Phase II Municipal Stormwater Permit for Eastern  
Washington**

On January 17, 2007, the department of ecology (ecology) is issuing a general permit to cover municipal separate storm sewer systems. The title of the final permit is "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 known as the "Eastern Washington Phase II Municipal Stormwater Permit." This final Eastern Washington Phase II Municipal Stormwater Permit becomes effective February 16, 2007.

**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 eastern

Washington pursuant to EPA regulations and Washington state water pollution control law.

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; and
- 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 web page at [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

At a minimum the following cities, towns, and counties in eastern Washington subject to this permit if they own or operate a regulated small MS4.

**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, EPA rules also require permit coverage for special purpose districts operating a regulated MS4 within census defined urban areas. A special purpose district is subject to this permit if the district's storm drain system:

1. Is publically [publicly] owned.
2. Is located within or partially within a census defined urban area of western Washington.
3. Discharges to surface waters.
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.

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 general permit covers stormwater discharges from municipally owned or operated separate storm 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 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 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 minimum 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 permit:** The permit, fact sheet, response to comments 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 permit, fact sheet, response to comments and NOI, contact Kathleen Emmett, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7386, fax (360) 407-6426, e-mail [kemm461@ecy.wa.gov](mailto:kemm461@ecy.wa.gov).

Ecology will hold public workshops on the final permit; for updated information please visit ecology's web site 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).

**How to apply for the NPDES MS4 permit:** Appendix 5 of the permit contains the forms, instructions and sample public notice information. If need to apply for coverage under the Phase II municipal stormwater permit, complete these three basic steps:

1. Completely fill out the notice of intent.
2. Send a complete notice of intent to Department of Ecology, Water Quality Program, Municipal Stormwater Permits, P.O. Box 47696, Olympia, WA 98504-7696.
3. Publish a notice at least once a week for two consecutive weeks in a single newspaper of general circulation in the county or city in which your district is located.

Operators of **regulated MS4s** who fail to submit an NOI by February 16, 2007, could be in violation of the Clean Water Act for discharging without a permit.

**Changes from the draft to the final general permit:** Ecology made numerous changes to improve clarity and readability of the permit. The following are some of the more significant changes made between the draft and final permit:

- The final permit does not authorize the relaxation of thresholds that are less protective of the environment

then [than] those currently in effect by the permittee. Permittees may not repeal existing local requirements to control stormwater that go beyond the requirements of the final permit. Specifically, if a local government is currently regulating stormwater runoff at sites that are less than 1 acre they must continue to do so.

- In the final permit, ecology revised Special Condition S4 *Compliance with Standards* and added a procedure that permittees must follow if ecology determines that the permittee is causing or contributing to a violation of state water quality standards.
- The final permit contains revised exceptions and variance criteria in Appendix 1. The permittees may use the criteria to determine exceptions and variances to the core elements for new development and redevelopment.
- Ecology extended the deadline for adopting ordinances and implementing the new permit requirements to control stormwater runoff from new development, redevelopment, and construction sites in the final permit from twelve months to eighteen months from the effective date of the permit.
- Ecology simplified record-keeping and cost-accounting requirements in the final permit.

**Appeal Process:** The permit may be appealed within thirty days. Pursuant to chapter 43.21B RCW, appeals must be filed with the pollution control hearings board and served on the department of ecology within thirty days of receipt of the permit.

Your notice of appeal must be filed with the Pollution Control Hearings Board, 4224 6th Avenue S.E., RoweSix, Building 2, P.O. Box 40903, Lacey, WA 98504-0903.

Your notice of appeal must also be served on the Department of Ecology, Appeals Coordinator, P.O. Box 47608, Olympia, WA 98504-7608.

In addition, please send a copy of your notice of appeal to the Department of Ecology, Kathleen Emmett, P.O. Box 47600, Olympia, WA 98504-7600.

### WSR 07-02-083

#### DEPARTMENT OF ECOLOGY

[Filed January 2, 2007, 4:01 p.m.]

#### PUBLIC NOTICE

### Announcing Permit Issuance of the Municipal Stormwater Phase I General Permit

On January 17, 2007, the department of ecology (ecology) is issuing a general permit to cover municipal stormwater. The title of the 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." This final Phase I municipal stormwater permit becomes effective on February 16, 2007.

**What is being regulated by this permit and who is affected?** The Phase I Permit regulates discharges to waters

of the state from large and medium municipal separate storm sewers.

