

WSR 08-13-034
EXPEDITED RULES
DEPARTMENT OF
NATURAL RESOURCES

[Filed June 10, 2008, 3:10 p.m.]

Title of Rule and Other Identifying Information:
 Amending WAC 332-24-720 Forest protection zone—Pierce County.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Darrel Johnston, Department of Natural Resources, 1111 Washington Street S.E., P.O. Box 47037, Olympia, WA 98504-7037, AND RECEIVED BY August 18, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend to accurately reflect forest lands removed within Pierce County from department of natural resources (DNR) fire protection and assign responsibility for fire protection to the respective Pierce County fire protection district.

Boundary changes were negotiated with the associated fire protection districts as specified by RCW 76.04.165(3).

Reasons Supporting Proposal: To clarify the DNR geographic area of fire protection responsibility, as directed in RCW 76.04.165(3). This will result in more effective fire protection for the residents of the area.

Statutory Authority for Adoption: RCW 76.04.165.

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

Name of Proponent: Darrel Johnston, DNR, governmental.

Name of Agency Personnel Responsible for Drafting: Darrel Johnston, 1111 Washington Street S.E., Olympia, WA 98504-7037, (360) 902-2112; Implementation and Enforcement: DNR South Puget Sound Region, 950 Farman Avenue North, Enumclaw, WA 98022, (360) 825-1631.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: DNR is not currently assessing forest protection on these lands.

Mark Kahley
 for Victoria Christiansen
 Executive Director of
 Regulatory Programs

AMENDATORY SECTION (Amending WSR 97-05-066, filed 2/19/97, effective 1/1/98)

WAC 332-24-720 Forest protection zone—Pierce County. (1) It is determined that some forest lands within Pierce County are best protected by fire protection districts.

Therefore, the forest lands, situated in the following fire protection districts, are removed from the department's forest protection zone and become the protection responsibility of the district:

(a) Fire Protection District 1. All forest lands, except state and federal forest lands within the legal description as follows: Township 20 North, Range 4 East, W.M., Sections 22, 23, 25, 26, 27, 35, 36; Township 20 North, Range 5 East, W.M., Sections 19, 20, 29, 30, 31, 32; Township 19 North, Range 5 East, W.M., Sections 5, 6; Township 19 North, Range 4 East, W.M., Section 1.

(b) Fire Protection District 5. All forest lands, except state and federal forest lands within the legal description as follows: Township 22 North, Range 1 East, W.M., Sections 13, 24, 25, 26, 34, 35, 36; Township 22 North, Range 2 East, W.M., Sections 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33; Township 21 North, Range 1 East, W.M., Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, 36; Township 21 North, Range 2 East, W.M., Sections 4, 5, 6, 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33; Township 20 North, Range 1 East, W.M., Sections 1, 2, 11, 12, 13; Township 20 North, Range 2 East, W.M., Sections 5, 6, 7, 18.

(c) Fire Protection District 6. All forest lands, except state and federal forest lands within the legal description as follows: Township 18 North, Range 3 East W.M., Sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 23, 24, 45; Township 19 North, Range 3 East W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53; Township 19 North, Range 4 East W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, ((§))19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 35, the N 1/2 SW 1/4 of Section 36, Section 38; Township 20 North, Range 3 East W.M., Sections 11, 13, 14, 23, 24, 25, 26, 27, 31, 34, 35, 36, 39, 41; Township 20 North, Range 4 East W.M., Sections 19, 29, 30, 31, 32.

((b)) (d) Fire Protection District 10. All forest lands, except state and federal forest lands within the legal description as follows: Township 21 North, Range 4 East, W.M., Sections 30, 31; Township 20 North, Range 3 East, W.M., Sections 1, 2, 11, 12, 13; Township 20 North, Range 4 East, W.M., Sections 5, 6, 7, 8.

(e) Fire Protection District 12. All forest lands, except state and federal forest lands within the legal description as follows: Township 20 North, Range 5 East, W.M., Sections 25, 26, 27, 34, 35, 36; Township 20 North, Range 6 East, W.M., Sections 31, 32; Township 19 North, Range 5 East, W.M., Sections 1, 2, 11, 12; Township 19 North, Range 6 East, W.M., Sections 4, 5, 6, 7, 8, 9, 10, 16.

(f) Fire Protection District 13. All forest lands, except state and federal forest lands within the legal description as follows: Township 21 North, Range 3 East, W.M., Sections 16, 17, 20, 21.

(g) Fire Protection District 14. All forest lands, except state and federal forest lands within the legal description as follows: Township 20 North, Range 3 East, W.M., Sections 11, 12, 13, 14, 24; Township 20 North, Range 4 East, W.M., Sections 18, 19, 20, 29, 30.

(h) Fire Protection District 16. All forest lands except state and federal forest lands within the legal description as follows: Township 22 North, Range 1 West, W.M., Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36; Township 21 North, Range 1 West, W.M., Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36; Township 20 North, Range 1 West, W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 35, 36; Township 20 North, Range 1 East, W.M., Sections 6, 7, 18, 19; Township 19 North, Range 1 West, W.M., Sections 1, 2; Township 22 North, Range 1 East, W.M., Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33; Township 21 North, Range 1 East, W.M., Sections 5, 6.

(i) Fire Protection District 18. All forest lands, except state and federal forest lands within the legal description as follows: Township 18 North, Range 4 East, W.M., the NE 1/4(±) and the S 1/2 of Section 1, 12; Township 18 North, Range 5 East, W.M., Sections 5, 6, 7, Section 8 west of Orville Road, Section 17 west of Orville Road; Township 19, Range 4 East, W.M., the S 1/2 SE 1/4 of Section 1, Sections 12, 13, 24, the NE 1/4(±) and the E 1/2 NW 1/4(±) and the NE 1/4 NW 1/4(±) and the SE 1/4 of Section 25, Section 26, the SE 1/4 NE 1/4(±) and the E 1/2 SE 1/4 of Section 36, Sections or Claim Numbers 37, 38; Township 19 North, Range 5 East, W.M., the S 1/2 S 1/2 of Section 6, the N 1/2 NE 1/4(±) and the SW 1/4 NE 1/4(±) and the W 1/2 of Section 7, the W 1/2 of Section 18, the W 1/2 SE 1/4 west of Carbon River in Section 19, south of Carbon River in Section 30, Sections 31, 32, Sections or Claim Numbers 37, 38, 40.

((e)) (j) Fire Protection District 21. All forest lands, except state and federal forest lands within the legal description as follows: Township 17 North, Range 3 East, W.M., Sections 1, 2, 11, 12; Township 17 North, Range 4 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; Township 17 North, Range 5 East, W.M., Sections 4, 5, 6, 7; Township 18 North, Range 3 East, W.M., Sections 13, 14, 23, 24, 25, 26, 27, 34, 35, 36; Township 18 North, Range 4 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; Township 18 North, Range 5, East W.M., Sections 18, 19, 20, 29, 30, 31, 32, 33; Township 19 North, Range 4 East, W.M., Sections 28, 29, 30, 31, 32, 33, 34.

((f)) (k) Fire Protection District 22. All forest lands, except state and federal forest lands within the legal description as follows: Township 20 North, Range 5 East, W.M., the S 1/2 S 1/2 SW 1/4 west of the top of the westerly bluff of the White River Gorge in Section 2, the SW 1/4 NE 1/4(±) and the NW 1/4(±) and the S 1/2 of Section 3, Sections 4, 5, the E 1/2 of Section 7, Sections 8, 9, 10, Section 11 west of the top of the westerly bluff of the White River Gorge, the SW 1/4 SW 1/4 of Section 13, Section 14 west of the top of the westerly bluff of the White River Gorge, Sections 15, 16, 17, the NE 1/4(±) and the N 1/2 SE 1/4(±) and the SE 1/4 SE 1/4 of Section 18, the N 1/2(±) and the SE 1/4 SW 1/4(±) and the SE 1/4 of Section 20, Sections 21, 22, 23, the NW 1/4 NW 1/4(±) and the S 1/2 NW 1/4(±) and the SW 1/4 of Section 24, (and) the N 1/2 NE 1/4(±) and the N 1/2 NW 1/4 of Section 29.

((g)) (l) Fire Protection District 24. All forest lands, except state and federal forest lands within the legal descrip-

tion as follows: Township 19 North, Range 5 East, W.M., Sections 3, 4, the NE 1/4(±) and the E 1/2 SW 1/4(±) and the SW 1/4 SW 1/4 north of Rhodes Lake Road(±) and the SE 1/4 of Section 5, Section 8 north of Rhodes Lake Road, the E 1/2(±) and the NW 1/4 north of Rhodes Lake Road in Section 9, Section 10, the S 1/2 of Section 11, (North) the N 1/2 of Section 14.

((h)) (m) Fire Protection District 27. All forest lands, except state and federal forest lands on Anderson Island.

(2) Forest lands removed from the forest protection zone will not be assessed under RCW 76.04.610 or 76.04.-630.

(3) The exchange of fire protection responsibility involving Fire Protection District 21 will be effective January 1, 1994.

(4) The exchange of fire protection responsibility involving Fire Protection District 27 will be effective January 1, 1997.

(5) The exchange of fire protection responsibility involving Fire Protection Districts 6, 18, 22, and 24 will be effective January 1, 1998.

(6) The exchange of fire protection responsibility involving Fire Protection Districts 1, 5, 10, 12, 13, 14, and 16 will be effective January 1, 2006.

