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CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of August 1990 pursuant to RCW 19.52.020 is twelve point zero one percent (12.01%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1990 pursuant to RCW 63.14.130(1)(a) is fourteen and one-half percent (14.50%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is fourteen point two five percent (14.25%) for the third calendar quarter of 1990.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is fourteen point zero percent (14.00%) for the third calendar quarter of 1990.

WASHINGTON STATE REGISTER

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
 - (i) underlined material is new material;
 - (ii) deleted material is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1989 – 1990

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing on or after
89-14	Jun 7	Jun 21	Jul 5	Jul 19	Aug 8
89-15	Jun 21	Jul 5	Jul 19	Aug 2	Aug 22
89-16	Jul 5	Jul 19	Aug 2	Aug 16	Sep 5
89-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
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89-19	Aug 23	Sep 6	Sep 20	Oct 4	Oct 24
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90-07	Feb 21	Mar 7	Mar 21	Apr 4	Apr 24
90-08	Mar 7	Mar 21	Apr 4	Apr 18	May 8
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90-23	Oct 24	Nov 7	Nov 21	Dec 5	Dec 25
90-24	Nov 7	Nov 21	Dec 5	Dec 19	Jan 2, 1991

¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

WSR 90-08-022A
PERMANENT RULES
EDMONDS COMMUNITY COLLEGE
 [Filed March 28, 1990, 3:59 p.m.]

The following new section was adopted by Edmonds Community College in WSR 90-08-022A and filed in the code reviser's office on March 28, 1990. Through a clerical error, the filing did not appear in issue 90-08 distributed on April 18, 1990. The filing as it appears below is exactly as filed by the department. Pursuant to RCW 34.05.380(2), the effective date of this new section is April 28, 1990.

Date of Adoption: February 16, 1990.

Purpose: Describes organization as recommended by attorney general's office for implementation of new Administrative Procedure Act.

Statutory Authority for Adoption: RCW 34.05.220 [(1)](b).

Pursuant to notice filed as WSR 90-02-063 on January 2, 1990.

Effective Date of Rule: Thirty-one days after filing.

March 27, 1990

Barbara Patterson

Director of Human Resources and
 Assistant to the President

Chapter 132Y-133 WAC
ORGANIZATION

NEW SECTION

WAC 132Y-133-020 ORGANIZATION—OPERATION—INFORMATION. (1) Organization. Edmonds Community College, Community College District 23, is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administrative office is located at the following address:

20000 68th Avenue West
 Lynnwood, WA 98036

The office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

20000 68th Avenue West
 Lynnwood, WA 98036

WSR 90-13-049
PERMANENT RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)

[Order 448—Filed June 15, 1990, 8:40 a.m.]

Date of Adoption: April 20, 1990.

Purpose: To establish state game management units (GMUs) and special game areas and to provide boundary descriptions.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 90-04-100 on February 7, 1990.

Effective Date of Rule: Thirty-one days after filing.

June 9, 1990

John C. McGlenn

Chairman

NEW SECTION

WAC 232-28-022 GAME MANAGEMENT UNITS (GMUS) - SPECIAL GAME AREAS - BOUNDARY DESCRIPTIONS

REGION ONE

GMU 100-Curlew (Ferry and Okanogan counties): Beginning at Republic; then south along Highway 21 to the northern boundary of the Colville Indian Reservation; then east along the Reservation boundary to the Stall Creek Road, USFS #310; then north on #310 to USFS Road #250; then north to the Kettle Crest Trail #13; then north on Trail #13 to the Deer Creek-Boulder Creek Road; then west on the Deer Creek-Boulder Creek Road to the Kettle River at Curlew; then north along the Kettle River to the Canadian Border near Danville; then west along the border to the Kettle river near the Ferry Customs Office; then south along the Kettle River to the mouth of Toroda Creek and the Toroda Creek Road; then southwest along the Toroda Creek Road to Wauconda and Highway 20; then southeast on Highway 20 to Republic to the point of beginning. (See Colville National Forest map)

GMU 103-Boulder (Ferry County): Beginning at Lake Roosevelt at the mouth of the Kettle River; then south along Lake Roosevelt to the north boundary of the Colville Indian Reservation; then west along the Reservation boundary to the Stall Creek Road, USFS Road #310; then north on #310 to USFS Road #250; then north on #250 to the Kettle Crest Trail #13; then north on Trail #13 to the Deer Creek Boulder Creek Road; then west on the Deer Creek-Boulder Creek Road to the Kettle River at Curlew; then north along the Kettle River to the Canadian Border near Danville; then east along the border to the Kettle River near Laurier then south along the Kettle River to its mouth to the point of beginning. (See Colville National Forest map)

GMU 105-Kelly Hill (Stevens County): Beginning at the Kettle River on the Canadian border near Laurier; then south along the Kettle River to its mouth at Lake Roosevelt; then northeast along Lake Roosevelt to the

Canadian border; then west along the border to the Kettle River near Laurier to the point of beginning. (See Colville National Forest map)

GMU 108-Douglas (Stevens County): Beginning at the bridge over Lake Roosevelt near Northport; then southwest along Lake Roosevelt to the bridge over Lake Roosevelt near Kettle Falls (Highway 395); then south east on Highway 395 into Colville and Highway 20; then east on Highway 20 the edge of town and the Colville-Aladdin-Northport Road; then north and west on the Colville-Aladdin-Northport Road to the town of Northport and Highway 25; then through town to the Lake Roosevelt bridge to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 111-Aladdin (Stevens and Pend Oreille counties): Beginning at Lake Roosevelt at the Canadian Border; then south along Lake Roosevelt to the bridge over the lake near Northport (Highway 25); then into Northport on Highway 25 to the Colville-Aladdin-Northport Road; then east and south along the Colville-Aladdin-Northport Road to Highway 20 near Colville; then east on Highway 20 to the Pend Oreille River near Tiger; then north along the Pend Oreille river to the Canadian border; then west along the border to Lake Roosevelt to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 113-Selkirk (Pend Oreille County): Beginning on the Pend Oreille River at the Canadian border; then south along the Pend Oreille River to the Idaho border near Newport; then north along the Idaho-Washington border to the Canadian border; then west along the Canadian border to the Pend Oreille River to the point of beginning. (See Washington Atlas & Gazetteer or Colville National Forest map)