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.

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

This Phase I municipal stormwater permit applies 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 including the Ports of Tacoma and Seattle.

A special purpose district is subject to this permit if the district's storm drain system:

1. Is a public entity.

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

3. Owns or operates a storm drain 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.

This permit will not apply to municipal separate storm sewers systems owned or operated by the Washington state department of transportation (WSDOT). MS4s owned or operated by the WSDOT remain covered under the 1995 Phase I municipal stormwater general permits. Ecology will be issuing 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 permit addresses these legal requirements and controls the discharge of pollutants to protect surface water and ground water quality in Washington state.

The Phase I Permit requires municipalities and secondary permittees 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 permit:** The final Phase I Permit, fact sheet, response to comments 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 final Phase I Permit, fact sheet, response to comments and NOI, contact Kathleen Emmett, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7386, fax (360) 407-6426, e-mail [kemm461@ecy.wa.gov](mailto:kemm461@ecy.wa.gov).

Ecology will hold public workshops on the final permit; for information please visit ecology's web site 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).

**How to apply for the NPDES MS4 permit:** Appendix 5 of the permit contains the forms, instructions and sample public notice information. If you need to apply for coverage under the Phase I municipal stormwater permit, complete these three basic steps:

1. Completely fill out the notice of intent.
2. Send a complete notice of intent to the Department of Ecology, Water Quality Program, Municipal Stormwater Permits, P.O. Box 47696, Olympia, WA 98504-7696.
3. Publish a notice at least once a week for two consecutive weeks in a single newspaper of general circulation in the county or city in which your district is located.

Operators of **regulated MS4s** who fail to submit an NOI by February 16, 2007, could be in violation of the Clean Water Act for discharging without a permit.

**Changes from the draft to the final general permit:** Ecology made numerous changes to improve clarity and readability of the permit. The following are some of the more significant changes made between the draft and final permit:

- In the final permit, ecology revised Special Condition S4 *Compliance with Standards* and added a procedure that permittees must follow if ecology determines that the permittee is causing or contributing to a violation of state water quality standards.
- The final permit contains revised exceptions and variance criteria in Appendix 1. The permittees may use the criteria to determine exceptions and variances to the minimum requirements for new development and redevelopment.
- The deadline for adopting ordinances and implementing the new permit requirements to control stormwater runoff from new development, redevelopment, and construction sites was extended in the final permit from twelve months to eighteen months from the effective date of the permit.
- Ecology simplified record-keeping and cost-accounting requirements in the final permit.

**Appeal Process:** The permit may be appealed within thirty days. Pursuant to chapter 43.21B RCW, appeals must be filed with the pollution control hearings board and served on the department of ecology within thirty days of receipt of the permit.

Your notice of appeal must be filed with the Pollution Control Hearings Board, 4224 6th Avenue S.E., RoweSix, Building 2, P.O. Box 40903, Lacey, WA 98504-0903.

Your notice of appeal must also be served on the Department of Ecology, Appeals Coordinator, P.O. Box 47608, Olympia, WA 98504-7608.

In addition, please send a copy of your notice of appeal to Department of Ecology, Kathleen Emmett, P.O. Box 47600, Olympia, WA 98504-7600.

## WSR 07-02-084

### DEPARTMENT OF ECOLOGY

[Filed January 2, 2007, 4:02 p.m.]

#### PUBLIC NOTICE

### Announcing Final Issuance of the Phase II Municipal Stormwater Permit for Western Washington

On January 17, 2007, the department of ecology (ecology) is issuing a general permit to cover municipal separate storm systems. The title of the permit is "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 "Western Washington Phase II Municipal Stormwater Permit." This final Western Washington Phase II municipal stormwater permit becomes effective on February 16, 2007.

**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 pursuant to EPA regulations and Washington state water pollution control law.

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; and

- 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 web page at [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

At a minimum the following cities, towns, and counties in western Washington are subject to this permit if they own or operate a regulated small MS4.

**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, Redmond, 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. A special purpose district is subject to this permit if the district's storm drain system:

1. Is publically [publicly] owned.
2. Is located within or partially within a census defined urban area of western Washington.
3. Discharges to surface waters.
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 general permit covers stormwater discharges from municipally owned or operated storm 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 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 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 minimum elements:

1. Public education and outreach,
2. Public involvement and participation,
3. Illicit discharge detection and elimination,
4. Controlling runoff from new development, redevelopment and construction sites, and
5. 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 permit:** The permit, fact sheet, response to comments 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 permit, fact sheet, response to comments and NOI, contact Kathleen Emmett, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7386, fax (360) 407-6426, e-mail [kemm461@ecy.wa.gov](mailto:kemm461@ecy.wa.gov).