WSR 08-13-035

EXPEDITED RULES

DEPARTMENT OF NATURAL RESOURCES

[Filed June 10, 2008, 3:11 p.m.]

Title of Rule and Other Identifying Information: Repealing WAC 332-24-700 Forest protection zone—Vashon and Maury islands and 332-24-735 Forest protection zone—King county fire district #45; and amending WAC 332-24-730 Forest protection zone—King County.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Darrel Johnston, Department of Natural Resources, 1111 Washington Street S.E., P.O. Box 47037, Olympia, WA 98504-7037, AND RECEIVED BY August 18, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend geographic boundary to accurately reflect forest lands removed within King County from department of natural resources (DNR) fire protection and assign responsibility for fire protection to the respective King County fire protection district.

Repeal WAC 332-24-710 and 332-24-735 and incorporate the current language into WAC 332-24-730.

Boundary changes were negotiated with the associated fire protection districts as specified by RCW 76.04.165(3).

Reasons Supporting Proposal: To clarify the DNR geographic area of fire protection responsibility, as directed in RCW 76.04.165(3). This will result in more effective fire protection for the residents of the area.

Statutory Authority for Adoption: RCW 76.04.165.

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

Name of Proponent: Darrel Johnston, DNR, governmental.

Name of Agency Personnel Responsible for Drafting: Darrel Johnston, 1111 Washington Street S.E., Olympia, WA 98504-7037, (360) 902-2112; Implementation and Enforcement: DNR South Puget Sound Region, 950 Farman Avenue North, Enumclaw, WA 98022, (360) 825-1631.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: DNR is not currently assessing forest protection on these lands.

Mark Kahley
for Victoria Christiansen
Executive Director of
Regulatory Programs

AMENDATORY SECTION (Amending WSR 97-05-066, filed 2/19/97, effective 1/1/98)

WAC 332-24-730 Forest protection zone—King County. (1) It is determined that some forest lands within King County are best protected by fire protection districts. Therefore, the forest lands, situated within the following fire protection districts, are removed from the department's forest protection zone and become the protection responsibility of the district:

~~((a) Fire Protection District 10. All forest lands, except King County, state and federal forest lands, within the legal description as follows: Township 23 North, Range 5 East, W.M., the N 1/2 NW 1/4 and the SE 1/4 NW 1/4 of Section 1, the NW 1/4 and the S 1/2 of Sections 2, 3, 10, 11, 12, 13; Township 24 North, Range 5 East, W.M., Sections 13, 14, 23, 24, 25, 26, 27, 34, the NW 1/4 NW 1/4 and the SW 1/4 SW 1/4 of Section 35; Township 23 North, Range 6 East, W.M., E 3/4 of Sections 3, 6, 7, 8, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 36; Township 24 North, Range 6 East, W.M., the S 1/2 NW 1/4 and the N 1/2 SW 1/4 of Section 1, the S 1/2 and the S 1/2 NW 1/4 of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 north of Interstate 90, Section 27 north of Interstate 90, 28, the SE 1/4 and the S 1/2 SW 1/4 and the NE 1/4 SW 1/4 of Section 29, the N 1/2 NE 1/4 and the NE 1/4 NW 1/4 of Section 30, the N 1/4 E 1/2 of Sections 32, 33, 34; Township 25 North, Range 6 East W.M., Sections 26, 27, 28, 32, 33, 34, the N 1/2 NW 1/4 and the SW 1/4 NW 1/4 of Section 35; Township 26 North, Range 6 East, W.M., Sections 25, 26, 35, 36; Township 23 North, Range 7 East, W.M., Sections 3, 4, 10; Township 24 North, Range 7 East, W.M., Sections 18, 19, the S 1/2 of Sections 29, 30, 32, the W 3/4 of~~

~~Section 33; Township 25 North, Range 6 East, W.M., Sections 1, 12; Township 25 North, Range 7 East, W.M., that portion of the SW 1/4 west of the Tolt River of Section 1, the W 1/2 SW 1/4 of Sections 3, 4, 5, 6, 7, 8, 9, the W 3/4 and the E 1/2 SE 1/4 of Section 10, the SE 1/4 SW 1/4 and that portion of the E 1/2 west of the Tolt River of Section 11, that portion of the NW 1/4 west of the Tolt River of Section 12, the N 3/4 W 1/2 E 1/2 and the E 1/2 W 1/2 and the SW 1/4 SW 1/4 of Section 14, the W 1/2 and the S 1/2 SE 1/4 of Sections 15, 16, 17, 20, 21, 22, the W 1/4 of Section 23, the SE 1/4 and the NW 1/4 and the NE 1/4 SW 1/4 of Section 26, the N 1/4 and the W 1/4 of Sections 27, 28, 29, 30, 32, 33, that portion west of Griffin Creek of Section 34; Township 26 North, Range 7 East, W.M., the SW 1/4 and the S 1/2 SE 1/4 of Sections 26, 27, 31, 32, 33, the W 1/4 and the N 3/4 E 1/2 W 1/2 of Section 34, the N 1/2 and the E 3/4 N 1/2 S 1/2 of Sections 35, 36.~~

~~(b)) (a) Fire Protection District 2. All forest lands, except state and federal lands, within the legal description as follows: Township 23 North, Range 3 East, W.M., Sections 25, 36; Township 23 North, Range 4 East, W.M., Sections 30, 31, 32; Township 22 North, Range 4 East, W.M., Sections 5, 6, 7.~~

~~(b) Fire Protection District 4. All forest lands, except state and federal lands, within the legal description as follows: Township 26 North, Range 3 East, W.M., Sections 1, 2, 11, 12, 13, 14; Township 26 North, Range 4 East, W.M., Sections 4, 5, 6, 7, 8, 9, 16, 17, 18.~~

~~(c) Fire Protection District 10. All forest lands, except King County, state and federal forest lands, within the legal description as follows: Township 23 North, Range 5 East, W.M., the NE 1/4 and the S 1/2 and the SW 1/4 and the NW 1/4 of Section 1, the NW 1/4 and the S 1/2 of Section 2, Section 3, 10, 11, 12, 13; Township 24 North, Range 5 East, W.M., Sections 13, 14, 23, 24, 25, 26, 27, 34, the NW 1/4 NW 1/4 and the SW 1/4 SW 1/4 of Section 35; Township 23 North, Range 6 East, W.M., E 3/4 of Section 3, Sections 6, 7, 8, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 36; Township 24 North, Range 6 East, W.M., the S 1/2 NW 1/4 and the N 1/2 SW 1/4 of Section 1, the S 1/2 and the S 1/2 NW 1/4 of Section 2, Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, Section 26 north of Interstate 90, Section 27 north of Interstate 90, Section 28, the SE 1/4 and the S 1/2 SW 1/4 and the NE 1/4 SW 1/4 of Section 29, the N 1/2 NE 1/4 and the NE 1/4 NW 1/4 of Section 30, the N 1/4 E 1/2 of Section 32, Sections 33, 34; Township 25 North, Range 6 East, W.M., Sections 26, 27, 28, 32, 33, 34, the N 1/2 NW 1/4 and the SW 1/4 NW 1/4 of Section 35; Township 26 North, Range 6 East, W.M., Sections 25, 26, 35, 36; Township 23 North, Range 7 East, W.M., Sections 2, 3, 4, 10; Township 24 North, Range 7 East, W.M., Sections 18, 19, 20, 21, 28, 29, 30, 32, the W 3/4 of Section 33; Township 25 North, Range 6 East, W.M., Sections 1, 12; Township 25 North, Range 7 East, W.M., that portion of the SW 1/4 west of the Tolt River of Section 1, the W 1/2 SW 1/4 of Section 3, Sections 4, 5, 6, 7, 8, 9, the W 3/4 and the E 1/2 SE 1/4 of Section 10, the SE 1/4 SW 1/4 and that portion of the E 1/2 west of the Tolt River of Section 11, that portion of the NW 1/4 west of the Tolt River of Section 12, the N 3/4 W 1/2 E 1/2 and the E 1/2 W 1/2 and the SW 1/4~~

SW 1/4 of Section 14, the W 1/2 and the S 1/2 SE 1/4 of Section 15, Sections 16, 17, 20, 21, 22, the W 1/4 of Section 23, the SE 1/4 and the NW 1/4 and the NE 1/4 SW 1/4 of Section 26, the N 1/4 and the W 1/4 of Section 27, Sections 28, 29, 30, 32, 33, that portion west of Griffin Creek of Section 34; Township 26 North, Range 7 East, W.M., the SW 1/4 and the S 1/2 SE 1/4 of Section 26, Sections 27, 31, 32, 33, the W 1/4 and the N 3/4 E 1/2 W 1/2 of Section 34, the N 1/2 and the E 3/4 N 1/2 S 1/2 of Sections 35, Section 36.

(d) Fire Protection District 11. All forest lands, except state and federal lands, within the legal description as follows: Township 24 North, Range 3 East, W.M., Sections 32, 33; Township 23 North, Range 3 East, W.M., Sections 4, 5, 6, 7, 8, 9; Township 23 North, Range 3 East, W.M., Sections 1, 2, 11, 12.

(e) Fire Protection District 13. All forest lands, except state and federal lands, located on Vashon or Maury Island.

(f) Fire Protection District 14. All forest lands, except state and federal lands, within the legal description as follows: Township 24 North, Range 5 East, W.M., Sections 10, 11, 14, 15, 22, 23.