GMU 118-Chewelah (Stevens and Pend Oreille counties): Beginning at Colville; then east on Highway 20 to the Pend Oreille River near Tiger; then south along the Pend Oreille River to the bridge over the river at Usk; then west on the McKenzie Road to the West Side Calispell Road and the Flowery Trail Road; then west on the Flowery Trail Road to Chewelah and Highway 395; then north on Highway 395 to Colville to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 119-Boyer (Stevens and Pend Oreille counties): Beginning on the Pend Oreille River at the bridge near Usk; then west on the McKenzie Road to the Westside Calispell Road and the Flowery Trail Road; then west on the Flowery Trail Road to Chewelah and Highway 395; then south on Highway 395 to Highway 231; then south on Highway 231 to Springdale; then east on Highway 292 to Highway 395 at Loon Lake; then south on Highway 395 to Deer Park; then east on the Deer Park-Milan Road to Highway 2, then northeast on Highway 2 to the Idaho border at Newport; then north along the Idaho border to the Pend Oreille River; then north along the Pend Oreille River to the bridge at Usk and point of beginning. (See Washington Atlas & Gazetteer)

GMU 121-Huckleberry (Stevens County): Beginning at the bridge over Lake Roosevelt near Kettle Falls; then south on Highway 395 to Highway 231; then south on Highway 231 to the northeast corner of the Spokane Indian Reservation; then west along the north boundary of the Reservation to Lake Roosevelt; then north along Lake Roosevelt to the Highway 395 bridge near Kettle Falls to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 124-Mount Spokane (Spokane, Stevens and Pend Oreille counties): Beginning at the Idaho-Washington border at Newport; then south on Highway 2 to the Deer Park-Milan Road; then west on the Deer Park-Milan Road to Deer Park and Highway 395; then north on Highway 395 to Highway 292 at Loon Lake; then west on Highway 292 to Springdale and Highway 231; then south on Highway 231 to the northeast boundary of the Spokane Indian Reservation; then south along the east boundary of the Indian Reservation (Chamokane Creek) to the Spokane River; then east along the Spokane River to the Washington-Idaho border; then north along the border to Newport and point of beginning. (See Washington Atlas & Gazetteer)

GMU 127-Mica Peak (Spokane County): Beginning at Spokane; then south along State Highway 195 to the Spokane-Whitman County line; then east along Spokane-Whitman County line to the Washington-Idaho line; then north along the Washington-Idaho line to the Spokane River; then west along the Spokane River to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 130-Cheney (Spokane and Lincoln counties): Beginning at Spokane; then south along State Highway 195 to the Spokane-Whitman County line; then west along the north boundary of Whitman and Adams counties to U.S. Highway No. 395; then northeast along U.S. Highway 395 to Sprague; then north along State Highway No. 231 to its junction with U.S. Highway No. 2; then east along U.S. Highway No. 2 to Reardan; then north along state Highway No. 231 to the Spokane River; then up the Spokane River to Spokane to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 133-Roosevelt (Lincoln County): Beginning at Reardan; then north along State Highway 231 to the Spokane River; then west along the Spokane River to Lake Roosevelt; then west along Lake Roosevelt to Coulee Dam; then southeast on State Highway 174 to Wilbur and U.S. Highway 2; then east along Highway 2 to Reardan and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 136-Harrington (Lincoln County): Beginning at the town of Grand Coulee; then southeast along State Highway No. 174 to its junction with U.S. Highway No. 2 at Wilbur; then east along U.S. Highway No. 2 to its junction with U.S. Highway No. 231 three miles west of Reardan; then south along Highway No. 231 to its junction with U.S. Highway No. 395; then southwest along U.S. Highway No. 395 to the Adams County line at Sprague Lake; then west along the Adams-Lincoln County line to the Grant County line; then north along

the Grant-Lincoln County line to Grand Coulee and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 139-Steptoe (Whitman County): Beginning at Colfax; then west along State Highway 127 to Dusty and continuing west along State Highway No. 26 through LaCrosse to the west Whitman County line (Palouse River); then north along the west Whitman County line, east along the north Whitman County line and south along the east Whitman County line to the Moscow-Pullman Highway; then west along the Moscow-Pullman-Colfax Highway to Colfax and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 142-Almota (Whitman County): Beginning at Clarkston; then down the Snake River to the mouth of the Palouse River; then up the Palouse River to the Washtucna-LaCrosse Highway (State Highway No. 26); then east along the highway through LaCrosse to State Highway 127 to Dusty; then continuing east along State Highway 127 to Colfax; then southeast along the Colfax-Pullman-Moscow Highway to the Washington-Idaho line; then south along the state line to Clarkston and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 145-Mayview (Garfield and Asotin counties): Beginning at the mouth of Alpowa Creek and its junction with U.S. Highway No. 12; then west along U.S. Highway No. 12 to its junction with State Highway 127 (Central Ferry Highway); then north along the Highway to the Snake River; then east up the Snake River to the mouth of Alpowa Creek and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 148-Starbuck (Walla Walla, Columbia, and Garfield counties): Beginning at Central Ferry; then south along State Highway No. 127 to Dodge Junction; then southwest along U.S. Highway No. 12 to the town of Waitsburg and the Touchet River; then west along the river to its junction with the Ayer Road at Harsha; then north along the Ayer Road to the Snake River at Ayer; then east along the Snake River to Central Ferry and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 151-Eureka (Walla Walla County): Beginning at the Washington-Oregon State line on the Columbia River (near Wallula Junction); then north up the Columbia River to the Snake River; then northeast up the Snake River to Ayer; then south along the Ayer Road to State Highway No. 124 and the Touchet River at Harsha; then east up the river to Waitsburg and U.S. Highway 12; then southwest along Highway 12 to Walla Walla and State Highway No. 125; then south along State Highway No. 125 to the Washington-Oregon State line; then west along the state line to the Columbia River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 154-Blue Creek (Walla Walla and Columbia counties): Beginning at the Washington-Oregon State line on State Highway No. 125 (south of Walla Walla); then north along State Highway No. 125 to U.S. Highway No. 12; then northeast along Highway 12 to the