Ecology will hold public workshops on the final permit; for updated information please visit ecology's web site 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).

**How to apply for the NPDES MS4 permit:** Appendix 5 of the permit contains the forms, instructions and sample public notice information. If need to apply for coverage under the Phase II municipal stormwater permit, complete these three basic steps:

1. Completely fill out the notice of intent.
2. Send a complete notice of intent to Department of Ecology, Water Quality Program, Municipal Stormwater Permits, P.O. Box 47696, Olympia, WA 98504-7696.
3. Publish a notice at least once a week for two consecutive weeks in a single newspaper of general circulation in the county or city in which your district is located.

Operators of **regulated MS4s** who fail to submit an NOI by February 16, 2007, could be in violation of the Clean Water Act for discharging without a permit.

**Changes from the draft to the final general permit:** Ecology made numerous changes to improve clarity and readability of the permit. The following are some of the more significant changes made between the draft and final permit:

- The final permit does not authorize the relaxation of thresholds that are less protective of the environment than [than] those currently in effect by the permittee. Permittees may not repeal existing local requirements to control stormwater that go beyond the requirements of the final permit. Specifically, if a local government is currently regulating stormwater runoff at sites that are less than 1 acre they must continue to do so.
- In the final permit, ecology revised Special Condition S4 *Compliance with Standards* and added a procedure

that permittees must follow if ecology determines that the permittee is causing or contributing to a violation of state water quality standards.

- The final permit contains revised exceptions and variance criteria in Appendix 1. The permittees may use the criteria to determine exceptions and variances to the minimum requirements for new development and redevelopment.
- The deadline for adopting ordinances and implementing programs to control stormwater runoff from new development, redevelopment, and construction sites was extended in the final permit from twenty-four months to thirty months from the effective date of the permit.
- Ecology simplified record-keeping and cost-accounting requirements in the final permit.

**Appeal Process:** The permit may be appealed within thirty days. Pursuant to chapter 43.21B RCW, appeals must be filed with the pollution control hearings board and served on the department of ecology within thirty days of receipt of the permit.

Your notice of appeal must be filed with the Pollution Control Hearings Board, 4224 6th Avenue S.E., RoweSix, Building 2, P.O. Box 40903, Lacey, WA 98504-0903.

Your notice of appeal must also be served on the Department of Ecology, Appeals Coordinator, P.O. Box 47608, Olympia, WA 98504-7608.

In addition, please send a copy of your notice of appeal to the Department of Ecology, Kathleen Emmett, P.O. Box 47600, Olympia, WA 98504-7600.

**WSR 07-02-085**

**AGENDA**

**DEPARTMENT OF ECOLOGY**

[Filed January 2, 2007, 4:03 p.m.]

Pursuant to RCW 34.05.314, following is the department of ecology's rule agenda for December 2006 through June 2007 [2007].

If you have any questions please contact me at (360) 407-7551 or e-mail at [jthi461@ecy.wa.gov](mailto:jthi461@ecy.wa.gov).

<b>Rule-making Agenda</b>				
*The bolded dates indicate filings that have occurred.				
<b>WAC Chapter</b>	<b>Program</b>	<b>Chapter Title</b>	<b>CR-102 Filing Date</b>	<b>CR-103 Filing Date</b>
173-455 (new), 173-173-400, 173-407, 173-425, 173-491, 173-495 AO 06-14 9/05	AQ	Air quality fee rule	<b>November 2006</b>	April 2007
173-400 and 173-460 AO 05-19 11/05	AQ	General regulation for air pollution sources (WAC 173-400-110 only) and controls for new sources of toxic air pollutants	June 2007	October 2007
173-406 and 173-400 AO 06-09 5/06	AQ	Acid rain regulation (mercury emissions from coal burning power plants) and general regulation for air pollution sources	April 2007	September 2007
173-18, 173-20, 173-22, 173-27 AO 05-12 7/05	SEA	Shoreline Management Act rules	<b>August 2006</b>	January 2007
173-700 AO 04-13 7/04	SEA	Wetland mitigation banking - pilot rule	July 2007	January 2008
173-322	SWFAP	Remedial action grants	<b>November 2006</b>	March 2007
173-NEW AO 06-07 4/06	SWFAP	Electronic product recycling - Phase 1	<b>July 2006</b>	<b>November 2006</b>
		Electronic product recycling - Phase 2	April 2007	August 2007
173-308 AO 06-06 3/06	SWFAP	Biosolids management	January 2007	May 2007