(g) Fire Protection District 20. All forest lands, except state and federal lands, within the legal description as follows: Township 23 North, Range 4 East, W.M., Sections 1, 11, 12, 13, 14; Township 23 North, Range 5 East, W.M., Sections 6, 7, 18.

(h) Fire Protection District 24. All forest lands, except state and federal lands, within the legal description as follows: Township 22 North, Range 4 East, W.M., Sections 2, 3; Township 23 North, Range 4 East, W.M., Sections 34, 35.

(i) Fire Protection District 25. All forest lands, except state and federal lands, within the legal description as follows: Township 24 North, Range 5 East, W.M., Sections 20, 27, 29, 32, 33, 34; Township 23 North, Range 5 East, W.M., Sections 3, 4, 5, 8, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; Township 23 North, Range 6 East, W.M., Sections 18, 19.

(j) South King Fire and Rescue Formerly Fire Protection District 26. All forest lands except state and federal lands, within the legal description as follows: Township 22 North, Range 4 East, W.M., Sections 5, 8, 9, 16, 17, 20, 21, 28, 29, 32; Township 21 North, Range 4 East, W.M., Section 5.

(k) South King Fire and Rescue Formerly Fire Protection District 39. All forest lands, except state and federal lands, within the legal description as follows: Township 22 North, Range 4 East, W.M., Sections 23, 26, 34, 35; Township 21 North, Range 4 East, W.M., Sections 2, 3, 4, 9, 10, 11, 14, 15, 21, 22, 23, 26, 27, 28, 30, 32, 33, 34, 35; Township 21 North, Range 3 East, W.M., Sections 1, 10, 11, 12, 13, 14, 23, 24, 25.

(l) Fire Protection District 27. All forest lands, except state and federal forest lands, within the legal description as follows: Township 24 North, Range 6 East, W.M., Section 12; Township 24 North, Range 7 East, W.M., Sections 3, 4, the E 1/4 and the N 1/2 NW 1/4 of Section 5, the N 3/4 E 1/2 W 1/2 and the W 1/2 E 1/2 and the NE 1/4 NE 1/4 and the SE 1/4 SE 1/4 of Section 6, the N 1/2 of Section 7, Sections 8, 9, 10, 11, 13, 14, 15, 16, 17, the E 1/2 of Section 18, the NE 1/4 of Section 19, Sections 20, 21, 22, 23, 24, 25, 26, 27, 35; Township 25 North, Range 7 East, W.M., Section 30, the E 3/4 and the N 3/4 W 1/4 of Section 31, the SW 1/4 and the E

1/2 SE 1/4 of Section 32, Sections 33, 34; Township 24 North, Range 8 East, W.M., the W 1/2 NW 1/4 of Section 19.

(m) Fire Protection District 28. All forest lands, except state and federal forest lands within the legal description as follows: Township 19 North, Range 6 East, W.M., Section 1 north of the White River; Township 19 North, Range 7 East, W.M., Section 6 ((NE 1/4, NW 1/4, SW 1/4)) north of the White River((-SE 1/4)); Township 20 North, Range 5 East, W.M., Section 13 east of the White River, and Section 24 east of the White River; Township 20 North, Range 6 East, W.M., Section 1, the E 1/2 of Section 8, Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, Section 19 north of the White River, Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, Section 29 north of the White River, Section 30 north of the White River, Section 32 north of the White River, Section 33 north of the White River, Section 34 north of the White River, Section 35 north of the White River, Section 36 north of the White River, Section or Claim Number 37; Township 20 North, Range 7 East, W.M., Sections 6, 7, 18, 19, 30, 31.

~~((e) Fire Protection District 27. All forest lands except state and federal forest lands, within the legal description as follows: Township 24 North, Range 6 East, W.M., Section 12; Township 24 North, Range 7 East, W.M., Sections 3, 4, the E 1/4 and the N 1/2 NW 1/4 of Section 5, the N 3/4 E 1/2 W 1/2 and the W 1/2 E 1/2 and the NE 1/4 NE 1/4 and the SE 1/4 SE 1/4 of Section 6, the N 1/2 of Sections 7, 8, 9, 10, 11, 13, 14, 15, the NE 1/4 and the N 1/2 SE 1/4 and the NW 1/4 of Section 16, the E 1/2 NE 1/4 of Sections 17, 18, 19, the NE 1/4 of 22, the N 1/2 of Section 23, the N 1/2 and the N 1/2 SE 1/4 of Section 24; Township 25 North, Range 7 East, W.M., Section 30, the E 3/4 and the N 3/4 W 1/4 of Section 31, the SW 1/4 and the E 1/2 SE 1/4 of Sections 32, 33, 34; Township 24 North, Range 8 East, W.M., the W 1/2 NW 1/4 of Section 19.~~

~~(d))~~ (n) Fire Protection District 34. All forest lands, except state and federal lands, within the legal description as follows: Township 25 North, Range 6 East, W.M., Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 29; Township 25 North, Range 7 East, W.M., Sections 18, 19, 30; Township 25 North, Range 5 East, W.M., Sections 3, 10, 11, 12, 13, 14; Township 26 North, Range 6 East, W.M., Sections 27, 28, 29, 30, 31, 32, 33, 34; Township 26 North, Range 5 East, W.M., Sections 25, 26, 27, 28, 34.

(o) Fire Protection District 36. All forest lands, except state and federal lands, within the legal description as follows: Township 26 North, Range 5 East, W.M., Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24; Township 26 North, Range 6 East, W.M., Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22.

(p) Fire Protection District 37. All forest lands except state and federal lands within the legal description as follows: Township 22 North, Range 5 East, W.M., Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 23, 24, 30, 31, 32, 33; Township 22 North, Range 6 East, W.M., Sections 18, 19, 29, 30, 31; Township 22 North, Range 4 East, W.M., Sections 25, 36.

(q) Fire Protection District 38. All forest lands, except state and federal forest lands, within the legal description as follows: Township 23 North, Range 7 East, W.M., Section 1; Township 24 North, Range 7 East, W.M., Section 36; Town-

ship 23 North, Range 8 East, W.M., Sections 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 27, 35; Township 24 North, Range 8 East, W.M., Sections 17, 18, 19, 20, 21, ~~((south))~~ the S 3/4 of Section 26, that portion of the SE 1/4 of Section 27 as bounded by 428th Avenue SE on the west and north and section line on the east and south, the N 1/2 and the SW 1/4 of Sections 28, 29, 30, 31, 32, 33, the E 1/2 and the S 3/4 of the W 1/2 of Section(s) 34, Section 35; Township 23 North, Range 9 East, W.M., Sections 7, 17, 18, 19, 30.

~~((e))~~ (r) Fire Protection District 40. All forest lands, except state and federal lands, within the legal description as follows: Township 23 North, Range 5 East, W.M., Sections 22, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36.

(s) Fire Protection District 43. All forest lands, except state and federal forest lands, within the legal description as follows: Township 22 North, Range 5 East, W.M., Section 12; Township 23 North, Range 5 East, W.M., Section 24; Township 22 North, Range 6 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, that portion of the SE 1/4 of Section 25 as bounded by 268th Avenue SE on the west, SE 264th Street on the north and section line on the east and south, Sections 27, 28, 29, 30, 31, 32, 33, 34, 35, that portion of the NE 1/4 of Section 36 as bounded by 268th Avenue SE on the west, SE Ravensdale Way on the south, Landsburg Road SE on the west and section line on the north; Township 23 North, Range 6 East, W.M., Sections 19, 29, 30, 31, 32, 33, 34, 35, 36; Township 22 North Range 7 East, W.M., Sections 5, 6, 7, 8, 18, 19, 32.

(t) Fire Protection District 44 portions of which were formerly Fire Protection District 46. All forest lands, except state and federal lands, within the legal description as follows: Township 21 North, Range 5 East, W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36; Township 21 North, Range 6 East, W.M., Sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 34, 35, 36; Township 20 North, Range 6 East, W.M., Sections 2, 3, 4, 5, 6, 7, 8; Township 20 North, Range 5 East, W.M., Sections 1, 2, 11, 12.

(u) Fire Protection District 45. All forest lands within the legal description as follows: Township 25 North, Range 6 East, W.M., Sections 1, 12; Township 26 North, Range 6 East, W.M., Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, 36; Township 26 North, Range 7 East, W.M., the N 3/4 of the W 1/2 of Section 3, Sections 4, 5, 6, 7, 8, 9, the S 1/2 and the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 of Section 14, the SW 1/4 and the S 1/2 NW 1/4 and the NW 1/4 NW 1/4 of Section 15, Sections 16, 17, 18, 19, 20, 21, 22, the E 1/2 NE 1/4 and the N 3/4 W 1/2 W 1/2 and all remaining land north of Stossel Creek County Road in Section 23, Sections 28, 29, 30, 31, 32, 33.

(2) Forest lands removed from the protection zone will not be assessed under RCW 76.04.610 or 76.04.630.

(3) The exchange of fire protection responsibility involving Fire Protection District 13 will be effective August 18, 1990.

(4) The exchange of fire protection responsibility involving Fire Protection Districts ~~((+0, 27,))~~ 38, 43, and 45 will be effective January 1, 1994.

~~((4))~~ (5) The exchange of fire protection responsibility involving Fire Protection Districts ~~((+8, 22, and 24))~~ 2, 4, 10,

11, 14, 20, 24, 25, 27, 28, 31, 34, 36, 37, 40, 41, 42, 44, 46, and South King Fire and Rescue will be effective January 1, ~~((1998))~~ 2006.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 332-24-700	Forest protection zone—Vashon and Maury islands.
WAC 332-24-735	Forest protection zone—King County fire district #45.