Payne Hollow Road at Long Station; then south along the Payne Hollow-Jasper Mountain-Mt. Pleasant Road to the Lewis Peak Road; then south along the Lewis Peak Road to its termination at the Mill Creek Watershed Intake Trail; then southwest along the trail to the Washington-Oregon State line; then west along the state line to State Highway No. 125 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 157-Watershed, Mill Creek Watershed area (Walla Walla, Columbia counties): Starting at the Mill Creek Watershed Intake Trail (No. 3211) on the Washington-Oregon State line; then northeast along the Intake Trail to the Skyline Drive Road (No. 64); then south along the road to the Washington-Oregon State line; then due west to the point of beginning. (See Umatilla Forest map)

GMU 160-Touchet (Walla Walla, and Columbia counties): Beginning at Dayton; then south along the North Touchet River Road to its junction with the Skyline Drive Road at Manila Springs; then southwest along the Skyline Road to its junction with the Mill Creek Watershed Intake Trail (No. 3211); then west along the Intake Trail to the Lewis Peak Trail; then north along the Lewis Peak-Mt. Pleasant-Jasper Mountain-Payne Hollow Road to U.S. Highway 12 at Long Station; then north along said highway to Dayton and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 161-Eckler (Columbia County): Beginning at Dayton; then east along the Patit Creek Road to its junction with the Hartsock-Maloney Mountain Road; then south and west along the Maloney Mountain Road (No. 4625) to the Skyline Drive Road (No. 46); then south along the Skyline Drive Road to its junction with the North Touchet River Road at Manila Springs; then north along the North Touchet River Road to Dayton and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 163-Marengo (Columbia, and Garfield counties): Beginning at Dayton; then east along the Main Patit Road to its junction with the Hartsock-Maloney Mountain Road; then north down the Hartsock Grade Road to the Tucannon Road; then south along the Tucannon Road to the Blind Grade Road; then east up the Blind Grade Road to the Linville Gulch Road; then north down the Linville Gulch Road to U.S. Highway No. 12; then west and south along Highway 12 to Dayton and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 166-Tucannon (Columbia, and Garfield counties): Beginning on the Tucannon River Road at its junction with the Hartsock Grade Road; then south up the Hartsock Grade Road to its junction with the Maloney Mountain Road; then southwest along the Maloney Mountain Road (No. 4625) to the Skyline Drive Road (No. 46); then south along the Skyline Drive Road to its junction with the Teepee Road (No. 4608); then east along the Teepee Road to Teepee Camp; then east along the Teepee Oregon Butte-Bullfrog Springs Diamond Peak Trail to Diamond Peak; then east along

the Diamond Peak Road (No. 4030) to the Mountain Road (No. 40); then north along the Mountain Road to its junction with the elk drift fence at the Forest Boundary; then north and west along the fence to the Tucannon Road; then north along the Tucannon Road to the Hartsock Grade Road and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 169-Wenaha (Columbia, Garfield and Asotin counties): Beginning on the Skyline Drive Road at the Washington-Oregon State line; then north along the road to Godman Springs and the Teepee Road (No. 4608); then east along the Teepee Road to Teepee Camp; then east along the Teepee Oregon Butte-Bullfrog Springs Diamond Peak Trail to Diamond Peak; then east on the Diamond Peak Road (No. 4030) to the Mountain Road (No. 40); then south along the Mountain Road to the South Boundary Road (No. 4039); then west along the road to the Three Forks Trail (No. 3133); then west down said trail to Crooked Creek; then south on Crooked Creek to the Washington-Oregon State line; then due west along the line to Skyline Road and the point of beginning. (See Umatilla National Forest map)

GMU 172-Mountview (Garfield and Asotin counties): Beginning at the junction of State Highway 129 and Mill Road at Anatone; then southwest on the Mill Road & Bennett Ridge Road-West Mountain Road (No. 1290) to the Big Butte-Mt. Misery Road (No. 4304); then west along the road to the Mountain Road (No. 40); then south on the road to the South Boundary Road (No. 4039); west along the South Boundary Road to the Three Forks Trail (No. 3133); then down said trail to Crooked Creek; then down the creek to the Washington-Oregon State line; then east along the line to State Highway No. 129; then north on Highway 129 to Anatone and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 175-Lick Creek (Garfield and Asotin counties): Beginning at the junction of the Mountain Road (No. 40) and National Forest Boundary (south of Pomeroy); then south along the Mountain Road to its junction with the Wenatchee Guard Station-Anatone Road; then east along the road to the National Forest Boundary at Big Butte; then northwest along the boundary fence to the Cloverland-Wenatchee Guard Station Road; then northeast along the Cloverland Road to the Campbell Grade Road; then down the Campbell Grade Road to the South Fork Asotin Creek Road; then down South Fork Asotin Creek Road to Asotin Creek; then down Asotin Creek to Charley Creek; then up Charley Creek to the elk drift fence; then west along the elk fence to its junction with the Mountain Road (No. 40) and the point of beginning. (See Umatilla National Forest map)