<b>Rule-making Agenda</b>				
*The bolded dates indicate filings that have occurred.				
<b>WAC Chapter</b>	<b>Program</b>	<b>Chapter Title</b>	<b>CR-102 Filing Date</b>	<b>CR-103 Filing Date</b>
173-340 AO 06-10 5/06	TCP	Model Toxics Control Act (MTCA)	February 2007	May 2007
173-??? AO 06-12 8/06	WQ	Reclaimed water use	August 2010	December 2010
173-201A AO 06-04 2/06	WQ	Water quality standards	<b>June 2006</b>	<b>November 2006</b>
173-95A and 173-98 AO 05-16 9/05	WQ	Uses and limitations of the water pollution control revolving fund and uses and limitations of the centennial clean water fund	February 2007	June 2007
173-525 AO 05-03 3/2/05	WR	Grays Elochoman instream resources protection and water management program WRIA 25	November 2007	March 2008
173-526 AO 05-04 3/2/05	WR	Cowlitz instream resources protection and water management program WRIA 26	November 2007	March 2008
173-527 AO 05-05 3/2/05	WR	Lewis instream resources protection and water management program WRIA 27	November 2007	March 2008
173-528 AO 05-06 3/05	WR	Salmon-Washougal instream resources protection and water management program WRIA 28	May 2007	September 2007
173-503A AO 04-01 2/04	WR	Instream flow rule for the Samish subbasin	July 2007	January 2008
173-532 AO 04-08 4/04	WR	Water resources program for the Walla Walla basin, WRIA 32	January 2007	April 2007
173-134A AO 06-05 3/06	WR	Quincy ground water subarea management policy	July 2007	October 2007
173-517 AO 04-02 3/04	WR	Quilcene-Snow instream resources protection and water management program	July 2007	January 2008
173-518 AO 04-03 3/04	WR	Focusing on the Dungeness only: Elwha Dungeness instream resources protection and watershed management program	December 2007	May 2008
173-502 AO 06-01 2/06	WR	Rain catchment - WRIA 2	January 2007	May 2007
173-160-381 AO 06-08 4/06	WR	Minimum standards for construction and maintenance of wells	<b>December 2007 Expedited</b>	February 2006

<b>Rule-making Agenda</b>				
*The bolded dates indicate filings that have occurred.				
<b>WAC Chapter</b>	<b>Program</b>	<b>Chapter Title</b>	<b>CR-102 Filing Date</b>	<b>CR-103 Filing Date</b>
173-160 and 173-162 AO 06-08 4/06	WR	Minimum standards for construction and maintenance of water wells and rules and regulations governing the regulation and licensing of well contractors and operators	<b>August 2006</b>	<b>November 2006</b>

Jerry Thielen  
Rules Coordinator

**WSR 07-02-092**  
**NOTICE OF PUBLIC MEETINGS**  
**FRYER COMMISSION**  
[Memorandum—December 28, 2006]

The Washington fryer commission board meeting date for February 13, 2007, has been changed to February 6, 2007.

The February meeting will take place in Olympia at the Washington Farm Bureau Building, 975 Carpenter Road N.E., Lacey, WA 98503.

Any questions you may have can be addressed to JoAnne Naganawa, Washington Fryer Commission, at (425) 226-6125 or e-mail [jl Nag@qwest.net](mailto:jl Nag@qwest.net).

**WSR 07-02-093**  
**NOTICE OF PUBLIC MEETINGS**  
**DRY PEA AND LENTIL COMMISSION**  
[Memorandum—December 28, 2006]

**Annual Meeting Schedule**  
**Calendar Year 2007**

The Washington dry pea and lentil commission announces the following revised meeting schedule for the 2007 calendar year as of January 1, 2006 [2007].