WSR 08-13-036
EXPEDITED RULES
DEPARTMENT OF
NATURAL RESOURCES
[Filed June 10, 2008, 3:51 p.m.]

Title of Rule and Other Identifying Information:
Amending WAC 332-24-710 Forest protection zone—Kitsap County.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Darrel Johnston, Department of Natural Resources, 1111 Washington Street S.E., P.O. Box 47037, Olympia, WA 98504-7037, AND RECEIVED BY August 18, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend to accurately reflect forest lands removed within Kitsap County from department of natural resources (DNR) fire protection and assign responsibility for fire protection to the respective Kitsap County fire protection district.

Boundary changes were negotiated with the associated fire protection districts as specified by RCW 76.04.165(3).

Reasons Supporting Proposal: To clarify the DNR geographic area of fire protection responsibility, as directed in RCW 76.04.165(3). This will result in more effective fire protection for the residents of the area.

Statutory Authority for Adoption: RCW 76.04.165.

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

Name of Proponent: Darrel Johnston, DNR, governmental.

Name of Agency Personnel Responsible for Drafting: Darrel Johnston, 1111 Washington Street S.E., Olympia, WA 98504-7037, (360) 902-2112; Implementation and Enforce-

ment: DNR South Puget Sound Region, 950 Farman Avenue North, Enumclaw, WA 98022, (360) 825-1631.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: DNR is not currently assessing forest protection on these lands.

Mark A. Kahley
for Victoria Christiansen
Executive Director of
Regulatory Programs

AMENDATORY SECTION (Amending Order 608, filed 1/8/93, effective 2/8/93)

WAC 332-24-710 Forest protection zone—Kitsap County. (1) It is determined that some forest lands within Kitsap County are best protected by fire protection districts. Therefore, the forest lands, situated within the following fire districts, are removed from the department's forest protection zone and become the protection responsibility of the district:

~~((a) Fire Protection District 1. All forest lands, except state and federal owned forest lands within the legal description as follows: Township 25 North, Range 1 East W.M., Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30; Township 25 North, Range 1 West W.M., Sections 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and N 1/2 28, N 1/2 29, N 1/2 30; Township 25 North, Range 2 West W.M., Sections 25, 26, 27, 34, 35, 36; Township 26 North, Range 1 West W.M., Sections 24, 25, 31, 36; Township 26 North, Range 1 East, Section 31.))~~ (a) Central Kitsap Fire and Rescue Formerly Fire Protection District 1. All forest lands, except state and federal owned forest lands within the legal description as follows: Township 25 North, Range 1 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36; Township 25 North Range 1 West, W.M., Sections 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, the N 1/2 of Section 25, the N 1/2 of Section 27, the N 1/2 of Section 28, the NW 1/4 and the N 1/2 NE 1/4 of Section 29, the N 1/2 of Section 30; Township 25 North, Range 2 West, W.M., Sections 25, 26, 27, 34, 35, 36; Township 26 North Range 1 West, W.M., Sections 25, 36; Township 25 North, Range 2 East, W.M., Sections 19, 30, 31; Township 24 North, Range 2 East, W.M., Sections 6, 7, 18; Township 24 North, Range 1 East, W.M., Sections 1, 2, 3, 8, 10, 11, 12, 17, 20.

(b) Fire Protection District 2. All forest lands except state and federal owned forest lands within the legal description as follows: Township 24 North, Range 2 East W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15; Township 25 North, Range 2 East W.M., Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36; Township 26 North, Range 2 East W.M., Sections 26, 27, 28, 33, 34, 35.

~~((c) Fire Protection District 4. All forest lands except state, tribal, and federal owned forest lands within the legal description as follows: Township 26 North, Range 2 East W.M., Sections 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32.~~

~~(d) Fire Protection District 7. All forest lands except state and federal owned forest lands within the legal description as~~

~~follows: Township 22 North, Range 1 East W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12; Township 22 North, Range 2 East W.M., Sections 3, 4, 5, 6, 7, 8, 9, 10; Township 23 North, Range 1 East W.M., Sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36; Township 23 North, Range 1 West W.M., Sections 2, 3, 10, 11, 12, 13, 14, 22; Township 23 North, Range 2 East W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33, 34; Township 24 North, Range 1 East W.M., Sections 3, 10, 15, 21, 22, 27, 28, 29, 31, 32, 33, 34, 35, 36; Township 24 North, Range 1 West W.M., Sections 29, 31, 32, 33, 34, 35; Township 24 North, Range 2 East W.M., Sections 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.~~

~~(e) Fire Protection District 10. All forest lands except state and federal owned forest lands within the legal description as follows: Township 26 North, Range 2 East W.M., Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16; Township 26 North, Range 3 East W.M., Sections 6, 7, 18; Township 27 North, Range 2 East W.M., Sections 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36.~~

~~(f) Fire Protection District 12. All forest lands except state and federal owned forest lands within the legal description as follows: Township 24 North, Range 1 East W.M., Sections 4, 5, 6, 7, 8, 16, 17, 20, 21; Township 24 North, Range 1 West W.M., Sections 1, 2, 3; Township 25 North, Range 1 East W.M., Sections 29, 30, 31, 32, 33; Township 25 North, Range 1 West W.M., Sections 25, 26, 27, 34, 35.~~

~~(g) Fire Protection District 14. All forest lands except state and federal owned forest lands within the legal description as follows: Township 27 North, Range 2 East W.M., Sections 2, 3, 10, 11; Township 28 North, Range 1 East W.M., Sections 12, 13; Township 28 North, Range 2 East W.M., Sections 7, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 34, 35, E 1/2 E 1/2 Sec. 28, E 1/2 E 1/2 Sec. 33.~~

~~(h) Fire Protection District 15. All forest lands except state and federal owned forest lands within the legal description as follows: Township 24 North, Range 1 East W.M., Sections 1, 2, 3, 10, 11, 12; Township 24 North, Range 2 East W.M., Sections 6, 7, 18; Township 25 North, Range 1 East W.M., Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36; Township 25 North, Range 2 East W.M., Sections 19, 30, 31.~~

~~(i) Fire Protection District 18. All forest lands except state and federal owned forest lands within the legal description as follows: Township 25 North, Range 2 East W.M., Section 6; Township 26 North, Range 1 East W.M., Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36; Township 26 North, Range 2 East W.M., Sections 6, 7, 18, 19, 30, 31; Township 27 North, Range 1 East W.M., Sections 1, 12, 14, 22, 23, 26, 27, 28, 33, 34, 35, 36, and W 1/2 Section 13; Township 27 North, Range 2 East W.M., Sections 5, 6, W 1/2 and NE 1/4 Sec. 31, SE 1/4 SW 1/4 SE 1/4 Sec. 36.)~~ (c) North Kitsap Fire and Rescue Formerly Fire Protection District 4. All forest lands, except state, tribal and federal owned forest land within the legal description as follows: Township 26 North, Range 2 East, W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13,

14, 15, 16, 17, 20, 21, 28, 29, 32; Township 26 North, Range 3 East, W.M., Sections 6, 7, 18.

(d) Fire Protection District 7. All forest lands, except state and federal owned forest lands within the legal description as follows: Township 24 North, Range 1 East, W.M., Sections 3, 10, 15, 16, 21, 22, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36; Township 24 North, Range 1 West, W.M., Sections 31, 32, 33, the S 1/2 of Section 29; the S 1/4 of Section 34, the SW 1/4 of Section 35; Township 24 North, Range 2 East, W.M., Sections 8, 9, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35; Township 23 North, Range 2 East, W.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33, 34; Township 23 North, Range 1 East, W.M., Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36; Township 22 North, Range 1 East, W.M., Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12; Township 22 North, Range 2 East, W.M., Sections 3, 4, 5, 6, 7, 8, 9, 10; Township 23 North, Range 1 West, W.M., Sections 1, 2, 3, 10, 11, 14, 15, 22, the W 1/2 of Section 12, the W 1/2 of Section 13.

(e) North Kitsap Fire and Rescue Formerly Fire Protection District 10. All forest lands, except state and federal owned lands within the legal description as follows: Township 27 North, Range 2 East, W.M., Sections 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36.

(f) Central Kitsap Fire and Rescue Formerly Fire Protection District 12. All forest lands except state and federal owned forest land within the legal description as follows: Township 25 North, Range 1 West, W.M., Sections 25, 26, 27, 34, 35, 36; Township 25 North, Range 1 East, W.M., Sections 29, 32, 33, the SE 1/4 SE 1/4 of Section 30, the E 1/2 and the E 1/2 SW 1/4 of Section 31; Township 24 North, Range 1 West, W.M., Sections 1, 2, 3; Township 24 North, Range 1 East, W.M., Sections 4, 5, 8, the S 1/2 and the NE 1/4 and the E 1/2 NW 1/4 of Section 6, the N 1/2 and the N 1/2 SE 1/4 and the SE 1/4 SE 1/4 and the E 1/2 NW 1/4 SW 1/4 of Section 7, the SW 1/4 of Section 17, the NW 1/4 and the N 1/2 SW 1/4 and the SW 1/4 SW 1/4 of Section 20.

(g) North Kitsap Fire and Rescue Formerly Fire Protection District 14. All forest lands, except state, tribal and federal owned forest lands within the legal description as follows: Township 28 North, Range 1 East, W.M., Sections 12, 13; Township 28 North, Range 2 East, W.M., Sections 7, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 34, 35, the E 1/4 of Section 28, the W 1/2 of Section 29, the W 3/4 of Section 32, the E 1/4 of Section 33; Township 27 North, Range 2 East, W.M., Sections 2, 3, 4, 9, 10, 11.