GMU 178-Peola (Garfield and Asotin counties): Beginning on the Snake River at the mouth of Asotin Creek; then up Asotin Creek to Charley Creek; then up Charley Creek to the elk drift fence; then northwest along the fence to the Tucannon Road; then down the Tucannon Road to the Blind Grade Road; then up Blind Grade to

the Linville Gulch Road; then down the Linville Gulch Road to U.S. Highway No. 12; then east along Highway 12 to the mouth of Alpowa Creek on the Snake River; then up the Snake River to the mouth of Asotin Creek and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 181-Couse (Asotin County): Beginning at the mouth of Asotin Creek on the Snake River; then south along the Snake River to the Grande Ronde River; then west up the Grande Ronde River to State Highway No. 129; then northeast along Highway 129 to Anatone; then west and south along the Mill Road-Bennett Ridge Road-West Mountain Road to the National Forest Boundary at Big Butte (Road No. 4304); then northwest along the Forest Boundary fence to the Cloverland Road; then northeast on that road to the Campbell Grade Road; then down that road to the South Fork Asotin Creek Road; then down that road to Asotin Creek; then down Asotin Creek to the Snake River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 184-Joseph (Asotin County): Beginning at the mouth of the Grande Ronde River; then west along the river to the mouth of Joseph Creek; then south up Joseph Creek to the first Joseph Creek bridge and the Joseph Creek Road; then south up said road to the Washington-Oregon State line; then east along the line to the Snake River; then north down the Snake River to the Grande Ronde River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 185-Black Butte (Asotin County): Beginning at State Highway No. 129 on the Washington-Oregon State line; then north along Highway 129 to the Grande Ronde River; then east down the river to the mouth of Joseph Creek; then south up Joseph Creek to the first Joseph Creek bridge and the Joseph Creek Road; then south up said road to the Washington-Oregon State line; then west along the line to State Highway No. 129 and the point of beginning. (See Washington Atlas & Gazetteer)

REGION TWO

GMU 200-Tunk (Okanogan and Ferry counties): Beginning at Tonasket, then south along the Okanogan River to the north boundary of the Colville Indian Reservation, then east along the Reservation boundary to State Route 21 south of Republic, then north along State Route 21 to Republic and State Route 20, then west along State Route 20 to Tonasket to the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 203-Pasayten (Okanogan and Whatcom counties): Beginning at the eastern boundary of the Pasayten Wilderness and its junction with the Canadian border, then south along the wilderness boundary to Trail #341, then west along Trail #341 to the Iron Gate Road and Trail #343, then west along Trail #343 to its junction with the Pasayten Wilderness boundary, then west along the wilderness boundary to the Hidden Lakes Trail (#477) then west along Hidden Lakes Trail to Drake Creek, then southwest down Drake Creek and the Lost

River to the Pasayten Wilderness boundary and the Robinson Creek Trail #478, then north up the Robinson Creek Trail to the junction of the Ferguson Lake Trail, then west to Silver Lake, then west to the West Fork Trail crossing of the West Fork of the Pasayten River, then west to Oregon Basin and the Pasayten Wilderness boundary, then west and north along the boundary to the Canadian border, then east along the border to the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 206-Bonaparte (Okanogan and Ferry counties): Beginning at the town of Tonasket, then north along the Okanogan River and the east shore of Osoyoos Lake to the Canadian border, then east along the Canadian border to the Kettle River near the Ferry Customs office, then south along the Kettle River to the mouth of Toroda Creek, then southwest along Toroda Creek to Toroda Creek Road (#502 and #9495), then southwest along Toroda Creek Road to its junction with State Route 20 at Wauconda, then west along State Route 20 to Tonasket and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 209-Wannacut (Okanogan County): Beginning at the Canadian border on Lake Osoyoos, then south along the west shore of Lake Osoyoos and the Okanogan River to the bridge at Tonasket, then south on County Road #7 (#9437) to the North Pine Creek-Aeneas Lake Road (#9400) junction, then southwest on that road to the Horse Springs Coulee Road (#4371) junction, then northwest on that road to the Loomis-Nighthawk Highway (#9425) junction near Spectacle Lake, then west on Loomis-Nighthawk Highway to Loomis, then north on the Loomis-Nighthawk Highway (#9425) past Palmer Lake to the Canadian border station near Nighthawk, then east on the U.S.-Canada boundary to Lake Osoyoos and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 215-Sinlahekin (Okanogan County): Beginning at the Canadian border station near Nighthawk, then south through Nighthawk and past Palmer Lake on the Nighthawk-Loomis Highway (#9425) to Loomis, then east on the Loomis-Tonasket Highway (#9425) to the Horse Springs Coulee Road (#4371) junction near Spectacle Lake, then south on that road to the North Pine Creek-Aeneas Lake Road (#9400), then east on that road to the Okanogan River, then south along the Okanogan River to the town of Riverside, then north on U.S. Highway 97 to its junction with the South Pine Creek Road (#9410), then west on South Pine Creek Road to its junction with the Conconully-Loomis Road (#4015), then south on Road #4015 to Conconully, then north on the North Fork Salmon Creek Road (#2361, Road 38 and 2820) over Lone Frank Pass to the junction with Road #39, then north on Road #39 to Long Swamp, then east along the Middle Fork Toats Coulee Road (#39) to the junction with the Iron Gate Road (#500), then northwest along the Iron Gate Road to its end, then north and east along trails #533 and #341 to the Pasayten Wilderness boundary, then north along that boundary to the Canadian border, then east along the border to the Nighthawk border station and the

point of beginning. (See Okanogan National Forest Travel Plan)