<b>Date</b>	<b>Time</b>	<b>Place</b>	<b>Notes</b>
January 31, 2007	9:00 a.m.	USADPLC State-line Offices	Joint meeting with Idaho commission and WPLGA board (DC mission)
March 27, 2007	9:00 a.m.	USADPLC State-line Offices	Joint meeting with Idaho commission and WPLGA board (income projections)
June 5, 2007	9:00 a.m.	USADPLC State-line Offices	Joint meeting with Idaho commission and WPLGA board (budget/election of officers)

<b>Date</b>	<b>Time</b>	<b>Place</b>	<b>Notes</b>
June 29, 2007	9:00 a.m.	Elks Golf Club, Moscow, Idaho	Joint meeting with Idaho commission and WPLGA board (contract signing)
October 25, 2007	9:00 a.m.	USADPLC State-line Offices	Joint meeting with Idaho commission and WPLGA board (annual meeting planning)
<b>December 6, 2007</b>	<b>8:00-4:00</b>	<b>University Inn, Moscow, Idaho</b>	<b>WPLGA annual grower meeting, annual commission reports</b>
December 7, 2007	9:00 a.m.	USADPLC State-line Offices	Joint meeting with Idaho commission and WPLGA board (budget/election of WPLGA officers, travel approval)

If you have any questions about the meeting schedule, please contact Todd Scholz or Tim McGreevy at (208) 882-3023 or e-mail at [pulse@pea-lentil.com](mailto:pulse@pea-lentil.com).

**WSR 07-02-094**  
**NOTICE OF PUBLIC MEETINGS**  
**GRAYS HARBOR COLLEGE**  
[Memorandum—December 29, 2006]

The Grays Harbor College board of trustees will meet in the boardroom on the main campus in the Jewell C. Manspeaker Instruction Building, unless otherwise noted, on the following dates at 5:30 p.m.

- January 16, 2007
- February 20, 2007
- March 20, 2007
- April 17, 2007
- May 15, 2007

June 19, 2007  
 September 18, 2007  
 October 16, 2007  
 November 20, 2007

February 15, 2007  
 April 19, 2007  
 June 21, 2007  
 August 16, 2007  
 October 18, 2007  
 December 20, 2007

**WSR 07-02-097**  
**NOTICE OF PUBLIC MEETINGS**  
**SIRTI**  
 [Memorandum—January 3, 2007]

**BOARD OF DIRECTORS**  
**2007 MEETING SCHEDULE**

3:00 - 5:00 p.m.  
 Board Room #432  
 Fourth Floor  
 Sirti Building  
 665 North Riverpoint Boulevard  
 Spokane, WA 99202

Meetings will be held on the 3rd Thursday every other month beginning February 15, 2007.

Please RSVP attendance for meetings to GERALYN GARBURG, Executive Assistant, (509) 358-2021 or geraldyn@serti.org.

**WSR 07-02-102**  
**AGENDA**  
**DEPARTMENT OF LICENSING**  
 [Filed January 3, 2007, 9:47 a.m.]

Following is the rule-making agenda for the department of licensing. This agenda is sent to you as a requirement of RCW 34.05.314.

Feel free to contact Romona Provost if you need any assistance concerning this matter at 902-3640.

**RULE-MAKING AGENDA FOR RULES UNDER DEVELOPMENT**  
**DECEMBER 2006**

CR-101	CR-102	PROGRAM	SUBJECT
97-11-002		Driver responsibility	Procedural rules regarding the revocation and restoration of driving privileges of those forced to be an habitual traffic offender under chapter 46.65 RCW, including rules regarding the right to a hearing.
97-15-037		Vehicle dealers	Change in vehicle dealer temporary permit requirements.
01-14-089		Cosmetology	Chapter 308-20 WAC, Cosmetology.
01-22-061		Professional athletics	Fee adjustment, chapters 36-12, 36-13, 36-14 WAC.
02-12-124		Prorate	Chapter 308-91 WAC, Reciprocity and proration.
02-20-086	02-23-059	Private investigator	Aliens to provide proof of firearms license.
02-24-074		Auctioneers	Update to chapter 308-11 WAC.
03-14-024	03-16-113	Land surveying	Amending chapter 196-27A WAC.
03-15-108		UCC	Possible adjustments to fees changed by the program WAC 308-30-100.
03-17-026		Cosmetology	Fee adjustment to chapter 308-20 WAC, regulating cosmetologist, barber, manicurist, and esthetician professions.
03-17-029		Camping resorts	Fee adjustment to chapter 308-420 WAC, regulating camping resorts.
03-20-065		Bail bond agent	Change fees for ail [bail] bond agents and bail bond agency company application and renewal fees.
03-22-059		Employment agency	Possible adjustments to fees charged by the employment agency program.
04-01-121	04-05-097	Camping resorts	Update to chapter 308-420 WAC.
04-01-122	04-05-098	Timeshares	Update to chapter 308-127 WAC.
04-07-054		Title and registration	Chapter 308-93 WAC, to include but not limited to WAC 308-93-030, 308-93-050.
04-12-010		Title and registration	Chapter 308-61 WAC, Wreckers, to include but not limited to WAC 308-61-135.
04-16-116		Cosmetology	Update to chapter 308-20 WAC, due to chapter 51, Laws of 2004.