(h) Fire Protection District 18. All forest lands except state, tribal and federal owned forest lands within the legal description as follows: Township 27 North, Range 2 East, W.M., Sections 5, 6, 8, the S 1/2 and E 1/2 NE 1/4 of Section 31; Township 27 North, Range 1 East, W.M., Sections 1, 12, 14, 22, 23, 26, 27, 28, 33, 34, 35, the W 1/2 of Section 13, the SE 1/4 and the W 1/2 NW 1/4 and the NW 1/4 SW 1/4 and the SE 1/4 SW 1/4 of Section 36; Township 26 North, Range 2 East, W.M., Sections 6, 7, 18, 19, 30, 31; Township 26 North, Range 1 East, W.M., Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36; Township 25 North, Range 2 East, W.M., Section 6.

(2) Forest lands removed from the forest protection zone will not be assessed under RCW 76.04.610 or 76.04.630.

(3) The transfer of fire protection responsibility is effective January 1, ((1994)) 2006.

WSR 08-13-044

EXPEDITED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Recovery Services Administration)

[Filed June 12, 2008, 10:28 a.m.]

Title of Rule and Other Identifying Information: The department is amending WAC 388-505-0220 Family medical eligibility.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rules Coordinator, Department of Social and Health Services, P.O. Box 45850, Olympia, WA 98504-5850, or deliver to Blake Office Park East, 4500 10th Avenue S.E., Lacey, WA 98503, e-mail DSHSRPAURulesCoordinator@dshs.wa.gov, fax (360) 664-6185, AND RECEIVED BY 5 p.m. on August 18, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to correct outdated cross references:

In WAC 388-505-0220 (1)(c) replacing reference to "chapter 388-222" with "WAC 388-400-0010(2)"; and

In WAC 388-505-0220(5) replacing reference to "WAC 388-505-0210 (4)(c)(i) and (ii)" with "WAC 388-505-0210(6)".

Reasons Supporting Proposal: Correcting the outdated cross references to WAC sections that no longer exist will eliminate potential confusion for the public and make the rule clearer and easier to understand.

Statutory Authority for Adoption: RCW 74.04.050, 74.-08.090.

Statute Being Implemented: RCW 74.04.050, 74.08.-090.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting: Jonell Blatt, Rules Manager, HRSA, P.O. Box 45504, Olympia, WA 98504, (360) 725-1571; Implementation and Enforcement: Kevin Cornell, Regional Medicaid Eligibility

Representative, HRSA, P.O. Box 45502, Olympia, WA 98504, (360) 725-1423.

June 10, 2008
Stephanie E. Schiller
Rules Coordinator

AMENDATORY SECTION (Amending WSR 05-16-127, filed 8/3/05, effective 9/3/05)

WAC 388-505-0220 Family medical eligibility. (1) A person is eligible for categorically needy (CN) medical assistance when they are:

- (a) Receiving temporary assistance for needy families (TANF) cash benefits;
 - (b) Receiving Tribal TANF;
 - (c) Receiving cash diversion assistance, except SFA relatable families, described in (~~chapter 388-222~~) WAC 388-400-0010(2);
 - (d) Eligible for TANF cash benefits but choose not to receive; or
 - (e) Not eligible for or receiving TANF cash assistance, but meet the eligibility criteria for aid to families with dependent children (AFDC) in effect on July 16, 1996 except that:
 - (i) Earned income is treated as described in WAC 388-450-0210; and
 - (ii) Resources are treated as described in WAC 388-470-0005 for applicants and 388-470-0026 for recipients.
- (2) An adult cannot receive a family Medicaid program unless the household includes a child who is eligible for:
- (a) Family Medicaid;
 - (b) SSI; or
 - (c) Children's Medicaid.
- (3) A person is eligible for CN family medical coverage when the person is not eligible for or receiving cash benefits solely because the person:
- (a) Received sixty months of TANF cash benefits or is a member of an assistance unit which has received sixty months of TANF cash benefits;
 - (b) Failed to meet the school attendance requirement in chapter 388-400 WAC;
 - (c) Is an unmarried minor parent who is not in a department-approved living situation;
 - (d) Is a parent or caretaker relative who fails to notify the department within five days of the date the child leaves the home and the child's absence will exceed ninety days;
 - (e) Is a fleeing felon or fleeing to avoid prosecution for a felony charge, or is a probation and parole violator;
 - (f) Was convicted of a drug related felony;
 - (g) Was convicted of receiving benefits unlawfully;
 - (h) Was convicted of misrepresenting residence to obtain assistance in two or more states;
 - (i) Has gross earnings exceeding the TANF gross income level; or
 - (j) Is not cooperating with WorkFirst requirements.
- (4) An adult must cooperate with the division of child support in the identification, use, and collection of medical support from responsible third parties, unless the person meets the medical exemption criteria described in WAC 388-505-0540 or the medical good cause criteria described in chapter 388-422 WAC.

(5) Except for a client described in WAC (~~388-505-0210(4)(c)(i) and (ii)~~) 388-505-0210(6), a person who is an inmate of a public institution, as defined in WAC 388-500-0005, is not eligible for CN or MN medical coverage.

WSR 08-13-081
EXPEDITED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

[Filed June 17, 2008, 8:13 a.m.]

Title of Rule and Other Identifying Information: WAC 391-25-440 Election for inclusion of unrepresented employees, this rule creates a single streamlined process for a labor organization to petition for small groups of unrepresented employees to be included into an existing appropriate bargaining unit.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Dario de la Rosa, Public Employment Relations Commission, 112 Henry Street N.E., Suite 300, P.O. Box 40919, Olympia, WA 98504-0919, AND RECEIVED BY August 19, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 391-25-440 creates a process to allow unrepresented employees the opportunity to vote on whether they wish to be included in an existing bargaining unit. Currently, a labor organization must first petition to represent the smaller group of employees, and then petition to merge those employees into the larger existing bargaining unit. The rule requires that any petitioning labor organization affirmatively state their intent [to] merge the unrepresented into an existing bargaining unit, and notices posted under WAC 391-25-140 shall affirmatively inform the employees that the employees are voting to be included into an existing bargaining unit.

Reasons Supporting Proposal: To streamline agency procedure by reducing the administrative steps necessary to accomplish a merger of bargaining units in certain cases.

Statutory Authority for Adoption: RCW 28B.52.080, 41.56.090, 41.58.050, 41.76.060, 41.80.080.

Statute Being Implemented: None.

Name of Agency Personnel Responsible for Drafting: Dario de la Rosa, Olympia, Washington, (360) 570-7328; Implementation and Enforcement: Cathleen Callahan, Olympia, Washington, (360) 570-7312.

June 17, 2008
Dario de la Rosa
General Counsel

NEW SECTION

WAC 391-25-440 Election for inclusion of unrepresented employees. (1) Where only one employee organization seeks to add an employee or group of previously unrepresented employees to an appropriate bargaining unit, which it already represents, under this chapter and the relevant statute, the organization may petition for a self-determination election to ascertain the employees' desire to be included in its existing bargaining unit.

(2) In order to invoke the self-determination election procedures under this section, the petitioning organization shall:

(a) Demonstrate that it has the support of at least thirty percent or more of the unrepresented employees to be included in the appropriate existing unit;

(b) Affirmatively state on the petition filed under WAC 391-25-070 that it requests a self-determination election to add the petitioned-for employees into an existing appropriate bargaining unit;

(c) Provide an accurate description of the existing bargaining unit that the petitioning organization seeks to merge the unrepresented employees into; and

(d) Demonstrate that the resulting bargaining unit is appropriate under the appropriate statute.

(i) If the propriety of the proposed resulting unit is disputed, the executive director or his or her designee shall make a determination following a hearing.

(ii) If the propriety of the proposed resulting unit is stipulated, the executive director or his or her designee shall determine whether the proposed unit is, on its face, an appropriate unit under the applicable statute.

(3) Any notice to employees required to be posted under WAC 391-25-140 shall affirmatively indicate that the petitioning organization seeks to merge the petitioned-for employees into an existing bargaining unit of employees represented by that organization through a self-determination election.

(4) If the resulting bargaining unit is determined to be appropriate, the agency shall conduct a self-determination election under this chapter for the petitioned-for employees to ascertain whether they desire to become part of the existing unit.

(a) Only the petitioned-for employees are eligible to vote in a self-determination election.

(b) Cross-check procedures under WAC 391-25-391 and 391-25-396 are applicable to this section.

(c) In such an election, if a majority of the eligible employees voting in the election vote for inclusion, they are deemed to have indicated their desire both to become part of the existing unit and to be represented by the petitioner. If a majority of voters vote against inclusion in the existing unit, they are considered as indicating a desire to remain unrepresented.

(5)(a) Should another organization seek to intervene in a proceeding filed under this section, it must demonstrate both:

(i) That it has support from at least thirty percent of the employees subject to the original petition; and

(ii) That if the same group of employees were added to an appropriate unit that it already represents under this chap-

ter and the appropriate statute, the resulting unit would be an appropriate unit.

(b) If either (a)(i) or (ii) of this subsection are not established, the request for intervention will be denied, and the petition processed in accordance with this section.

(c) In the event the requirement of both (a)(i) and (ii) of this subsection are met, the election shall be for representation by the petitioner as part of the larger unit proposed by the petitioner, or representation by the intervener as part of the larger unit proposed by the intervener, or no representation.