GMU 218-Chewuch (Okanogan County): Beginning at the junction of the Iron Gate Road (#500) and the Pasayten Wilderness boundary, then southeast on the Iron Gate Road to the Middle Fork Toats Coulee Creek Road (#39), then west and south on the Middle Fork Toats Coulee Creek Road past Long Swamp to the Boulder Creek Road (#37), then southwest down Boulder Creek Road to the East Chewuch River Road (#9137) then south to Winthrop and State Route 20, then northwest on State Route 20 to the Okanogan County line, then northwest along the Okanogan County line through Harts Pass to Oregon Basin, then east to Silver Lake, then due east to the intersection of Ferguson Lake Trail and Middle Fork Trail #478, then south on Trail #478 to the Pasayten Wilderness boundary, then northeast along that boundary to Lost River, then northeast up Lost River and Drake Creek to Hidden Lake Trail #477, then east along Trail #477 to the Pasayten Wilderness boundary at Eight-Mile Pass, then east along the wilderness boundary to its junction with Trail #342 near Hicky Hump, then north along Trail #342 to its junction with Trail #343 at Two Bear camp, then east along Trail #343 to the Iron Gate Road to the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 224-Pearrygin (Okanogan County): Beginning at the town of Conconully, then north along County Road 2361, and the N. Fork Salmon Creek Road (#38) to its junction with Road 39, SW along Road 39 to the Boulder Creek Road (#37), then southwest along the Boulder Creek Road to the East Chewuch River Road (#9137), then south down the East Chewuch River Road to Winthrop, then south and east along State Route 20 to the Loup Loup summit, then north along the North Summit Road (#42) and County Road 2017 to Conconully and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 231-Gardner (Okanogan County): Beginning at the town of Twisp, then northwest along State Route 20 to the Okanogan County line, then south along the county line to Copper Pass and the North Fork Twisp River Trail #426, then southeast along Trail #426 to the Twisp River Road, then southeast along the Twisp River Road to the town of Twisp and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 233-Pogue (Okanogan County): Beginning at the town of Riverside, then north along U.S. Highway 97 to the South Pine Creek Road (#9410), then west on South Pine Creek Road to the Conconully-Loomis Road (#4015), then south along Road #4015 to Conconully, then south along County Road 2017 and the North Summit Road (#42) to State Route 20 near Loup Loup summit, then east on State Route 20 to the town of Okanogan and the Okanogan River, then north up the Okanogan River to Riverside and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 239-Chiliwist (Okanogan County): Beginning at the town of Okanogan, then west on State Route 20 to

State Route 153, then south along State Route 153 to Pateros and the Columbia River, then north up the Columbia and Okanogan rivers to Okanogan and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 242-*Alta* (Okanogan County): Beginning at Pateros, then northwest on State Route 153 to Twisp, then west on the Twisp River Road (County Road 9114 and Forest Road #4440) to Roads End Campground, then northwest on the North Fork Twisp River Trail #426 to Copper Pass and the Okanogan County line, then southeast along the county line to the junction of South Fork Gold Creek Road (#4330) and the South Navarre Road (#8200), then southeast along Road (#8020) to the Antoine Creek Road (#8140), then southeast along Road (#8140) to U.S. Highway 97, then north on U.S. Highway 97 to Wells Dam, then upriver to Pateros and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 248-*Big Bend* (Douglas and Grant counties): Beginning at Mansfield; then west along State Route 172 to Road B N.E.; then north on B N.E. and the West Foster Creek Road to State Route 17; then east along State Route 17 to the Chalk Hills Road (Road K N.W.); then north along the Chalk Hills Road (K & L N.E.) to Road 28 N.E.; then north along Road L N.E. for 4 miles to the east boundary of Range 26 E; then north to the Columbia River; then up the Columbia River to Grand Coulee Dam; then south along the Feeder Canal and the west side of Banks Lake to a point due east from Road 9 N.E.; then west from that point and along Road 9 N.E. through Mold to State Route 17; then north along State Route 17 to Sim's Corner (Jct. State Routes 17 & 172); then west on State Route 172 to Mansfield and the point of beginning. (See official road map of Douglas County)

GMU 254-*Saint Andrews* (Douglas and Grant counties): Beginning at Sim's Corner (Jct. of State Routes 17 and 172); then south on State Route 17 to Road 9 N.E.; then east on Road 9 N.E. (through Mold) to a point due east on the west shore of Banks Lake; then south along the west shore of Banks Lake to State Route 2; then west along State Route 2 to State Route 172; then north and east along State Route 172 through Mansfield to Sim's Corner and the point of beginning. (See official road map of Douglas County)

GMU 260-*Foster Creek* (Douglas County): Beginning at Bridgeport; then down the Columbia River to Bonita Flat; then east along the Bonita Flat Road to the town site of Dyer; then south along the Dyer Hill Road and the N. Division Road to Road 20 N.E.; then east along Road 20 N.E. (Dyer Hill Rd.) to the W. Foster Creek Rd.; then north along the West Foster Creek Road to State Route 17; then east along State Route 17 to the Chalk Hills Road (K N.E.); then north along the Chalk Hills Road (K & L N.E.) to Road 28 N.E.; then north along Road L N.E. for 4 miles to the east boundary of Range 26 E; then north to the Columbia River; then down the Columbia River to Bridgeport and the point of beginning. (See official road map of Douglas County)

GMU 262-*Withrow* (Douglas County): Beginning at Orondo; then up the Columbia River to the Bonita Flat Road; then east along the Bonita Flat Road to the town site of Dyer; then south along the Dyer Hill Road and the N. Division Road to Road 20 N.E. (Dyer Hill Rd.); then east along Road 20 N.E. to Road B N.E. (W. Foster Ck. Rd.); then south on Road B N.E. to State Route 172; then west and south on State Route 172 to State Route 2; then west along State Route 2 to Orondo and the point of beginning. (See official road map of Douglas County)

GMU 266-*Badger* (Douglas County): Beginning at Orondo; then down the Columbia River to the Rock Island Grade Road (includes Turtle Rock Island); then north along the Rock Island Grade Road to the Titchenal Canyon Road; then northeast along the Titchenal Canyon Road to the Alstown Road; then east to Alstown; then north and east along the Alstown Road to Road K S.W.; then north along Road K to State Route 2; then west along State Route 2 to Orondo and the point of beginning. (See official road map of Douglas County)