CR-101	CR-102	PROGRAM	SUBJECT
04-24-003		Security guard	Fee increase for security guard program.
04-17-064		Title and registration	WAC 308-56A-500, 308-56A-530.
05-04-102		Cemeteries	New Title 98 WAC, brief adjudicative proceedings.
05-07-044		Dealers	WAC 308-66-110, 308-66-155, 308-66-157, 308-66-190.
05-07-070		Dealers	WAC 308-90-120.
05-07-071		Dealers	WAC 308-66-180.
05-11-012		Landscape architect	WAC 308-13-020, 308-13-024, 308-13-100.
05-11-104		Title and registration	Chapters 308-56A, 308-96A WAC, implementing 2SSB 5916.
05-13-181		Title and registration	Chapter 308-96A WAC, WAC 308-96A-560.
	05-15-122	Funeral	WAC 308-48-800.
06-01-079		Security guards	Repeal duplicative rules relating to brief adjudicative proceedings.
06-05-044		Bail bond	Amend prelicense training requirements for bail bond recovery agents, chapter 308-19 WAC.
06-06-112		Geologists	Adjudicative proceedings, WAC 308-15-100, 308-15-101, 308-15-103.
06-06-113		Architects	Adjudicative proceedings, WAC 308-12-210, 308-12-220, 308-12-230.
06-06-114		Landscape architects	Adjudicative proceedings, WAC 308-13-210, 308-13-220, 308-13-230.
06-08-027		Private investigator	Fee increase for private investigator company licenses.
06-10-064		Cemetery	To inform licensees and the public that the cemetery board is reviewing its rules for possible amendments needed due to the passing of SSB 5752.
06-09-044		On-site	Chapter 196-30 WAC, fees for on-site wastewater treatment designers and inspectors.
06-09-046		On-site	Chapter 196-33 WAC, rules of professional practice for licensees designing on-site wastewater treatment systems.
06-11-079		Geologist	Chapter 308-15 WAC, Geologist licensing services.
06-10-078	06-19-101	Dealers	Amendments mandated by SHB 1505 and SSB 6676.
06-12-048		Appraiser	Amendments to chapter 308-125 WAC to limit the continuing education granted for attendance at real estate appraiser commission meetings and make corrections to qualifying education to meet the new appraiser qualifications criteria established by the appraiser qualifications board.
06-12-127	06-21-129	Driver examination	WAC 308-104-010 Vision test.
06-13-098		Cosmetology	Chapter 308-20 WAC.
06-13-054	06-21-109	Architects	Chapter 308-12 WAC.
06-13-071	06-17-042	Dealers	WAC 308-65-080, 308-65-140.
06-13-072	06-17-043	Dealers	WAC 308-90-120.
06-13-073	06-17-044	Dealers	WAC 308-66-110, 308-66-210, 308-66-120, 308-66-177.
06-17-060		UCC	WAC 308-390-105 Fees.
06-17-104	06-21-061	Landscape architects	Chapter 308-13 WAC.
06-19-023	06-23-060	Title and registration	Chapters 308-56A, 308-93 WAC.
06-18-068		Engineer	Chapter 196-27A WAC.
06-18-069		Engineer	Chapter 196-12 WAC.
06-19-102	06-23-029	Title and registration	Chapter 308-96A WAC.
06-20-092		Funeral	Rules for internship guidelines.
06-22-105		Motorcycle	Establish basic requirements governing the operation and scope of motorcycle education courses offered by commercial businesses.

CR-101	CR-102	PROGRAM	SUBJECT
05-15-121	06-21-110	Funeral	Chapter 308-48 WAC.
06-23-097		Title and registration	WAC 308-93-070.
06-23-098		Title and registration	WAC 308-93-087, 308-93-088.
06-24-122		Title and registration	WAC 308-56A-210.
06-23-080		Engineers	Chapter 196-23 WAC.

Ramona Provost  
Rules Coordinator