

WAC 110-302-0410 License and program location. (1) Applicants for a license under this chapter must be at least 18 years old.

(2) "Licensee" means the individual or legal entity:

(a) Whose name appears on a license issued by the department;

(b) Who is responsible for complying with chapters 43.216 RCW, 110-06 and 110-302 WAC, this chapter, and other applicable laws, rules, and policies; and

(c) Who is responsible for training ONB program staff with regard to the ONB requirements described in this chapter.

(3) ONB program space must be located:

(a) On a site that does not have any known environmental hazards, except for natural hazards that have not been created or caused by humans and are a part of the natural physical features of the outdoors;

(b) In an area that nonemergency services and utilities can serve the ONB program space; and

(c) In an area served by emergency fire, medical, and police during the hours the ONB program provides care to children.

(4) Except for ONB programs that enroll only school-age children and operate on public or private school premises, ONB providers must prevent enrolled children from being exposed to the following known hazards within and around the licensed premises:

(a) Lead based paint;

(b) Plumbing and fixtures containing lead or lead solders;

(c) Asbestos;

(d) Arsenic, lead, or copper in the soil or drinking water;

(e) Toxic mold; and

(f) Other identified toxins or hazards.

(g) Sites undergoing remedial work by the Washington state department of ecology (DOE) must take additional steps to ensure children do not ingest contaminated soil.

(5) ONB programs located on private property are required to place address numbers and signage at the entrance of the private property that contains the ONB program space.

(6) License applicants planning to open an ONB program in the designated Tacoma smelter plume areas of King, Pierce, and Thurston counties or the Everett smelter plume area of Snohomish County must contact the state (DOE) and complete and sign an access agreement with DOE to evaluate the applicant's property for possible arsenic and lead soil contamination.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0410, filed 5/1/23, effective 6/1/23.]