(6) In the event a petition for representation of the same employees sought to be added to a larger unit by the petitioner under this section is filed pursuant to WAC 391-25-010 or 391-25-012, along with the requisite thirty percent showing of interest, and the petitioned-for unit is appropriate under the applicable statute, then the self-determination election petition filed under this section shall be dismissed. If either of those requirements is not met, the petition filed pursuant to WAC 391-25-010 or 391-25-012 will be dismissed and the original self-determination election petition processed in accordance with this section.

WSR 08-13-082**EXPEDITED RULES****DEPARTMENT OF****LABOR AND INDUSTRIES**

[Filed June 17, 2008, 9:06 a.m.]

Title of Rule and Other Identifying Information: WAC 296-800-310 Exit routes and employee alarm systems.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Joshua Swanson, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY August 18, 2008.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Occupational Safety and Health Administration (OSHA) has found our rules regarding exit routes and employee alarm systems not at-least-as-effective-as the federal rule. The proposed changes will make our rule as-effective-as the federal equivalent.

The proposed language in WAC 296-800-310 will make our rule as-effective-as the federal equivalent.

For example:

- The proposal will reference the National Fire Protection Association (NFPA) 101-2000, the Life Safety Code.

- The proposal will change the wording to ensure that the ceiling of an exit route remains at six feet eight inches high if projections extend into the space.
- The proposal will add definitions for occupant load, refuge area, and self-lighting or self-luminous.

Statutory Authority for Adoption: RCW 49.17.050.

Statute Being Implemented: Chapter 49.17 RCW.

Rule is necessary because of federal law, 29 C.F.R. Subpart E.

Name of Proponent: Department of labor and industries, division of occupational safety and health, governmental.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Steve Cant, Tumwater, (360) 902-5495.

June 17, 2008

Judy Schurke
Director

AMENDATORY SECTION (Amending WSR 01-23-060, filed 11/20/01, effective 12/1/01)

WAC 296-800-310 Summary. Your responsibility: To provide and maintain emergency exit routes and to install and maintain adequate employee alarm systems.

IMPORTANT:

An employer who demonstrates compliance with the exit route provisions of NFPA 101-2000, the Life Safety Code, will be in compliance with the corresponding requirements of this section.

Exit routes:

You must:

Provide an adequate number of exit routes.

WAC 296-800-31005.

Make sure that exit routes are large enough.

WAC 296-800-31010.

Make sure that exit routes meet their specific design and construction requirements.

WAC 296-800-31015.

Make sure that each exit route leads outside.

WAC 296-800-31020.

Provide unobstructed access to exit routes.

WAC 296-800-31025.

Exit doors must be readily opened from the inside.

WAC 296-800-31030.

Use side-hinged doors to connect rooms to exit routes.

WAC 296-800-31035.

Provide outdoor exit routes that meet requirements.

WAC 296-800-31040.

Minimize danger to employees while they are using emergency exit routes.

WAC 296-800-31045.

Mark exits adequately.

WAC 296-800-31050.

Provide adequate lighting for exit routes and signs.

WAC 296-800-31053.

Maintain the fire retardant properties of paints or other coatings.

WAC 296-800-31055.

Maintain emergency safeguards.

WAC 296-800-31060.

Maintain exit routes during construction and repair.

WAC 296-800-31065.

Provide doors in freezer or refrigerated rooms that open from the inside.

WAC 296-800-31067.

Employee alarm systems:

You must:

Install and maintain an appropriate employee alarm system.

WAC 296-800-31070.

Establish procedures for sounding emergency alarms.

WAC 296-800-31075.

Test the employee alarm system.

WAC 296-800-31080.

Exemption: This rule does not apply to vehicles, vessels, or other mobile structures.

Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.

AMENDATORY SECTION (Amending WSR 01-23-060, filed 11/20/01, effective 12/1/01)

WAC 296-800-31010 Make sure that exit routes are large enough. You must:

- Make sure each exit route is large enough to accommodate the maximum-permitted occupant load for each floor served by the route.

- Make sure the capacity of an exit route does not decrease at any point.

- Make sure an exit route is at least 6 feet 8 inches high at all points.

- Make sure ~~((objects that stick out into the exit route, such as fans hanging from the ceilings or cabinets on walls, do not reduce the minimum height and width of the exit route))~~ projections from the ceiling do not reach a point less than 6 feet 8 inches from the floor.

- Make sure exit routes are at least 28 inches wide at all points between any handrails.

- If necessary, routes must be wider than 28 inches to accommodate the expected occupant load.

- Make sure objects that stick out into the exit route, such as cabinets on walls, do not reduce the minimum width of the exit route

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-800-31020 Make sure that each exit route leads outside. You must:

- Make sure that building exit routes lead:

- Directly outside or to a street, walkway~~((;))~~, refuge area, or to an open space with access to the outside.

- To streets, walkways, or open spaces large enough to accommodate all building occupants likely to use the exit.

- Make sure the exit routes clearly show the route employees use to leave the building in an emergency.

- Install a standard safeguard with a warning sign, if a doorway or corner of a building could allow an employee to walk in front of an engine or trolley.
- Use doors, partitions, or other effective means to show employees the correct route out of the building, if the stairs in your exit route lead anywhere but out of the building.

Note: If the stairs in your exit route lead past the exit to the basement, you might install a gate at the point they lead towards that basement. The gate could help your employees stay on the exit route taking them out of the building.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-800-31070 Install and maintain an appropriate employee alarm system.

- Exemptions:**
- If you have ten or fewer employees in a particular workplace, you can use direct voice communication to sound the alarm, if all employees can hear it. For this kind of workplace, you do not need a back-up system.
 - In workplaces where employees would not otherwise be able to recognize audible or visible alarms, you can use tactile devices to alert them.

You must:

- Make sure that a working employee alarm system with a distinctive signal to warn employees of fire or other emergencies is installed and maintained (~~(- unless employees can see or smell a fire or other hazard)~~).

Exemption: You do not need an alarm system if employees can promptly see or smell a fire or other hazard in time to provide adequate warning to other employees.

- Make sure that the following systems meet the requirements of this rule, if you use them as your employee alarm system:
 - Supervisory alarms
 - Discharge alarms
 - Detection systems required on fixed extinguishing systems
 - Detection systems required on fire suppression systems
- Make sure that your employee alarm systems are:
 - Providing enough warning to allow employees to safely escape from the workplace, the immediate work area, or both.
 - Noticeable above surrounding noise or light levels by all employees in the affected portions of the workplace.
 - Distinctive and recognizable as a signal, to evacuate the work area.
 - Restored to working order as soon as possible, after each test or alarm.
 - Supervised, if installed after July 1, 1982, and if it has that capacity.
 - Able to alert assigned personnel whenever a malfunction exists in the system.
 - Adequately warning employees of emergencies.
 - Serviced, maintained, and tested by a person trained in the alarm system's design and functions to keep the system operating reliably and safely.
 - In working order, except when undergoing repairs or maintenance.

- Warning employees of fire or other emergencies with a distinctive signal, if they are not able to see or smell a fire or other hazard.

- Manual actuation devices that, if provided, are unobstructed, easy to find, and readily accessible.

- Using alarm devices, components, combinations of devices, or systems with approved construction and installation. This applies to steam whistles, air horns, strobe lights, or similar lighting devices, as well as tactile devices.

- Supplied with spare alarm devices available to restore the system promptly if a component breaks, is worn, or destroyed.

- Kept in full operating condition by maintaining and replacing power supplies as often as necessary.

- Supplied with a back-up means of alarm, such as employee runners or telephones, when regular systems are out of service.

AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-800-370 Definitions.

Abatement Action Plans

Refers to your written plans for correcting a WISHA violation.

Abatement date

The date on the citation when you must comply with specific safety and health standards listed on the citation and notice of assessment or the corrective notice of redetermination.

Acceptable

As used in **Electrical, WAC 296-800-280** means an installation or equipment is acceptable to the director of labor and industries, and approved:

- If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

- With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section;

OR

- With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his/her authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

Accepted

As used in **Electrical, WAC 296-800-280** means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

Access

As used in material safety data sheets (MSDSs) as Exposure Records, WAC 296-800-180 means the right and opportunity to examine and copy exposure records.

Affected employees

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means employees exposed to hazards identified as violations in a citation.

Analysis using exposure or medical records

• An analysis using exposure records or medical records can be any collection of data or a statistical study. It can be based on either:

- Partial or complete information from individual employee exposure or medical records or
- Information collected from health insurance claim records

• The analysis is not final until it has been:

- Reported to the employer or
- Completed by the person responsible for the analysis

ANSI

This is an acronym for the American National Standards Institute.

Approved means:

• Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH).

• As used in Electrical, WAC 296-800-280 means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

Assistant director

The assistant director for the WISHA services division at the department of labor and industries or his/her designated representative.

ASTM

This is an acronym for American Society for Testing and Materials.

Attachment plug or plug

As used in the basic electrical rules, WAC 296-800-280 means the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

Bare conductor

A conductor that does not have any covering or insulation.

Bathroom

A room maintained within or on the premises of any place of employment, containing toilets that flush for use by employees.

Biological agents

Organisms or their by-products.

Board

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means the board of industrial insurance appeals.

Ceiling

An exposure limit that must not be exceeded during any part of the employee's workday. The ceiling must be determined over the shortest time period feasible and should not exceed fifteen minutes.

Certification

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means refers to an employer's written statement describing when and how a citation violation was corrected.