GMU 269-*Moses Coulee* (Douglas and Grant counties): Beginning near Rock Island Dam at the junction of State Route 28 and the Rock Island Grade Road; then north along the Rock Island Grade Road to the Titchenal Canyon Road; then northeast along the Titchenal Canyon Road to the Alstown Road; then east to Alstown; then north and east along the Alstown Road to Road K S.W.; then north along Road K to State Route 2; then east along State Route 2 to the Moses Coulee Road; then south along the Moses Coulee Road to the Grant & Douglas County line; then south along the Sagebrush Flat Road to Road J N.W.; then south along Road J N.W. to the Overen Road (Road 20 N.W.); then west along the Overen Road to the Baird Springs Road; then southwest along the Baird Springs Road across State Route 28 to the Crescent Bar Road; then south along the Crescent Bar Road to the Columbia River; then up the Columbia River to the Rock Island Grade Road and the point of beginning. (See official road maps of Douglas and Grant counties)

GMU 272-*Beezley* (Grant and Douglas counties): Beginning at the town of Grand Coulee, then southwest along the west shore of Banks Lake to State Route 2, then west along State Route 2 to Moses Coulee Road, then south along Moses Coulee Road to the Grant-Douglas County line; then south along the Sagebrush Flats Road to Road J N.W.; then south along Road J N.W. to the Overen Road, (Road 20 N.W.); then west along the Overen Road to the Baird Springs Road, then southwest along Baird Springs Road across State Route 28 to the Crescent Bar Road, then southwest along Crescent Bar Road to the Columbia River, then down the Columbia River to Interstate 90, then northeast along Interstate 90 to the Beverly Burke Road (Road R S.W.), then south along Beverly Burke Road to Frenchman Hills Road, then east along Frenchman Hills Road to O'Sullivan Dam Road, then east along O'Sullivan Dam Road to State Route 17, then south along State Route 17 to the Grant-Adams County line

(Road 12 S.E.), then east and north along the Grant County line to the town of Grand Coulee and the point of beginning. (See official road maps of Grant and Douglas counties)

GMU 278-Wahluke (Grant and Adams counties): Beginning at the Columbia River at Interstate 90, then northeast along Interstate 90 to the Beverly Burke Road (Road R S.W.); then south along Beverly Burke Road to Frenchman Hills Road; then east along Frenchman Hills Road to O'Sullivan Dam Road; then east along O'Sullivan Dam Road to State Route 17, then south along State Route 17 to State Route 26; then east along State Route 26 to State Route 24 at Othello; then south and west along State Route 24 to the Columbia River at Vernita Bridge; then up the Columbia River to Interstate 90 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 281-Ringold (Franklin, Adams, and Grant counties): Beginning at the Columbia River and U.S. Highway 395 at Pasco, then up the Columbia River (including all islands) to State Route 24 at Vernita Bridge; then east and north along State Route 24 to State Route 26 at Othello; then east along State Route 26 to State Route 17; then south along State Route 17 to U.S. Highway 395; then south along U.S. Highway 395 to the Columbia River at Pasco and the point of beginning. The Hanford Nuclear Site and the Saddle Mountain National Wildlife Refuge are closed to unauthorized public entry. (See Washington Atlas & Gazetteer)

GMU 284-Kahlotus (Adams and Franklin counties): Beginning at the Columbia River and U.S. Highway 395 at Pasco; then north along U.S. Highway 395 to State Route 17; then north along State Route 17 to the Grant & Adams County line (Road 12 S.E.); then east and north along the Grant & Adams County line to the Lincoln County line; then east along the Adams-Lincoln County line to the Whitman County line; then south along the Adams-Whitman County line to the Palouse River; then down the Palouse River to the Snake River; then down the Snake River to the Columbia River; then up the Columbia River to U.S. Highway 395 and the point of beginning. (See Washington Atlas & Gazetteer)

REGION THREE

GMU 300-Manson (Chelan County): Beginning at the town of Chelan; then down the Chelan River Gorge to the Columbia River; then north along the Columbia River to Wells Dam; then southwest along Highway 97 to the Antoine Creek Road (USFS #8140); then west along Antoine Creek Road to Forest Road #8020 near Cooper Mountain; then northwest along Road #8020 to junction of Road #4330 near Fox Peak; then northwest along the ridge separating the Chelan and Methow-Twisp drainages (Sawtooth Ridge) to McAlester Mountain; then southeast along the ridge between Rainbow Creek and Boulder Creek to the Stehekin River; then south along Lake Chelan shore to the town of Chelan to the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 301-Clark (Chelan County): That portion of Chelan County that lies within the Glacier Peak Wilderness Area and that portion of the Lake Chelan National Recreation Area west of McAlester Mountain and running southwest along the ridge between Rainbow Creek and Boulder Creek to the Stehekin River; then continuing south along Lake Chelan to the south boundary of the National Recreation Area. (See Wenatchee National Forest Recreation map)

GMU 302-Alpine (Kittitas and Chelan counties): Those lands within Kittitas and Chelan counties east of the Pacific Crest Trail that lie within the Alpine Lakes Wilderness Area. (See Wenatchee National Forest Recreation map)

GMU 304-Chiwawa (Chelan County): Beginning at Coles Corner on Highway 2; then north along Highway 207 to Highway 209 near Lake Wenatchee; then south on Highway 209 to the Eagle Creek Road #7520; then northeast on Road #7520 to French Corral and Forest Road #5800; then east along Roads #5800 and #5700 to the Entiat River near Ardenvoir; then north along the Entiat River to the Glacier Peak Wilderness Boundary; then south and west along the Glacier Peak Wilderness Boundary to the Pacific Crest Trail; then south to Highway 2 at Stevens Pass; then east on Highway 2 to Coles Corner. (See Wenatchee National Forest Recreation map)