CFR

This is an acronym for Code of Federal Regulations.

Chemical

Any element, chemical compound, or mixture of elements and/or compounds.

Chemical agents (airborne or contact)

A chemical agent is any of the following:

• Airborne chemical agent which is any of the following:

- Dust - solid particles suspended in air, that are created by actions such as:

- Handling.
- Drilling.
- Crushing.
- Grinding.
- Rapid impact.
- Detonation.
- Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

– Fume - solid particles suspended in air, that are created by condensation from the gaseous state.

– Gas - a normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

– Mist - liquid droplets suspended in air. Mist is created by:

- Condensation from the gaseous to the liquid state;

OR

• Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

– Vapor - the gaseous form of a substance that is normally in the solid or liquid state.

• Contact chemical agent which is any of the following:

– Corrosive - a substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

– Irritant - a substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

– Toxicant - a substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

Chemical manufacturer

An employer with a workplace where one or more chemicals are produced for use or distribution.

Chemical name

The scientific designation of a chemical in accordance with one of the following:

- The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC)
- The Chemical Abstracts Service (CAS) rules of nomenclature
- A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

Circuit breaker

Is a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied. (600 volts nominal or less)

- Is a switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit. (Over 600 volts nominal)

Citation

Refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

Combustible liquid

A combustible liquid has a flashpoint of at least 100°F (37.8°C) and below 200°F (93.3°C). Mixtures with at least 99% of their components having flashpoints of 200°F (93.3°C) or higher are not considered combustible liquids.

Commercial account

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

Common name

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any designation or identification such as:

- Code name
- Code number
- Trade name
- Brand name
- Generic name used to identify a chemical other than by its chemical name.

Compressed gas

A gas or mixture of gases that, when in a container, has an absolute pressure exceeding:

- 40 psi at 70°F (21.1°C)

OR

- 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C)

Compressed gas can also mean a liquid with a vapor pressure that exceeds 40 psi at 100°F (37.8°C)

Conductor

A wire that transfers electric power.

Container

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any container, except for pipes or

pipings systems, that contains a hazardous chemical. It can be any of the following:

- Bag
- Barrel
- Bottle
- Box
- Can
- Cylinder
- Drum
- Reaction vessel
- Storage tank

Correction date

The date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

Corrective notice

Refers to a notice changing a citation and is issued by the department after a citation has been appealed.

Corrosive

A substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

Covered conductor

A conductor that is covered by something else besides electrical insulation.

Damp location

As used in basic electrical rules, WAC 296-800-280 means partially protected areas that are exposed to moderate moisture. Outdoor examples include roofed open porches and marquees. Interior examples include basements and barns.

Department

Those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

Designated representative

- Any individual or organization to which an employee gives written authorization.
- A recognized or certified collective bargaining agent without regard to written authorization.
- The legal representative of a deceased or legally incapacitated employee.

Director

The director means the director of the department of labor and industries or their designee.

Distributor

A business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers.

Documentation

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means material that you submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

Dry location

As used in basic electrical rules, WAC 296-800-280 means areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

Dust

Solid particles suspended in air that are created by actions such as:

- Handling.
- Drilling.
- Crushing.
- Grinding.
- Rapid impact.
- Detonation.
- Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

Emergency washing facilities

Emergency washing facilities are emergency showers, eyewashes, eye/face washes, hand-held drench hoses, or other similar units.

Electrical outlets

Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

Employee

Based on chapter 49.17 RCW, the term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

Employee exposure record

As used in material safety data sheets (MSDSs) as exposure records, WAC 296-800-180 means a record containing any of the following kinds of information:

- Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;
- Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;
- Material safety data sheets indicating that the material may pose a hazard to human health;

OR

- In the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

Employer

Based on chapter 49.17 RCW, an employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

Exit

Provides a way of travel out of the workplace.

Exit route

A continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

Explosive

A chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

Exposed live parts

Electrical parts that are:

- Not suitably guarded, isolated, or insulated

AND

- Capable of being accidentally touched or approached closer than a safe distance.

Exposed wiring methods

Involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

Exposure or exposed

As used in employer chemical hazard communication, WAC 296-800-170 and material safety data sheets (MSDSs) as exposure records, WAC 296-800-180. An employee has been, or may have possibly been, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

- Inhalation
- Ingestion
- Skin contact
- Absorption
- Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

- Used
- Handled
- Stored
- Generated
- Present

Exposure record

See definition for employee exposure record.

Extension ladder

A portable ladder with 2 or more sections and is not self-supporting. The 2 or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

Failure-to-abate

Any violation(s) resulting from not complying with an abatement date.

Final order

Any of the following (unless an employer or other party files a timely appeal):

- Citation and notice;
- Corrective notice;
- Decision and order from the board of industrial insurance appeals;
- Denial of petition for review from the board of industrial insurance appeals; or
- Decision from a Washington State superior court, court of appeals, or the state supreme court.

Final order date

The date a final order is issued.

First aid

The extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X rays, must not be confused with treatment.

Flammable

A chemical covered by one of the following categories:

• Aerosol flammable means an aerosol that, when tested by the method described in 16 CFR 1500.45 yields either a flame projection more than 18 inches at full valve opening or a flashback (a flame extending back to the valve) at any degree of valve opening;

• Gas, flammable means:

– A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less or

– A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit.

• Liquid, flammable means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99% or more of the total volume of the mixture.

• Solid, flammable means a solid, other than a blasting agent or explosive as defined in 29 CFR 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

Flashpoint

• The minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested by any of the following measurement methods:

– Tagliabue closed tester: (See American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

– Pensky-Martens closed tester: (See American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

– Setaflash closed tester: (See American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78).)

Note: Organic peroxides, which undergo auto accelerating thermal decomposition, are excluded from any of the flashpoint measurement methods specified above.

Flexible cords and cables

Typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cords, cables and electrical cords are all examples of flexible cord.

Floor hole

An opening in any floor, platform, pavement, or yard that measures at least one inch but less than 12 inches at its smallest dimension and through which materials and tools (but not people) can fall.

Examples of floor holes are:

- Belt holes
- Pipe openings
- Slot openings

Floor opening

An opening in any floor, platform, pavement, or yard that measures at least 12 inches in its smallest dimension and through which a person can fall.

Examples of floor openings are:

- Hatchways
- Stair or ladder openings
- Pits
- Large manholes

The following are NOT considered floor openings:

- Openings occupied by elevators
- Dumbwaiters
- Conveyors
- Machinery
- Containers

Foreseeable emergency

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include equipment failure, rupture of containers, or failure of control equipment.

Fume

Solid particles suspended in air that are created by condensation from the gaseous state.

Gas

A normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

Ground

As used in Electrical, WAC 296-800-280, a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

Grounded

A connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

Grounded conductor

A system or circuit conductor that is intentionally grounded.

Ground-fault circuit-interrupter

A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

Grounding conductor

Is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

Grounding conductor, equipment

A conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

Guarded

Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

Hand-held drench hoses

Hand-held drench hoses are single-headed emergency washing devices connected to a flexible hose that can be used to irrigate and flush the face or other body parts.

Handrail

A single bar or pipe supported on brackets from a wall or partition to provide a continuous handhold for persons using a stair.

Harmful physical agent

Any physical stress such as noise, vibration, repetitive motion, heat, cold, ionizing and nonionizing radiation, and hypo- or hyperbaric pressure which:

- Is listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS); or
- Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer;

OR

• Is the subject of a material safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

Hazard

Any condition, potential or inherent, which can cause injury, death, or occupational disease.

Hazard warning

As used in Employer Chemical Hazard Communication, WAC 296-800-170 can be a combination of words, pictures, symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

Note: See definition for physical hazard and health hazard to determine which hazards must be covered.

Hazardous chemical

Any chemical that is a physical or health hazard.

Health hazard

A chemical, mixture, biological agent, or physical agent that may cause health effects in short- or long-term exposed employees. Based on statistically significant evidence from at least one study conducted using established scientific principles. Health hazards include:

- Carcinogens
- Toxic or highly toxic agents
- Reproductive toxins
- Irritants
- Corrosives
- Sensitizers
- Hepatotoxins (liver toxins)
- Nephrotoxins (kidney toxins)
- Neurotoxins (nervous system toxins)
- Substances that act on the hematopoietic system (blood or blood-forming system)
 - Substances that can damage the lungs, skin, eyes, or mucous membranes
 - Hot or cold conditions.

Hospitalization

To be sent to, to go to, to be admitted to, a hospital or an equivalent medical facility and receive medical treatment beyond first-aid treatment, regardless of the length of stay in the hospital or medical facility.

Identity

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any chemical or common name listed on the material safety data sheet (MSDS) for the specific chemical. Each identity used must allow cross-references among the:

- Required list of hazardous chemicals
- Chemical label
- MSDSs

Imminent danger violation

Any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

Importer

The first business within the Customs Territory of the USA that:

- Receives hazardous chemicals produced in other countries

AND

- Supplies them to distributors or employers within the USA

Insulated

A conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

- The amount of voltage involved

AND

- The type of covering material

Interim waiver

An order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

Irritant

A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

Ladder

Consists of 2 side rails joined at regular intervals by crosspieces called steps, rungs, or cleats. These steps are used to climb up or down.

Listed

Equipment is listed if it:

- Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment,

AND

- States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

Material safety data sheet (MSDS)

Written, printed, or electronic information (on paper, microfiche, or on-screen) that informs manufacturers, distributors, employers or employees about a hazardous chemical, its hazards, and protective measures as required by material safety data sheet and label preparation, chapter 296-839 WAC.