GMU 306-Slide Ridge (Chelan County): Beginning on the Entiat River at the Glacier Peak Wilderness Boundary (near the mouth of Larch Lakes Creek); then south along the Entiat River to the mouth of Fox Creek; then east on Fox Creek to Fourmile Ridge Trail #1445; then east on Trails #1445 and #1448 to the Slide Ridge Road #8410 at Stormy Mountain; then north on Road #8410 to Twenty-five Mile Creek; then north on Twenty-five Mile Creek to Lake Chelan; then north and west along the south shore of Lake Chelan to the Lake Chelan National Recreation Area Boundary near Riddle Creek; then south and west along the Recreation Area and Glacier Peak Wilderness Boundaries to the Entiat River. (See Wenatchee National Forest Recreation map)

GMU 308-Entiat (Chelan County): Beginning at the mouth of the Entiat River near the town of Entiat; then northwest along the Entiat River to the mouth of Fox Creek; then east along Fox Creek to the Fourmile Ridge Trail #1445 then east along Trail #1445 and #1448 to the Slide Ridge Road #8410 at Stormy Mountain; then north along Road #8410 to Twenty-five Mile Creek; then North along Twenty-five Mile Creek to Lake Chelan; then southeast along Lake Chelan and the Chelan River Gorge to the Columbia River; then southwest along the Columbia River to the mouth of the Entiat River. (See Wenatchee National Forest Recreation map)

GMU 314-Mission (Kittitas and Chelan counties): Beginning at the mouth of the Colockum Creek on the Columbia River; then west along Colockum Creek and the Colockum Pass Road (#10) to the Naneum Ridge Road (#9); then northwest along Naneum Ridge Road and Mission Ridge to the Liberty-Beehive Road #9712;

then northwest along Road #9712 to Road #9716; then north along Road #9716 to Highway 97 at Swauk Pass; then northwest along the Kittitas-Chelan County line and Trail #1226 to the Alpine Lakes Wilderness Boundary at Navaho Peak, then north along the Alpine Lakes Wilderness Boundary to Icicle Creek near Black Pine Horse Camp; then east along Icicle Creek to the Wenatchee River; then south and east along the Wenatchee and Columbia Rivers to the mouth of Colockum Creek. (See Wenatchee National Forest Recreation map)

GMU 316-Swakane (Chelan County): Beginning at the mouth of the Wenatchee River; then north along the Columbia River to the Entiat River; then north along the Entiat River to Road #5700 near Ardenvoir; then west along Roads #5700 and #5800 to French Corral; then west along the Eagle Creek Road #7520 to Highway 209; then north along Highway 209 to Highway 207 near Lake Wenatchee; then south along Highway 209 to Highway 2 at Coles Corner; then west along Highway 2 to Stevens Pass; then south along the Chelan-King County Line to the Alpine Lakes Wilderness Boundary; then east and south along the Alpine Lakes Wilderness Boundary to Icicle Creek; then east along Icicle Creek to the Wenatchee River; then east along the Wenatchee River to its mouth on the Columbia River. (See Wenatchee National Forest Recreation map)

GMU 328-Naneum (Kittitas and Chelan counties): Beginning at the intersection of Highway 97 and Lower Green Canyon Road; then north along Lower Green Canyon Road to the East Highline Canal (T19N, R18E, S28); then east along the canal to the Colockum Pass Road #10; then northeast along the Colockum Pass Road to the Naneum Ridge Road #9; then northwest along the Naneum Ridge Road and Mission Ridge to the Liberty Beehive Road #9712; then northwest along Road #9712 to Road #9716; then north along Road #9716 to Highway 97 at Swauk Pass; then south along Highway 97 to the Lower Green Canyon Road. (See Wenatchee National Forest Recreation map & Department of Wildlife map)

GMU 329-Quilomene (Kittitas and Chelan counties): Beginning on Interstate 90 at the Columbia River near Vantage; then north along the Columbia River to the mouth of Tekieson Creek; then up Tekieson Creek to Road #14; then north along Roads 14, 14.17 and 14.14 to the top of Cape Horn cliffs; then north along the cliff top to the northern point of Cape Horn; then southwest along the stock fence to Road #14.14; then west and north along Road #14.14 and Road #14 to Davies Canyon; then northeast along Davies Canyon to the Columbia River; then north along the Columbia River to mouth of Colockum Creek; then southwest along Colockum Creek and Colockum Road (Road #10) to the East Highline Canal (T18N, R20E, S17); then east along the canal and Interstate 90 to the Columbia River at Vantage. (See Department of Wildlife map)

GMU 330-West Bar (Kittitas County): Beginning at the mouth of Tekieson Creek on the Columbia River;

then up Tekieson Creek to Road #14; then north on Road 14, 14.14 and 14.17 to the top of the Cape Horn Cliffs; then north along the cliff top to the north end of Cape Horn; then southwest along the stock fence to Road 14.14; then west and north along Roads #14.14 and #14 to Davies Canyon; then east along Davies Canyon to the Columbia River; then south along the Columbia River to the mouth of Tekieson Creek. (See Department of Wildlife map)

GMU 334-Ellensburg (Kittitas County): Beginning at the intersection of Highway 97 and Lower Green Canyon Road; then north along the Lower Green Canyon Road to the East Highline Canal (Sec. 28, Twp. 19N., R. 18E); then east and south along the canal past Interstate 90 to the pump station; then south and west along the upper most branch of the canal to Highway 821 and the Yakima River (a point about one mile south of Thrall); then north along the Yakima River to Damon Road; then south on Damon Road and Shushuskin Canyon to the South Branch Extension Canal; then west along the canal to where it crosses Manastash Road; then north along the South Branch Canal to Taneum Creek; then east along Taneum Creek to the Yakima River; then northeast along the river to Thorp Highway; then east along the Thorp Highway and Highway 10 to Highway 97; then north along Highway 97 to Lower Green Canyon Road. (See Wenatchee National Forest Recreation map & Department of Wildlife map) (This is a Kittitas County Closure area for high power rifle hunting of both deer and elk. Contact Kittitas County for more details)