Medical treatment

Treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

Mist

Liquid droplets suspended in air. Mist is created by:

- Condensation from the gaseous to the liquid state;

OR

- Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

Mixture

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any combination of 2 or more chemicals (if that combination did not result from a chemical reaction).

Movable equipment

As used in WAC 296-800-35052, a hand-held or non-hand-held machine or device;

- That is powered or nonpowered;

AND

- Can be moved within or between worksites

Must

Must means mandatory.

NEMA

These initials stand for National Electrical Manufacturing Association.

NFPA

This is an acronym for National Fire Protection Association.

Nose

The portion of the stair tread that projects over the face of the riser below it.

Occupational Safety and Health Administration (OSHA)

Created in 1970 when the U.S. Congress passed the Occupational Safety and Health Act, the Occupational Safety and Health Administration (OSHA) provides safety on the job for workers. OSHA oversees state plans (such as WISHA in Washington) that have elected to administer the safety and health program for their state. OSHA requires WISHA rules to be at least as effective as OSHA rules.

Office work environment

An indoor or enclosed occupied space where clerical work, administration, or business is carried out.

In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.
- Office areas of manufacturing and production facilities, not including process areas.
- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

Open riser

A stair step with an air space between treads has an open riser.

Organic peroxide

This is an organic compound containing the bivalent-O-O-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

Outlet

See definition for electrical outlets.

Oxidizer

A chemical other than a blasting agent or explosive as defined in WAC 296-52-60130 or CFR 1910.109(a), that starts or promotes combustion in other materials, causing fire either of itself or through the release of oxygen or other gases.

Permissible exposure limits (PELs)

Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful physical agents that must not be exceeded. PELs are specified in applicable WISHA rules.

Person

Based on chapter 49.17 RCW, one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

Personal eyewash units

Personal eyewash units are portable, supplementary units that support plumbed units or self-contained units, or both, by delivering immediate flushing for less than fifteen minutes.

Personal service room

Used for activities not directly connected with a business' production or service function such as:

- First aid
- Medical services
- Dressing
- Showering
- Bathrooms
- Washing
- Eating

Personnel

See the definition for employees.

Physical hazard

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means a chemical that has scientifically valid evidence to show it is one of the following:

- Combustible liquid
- Compressed gas
- Explosive
- Flammable
- Organic peroxide
- Oxidizer
- Pyrophoric
- Unstable (reactive)
- Water reactive

Platform

Platform means an extended step or landing that breaks a continuous run of stairs.

Plug

See definition for attachment plug.

Potable water

Water that you can safely drink. It meets specific safety standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

Predictable and regular basis

Employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed

- at least once every 2 weeks

OR

• 4 man-hours or more during any sequential 4-week period (to calculate man-hours multiply the number of employees by the number of hours during a 4-week period).

Produce

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any one of the following:

- Manufacture
- Process
- Formulate
- Blend

- Extract
- Generate
- Emit
- Repackage

Purchaser

As used in Employer Chemical Hazard Communication, WAC 296-800-170, an employer who buys one or more hazardous chemicals to use in their workplace.

Pyrophoric

A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

Qualified person

A person who has successfully demonstrated the ability to solve problems relating to the subject matter, work, or project, either by:

- Possession of a recognized degree, certificate, or professional standing;

OR

- Extensive knowledge, training and experience.

Railing or standard railing

A vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

Reassume jurisdiction

The department has decided to take back its control over a citation and notice being appealed.

Receptacle or receptacle outlet

As used in basic electrical rules, WAC 296-800-280 means outlets that accept a plug to supply electric power to equipment through a cord or cable.

Record

A record is any item, collection, or grouping of information. Examples include:

- Paper document
- Microfiche
- Microfilm
- X-ray film
- Computer record

Repeat violation

A violation is a repeat violation if the employer has been cited one or more times previously for a substantially similar hazard.

Refuge area

• A protected space along an exit route that is separated from other spaces inside the building by a barrier with at least a one-hour fire resistance rating;

OR

• A floor in a building with an automatic sprinkler system that has at least two spaces that are separated by smoke-resistant partitions. See WAC 296-24-607 for requirements for automatic sprinkler systems.

Responsible party

As used in employer chemical hazard communication, WAC 296-800-170. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.

Rise

The vertical distance from the top of a tread to the top of the next higher tread.

Riser

The vertical part of the step at the back of a tread that rises to the front of the tread above.

Rungs

Rungs are the cross pieces on ladders that are used to climb up and down the ladder.

Runway

An elevated walkway above the surrounding floor or ground level. Examples of runways are footwalks along shafting or walkways between buildings.

Safety factor

The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

Serious violation

Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

Self-lighting or self-luminous

A light source that:

• Is illuminated by a self-contained power source other than batteries:

AND

• Operates independently from external power sources.

Short-term exposure limit (STEL)

An exposure limit, averaged over a short time period (usually measured for 15 minutes) that must not be exceeded during any part of an employee's workday.

Should

Should means recommended.

Single ladder

A type of portable ladder with one section.

It is distinguished by all of the following:

- It has one section
- It cannot support itself
- Its length cannot be adjusted

Smoking

A person is smoking if they are:

- Lighting up
- Inhaling
- Exhaling
- Carrying a pipe, cigar or cigarette of any kind that is burning

Specific chemical identity

This term applies to chemical substances. It can mean the:

- Chemical name
- Chemical Abstracts Service (CAS) registry number
- Any other information that reveals the precise chemical designation of the substance.

Stair railing

A vertical barrier attached to a stairway with an open side to prevent falls. The top surface of the stair railing is used as a handrail

Stairs or stairway

A series of steps and landings:

- leading from one level or floor to another,
- leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment
- Used more or less continuously or routinely by employees, or only occasionally by specific individuals.
- With three or more risers

Standard safeguard

Safety devices that prevent hazards by their attachment to:

- Machinery
- Appliances
- Tools
- Buildings
- Equipment

These safeguards must be constructed of:

- Metal
- Wood
- Other suitable materials

The department makes the final determination about whether a safeguard is sufficient for its use.

Step ladder

A portable ladder with:

- Flat steps
- A hinge at the top allowing the ladder to fold out and support itself
- Its length that cannot be adjusted.

Time weighted average (TWA₈)

An exposure limit, averaged over 8 hours, that must not be exceeded during an employee's work shift.

Toeboard

A barrier at floor level along exposed edges of a floor opening, wall opening, platform, runway, or ramp, to prevent falls of materials.

Toxic chemical

As used in first aid, WAC 296-800-150, is a chemical that produces serious injury or illness when absorbed through any body surface.

Toxic substance

Any chemical substance or biological agent, such as bacteria, virus, and fungus, which is any of the following:

- Listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS)
- Shows positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer
- The subject of a material safety data sheet kept by or known to the employer showing the material may pose a hazard to human health.

Toxicant

A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

Trade secret

Any confidential:

- Formula
- Pattern
- Process
- Device

- Information
- Collection of information

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

See WAC 296-62-053 for requirements dealing with trade secrets.

Tread

As used in stairs and stair railings, WAC 296-800-250 means the horizontal part of the stair step.

Tread run

As used in stairs and stair railings, WAC 296-800-250 means the distance from the front of one stair tread to the front of an adjacent tread.

Tread width

The distance from front to rear of the same tread including the nose, if used.

UL (Underwriters' Laboratories, Inc.)

You will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

Unstable (reactive)

As used in employer chemical hazard communication, WAC 296-800-170. An unstable or reactive chemical is one that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

Use

As used in employer chemical hazard communication, WAC 296-800-170, means to:

- Package
- Handle
- React
- Emit
- Extract
- Generate as a by-product
- Transfer.

Vapor

The gaseous form of a substance that is normally in the solid or liquid state.

Voltage of a circuit

The greatest effective potential difference between any two conductors or between a conductor and ground.

Voltage to ground

The voltage between a conductor and the point or conductor of the grounded circuit. For undergrounded circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

Voltage, nominal

Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it is within a range that permits the equipment to continue operating in a satisfactory manner.

WAC

This is an acronym for **Washington Administrative Code**, which are rules developed to address state law.

Water-reactive

As used in Employer Chemical Hazard Communication, WAC 296-800-170, a water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

Watertight

Constructed so that moisture will not enter the enclosure or container.

Weatherproof

Constructed or protected so that exposure to the weather will not interfere with successful operation. Rainproof, rain-tight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

Wet location

As used in basic electrical rules, WAC 296-800-280 means:

- Underground installations or in concrete slabs or masonry that are in direct contact with the earth
- Locations that can be saturated by water or other liquids
- Unprotected locations exposed to the weather (like vehicle washing areas)

WISHA

This is an acronym for the Washington Industrial Safety and Health Act.

Work area

As used in employer chemical hazard communication, WAC 296-800-170, a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

Working days

Means a calendar day, except Saturdays, Sundays, and legal holidays. Legal holidays include:

- New Year's Day - January 1
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day - July 4
- Labor Day
- Veterans' Day - November 11
- Thanksgiving Day
- The day after Thanksgiving Day; and
- Christmas Day - December 25

The number of working days must be calculated by not counting the first working day and counting the last working day.

Worker

See the definition for employee.

Workplace

The term workplace means:

- Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

– As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an establishment, job site, or

project, at one geographical location containing one or more work areas.

You

See definition of employer.

Your representative

Your representative is the person selected to act in your behalf.