GMU 335-Teaway (Kittitas County): Beginning at Swauk Pass on Highway 97; then northwest along the Kittitas-Chelan County line and Trail #1226 to the Alpine Lakes Wilderness Boundary at Navaho Peak; then west along the Alpine Lakes Wilderness Boundary to the King-Kittitas County line at Kendal Peak; then south along the King-Kittitas County line to Interstate 90; then east along Interstate 90 to Cle Elum; then east along Highway 10 to Highway 97; then northeast on Highway 97 to Swauk Pass. (See Wenatchee National Forest Recreation map)

GMU 336-Taneum (Kittitas County): Beginning at Cle Elum; then west along Interstate Highway 90 to the Pacific Crest Trail at Snoqualmie Pass; then southeast along the Pacific Crest Trail to Blowout Mountain; then southeast along the divide between the Naches and Yakima River drainages and Trail #1388 to Peaches Ridge and Trail #1363; then north along Trail #1363 to South Fork Taneum Creek; then east along Taneum Creek to the Yakima River; then north (downstream) on the Yakima River to the Thorp Highway Bridge; then northwest along the Thorp Highway, State Highway 10 and State Highway 903 to Cle Elum. (See Wenatchee National Forest Recreation map)

GMU 340-Manastash (Kittitas County): Beginning at the junction of Taneum Creek and the South Branch Highline Canal; then west up Taneum Creek and South Fork Taneum Creek to USFS Trail #1363 (Peaches Ridge Trail); then west on Trail #1363 to the Naches-

Yakima River Divide; then southeast along Trail #1388 and the ridge top dividing the Manastash and Wenas-Umptanum drainages to the junction of the Observatory Road, (Twp. 17 N., R. 17 E.W.M., Section 20) then south on the Observatory Road to the Wenas & Ellensburg Road; then east on the Wenas-Ellensburg Road to Umptanum Creek; then down Umptanum Creek to the Yakima River; then up the Yakima River to the Damon Road; then south to the Wenas-Ellensburg Road; then south on the Wenas-Ellensburg Road to the South Branch Highline Canal; then along the canal to Taneum Creek and the beginning. (See Wenatchee National Forest Recreation map)

GMU 342-Umptanum (Kittitas and Yakima counties): Beginning at Yakima then north along the Yakima River to Umptanum Creek; then up Umptanum Creek to the Wenas-Ellensburg Road; then west along the Wenas-Ellensburg Road to the Observatory Road; then north along the Observatory Road to the Road junction at the top of the ridge (Section 20, T17N, R.17 E.W.M.); then west and north along the top of the ridge dividing Manastash and Umptanum-Wenas drainages to USFS Trail #1388 and Forest Road 1701; then along Road 1701 to Highway 410 to the junction of I-82 and the Yakima River. (See Wenatchee National Forest map and Washington Atlas & Gazetteer)

GMU 346-Little Naches (Yakima & Kittitas counties): Beginning at the Junction of Highway 410 and Forest Road 1701; then north on Road 1701 to Trail #1388; then northwest along Trail #1388 to the Pacific Crest Trail at Blowout Mountain; then south along the Pacific Crest Trail to State Highway 410 at Chinook Pass; then east along State Highway 410 to point of beginning. (See Wenatchee National Forest Recreation map)

GMU 352-Nile (Yakima County): Beginning at Highway 410 at its junction with Forest Road 1500 (Eagle Rock); then west along the 1500 Road to the McDaniel Lake Road (USFS Road #1502); then west along the McDaniel Lake Road to the junction of the North Fork and the South Fork of Rattlesnake Creek; then up the North Fork of Rattlesnake Creek to Richmond Mine Trail #973; then north along Richmond Mine Trail to the Bumping Lake Road; then north along Bumping Lake Road to Highway 410; then east along Highway 410 to Eagle Rock and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 356-Bumping (Yakima County): Beginning at the intersection of Highway 12 and USFS Road #1500; then north along Road #1500 to McDaniel Lake Road (USFS Road #1502); then west on McDaniel Lake Road to the junction of North Fork and South Fork of Rattlesnake Creek; then up the North Fork of Rattlesnake Creek to Richmond Mine Trail #973; then north along Richmond Mine Trail to the Bumping Lake Road; then north along the Bumping Lake Road to Highway 410; then west along Highway 410 to the Pacific Crest Trail at Chinook Pass; then south along the Pacific Crest Trail to Highway 12 at White Pass; then east along

Highway 12 to the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting). (See Wenatchee National Forest Recreation map)

GMU 360-Bethel (Yakima County): Beginning at the junction of Highway 410 and Highway #12; then west along Highway 12 to the junction with USFS Road #1500; then north and east along Road #1500 to its junction with Highway 410 at Eagle Rock; then southeast along Highway 410 to its junction with Highway 12 and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 364-Rimrock (Yakima County): Beginning at the junction of Highway 12 and Jump-off Road (USFS Road #1302); then southwest along Jump-off Road to Divide Ridge Trail #1127 at Jump-off Lookout; then southeast along Divide Ridge Trail #1127 to Strobach Springs; then west to Blue Slide Lookout; then south on jeep trail to Blue Lake; then south along jeep trail to the Darland Mountain Road and the north boundary of the Yakima Indian Reservation; then west along the reservation boundary to the Pacific Crest Trail; then north along the Pacific Crest Trail to Highway 12 at White Pass; then east along Highway 12 to the junction with Jump-off Road and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 366-Rimrock-Cowiche (Yakima County): GMUs 364 (Rimrock) and 368 (Cowiche) (See Wenatchee National Forest Recreation map)

GMU 368-Cowiche (Yakima County): Beginning at the junction of Highway 12 and Jump-off Road (USFS Road #1302); then southwest along Jump-Off Road to Divide Ridge Trail #1127 at Jump-off Lookout; then southeast along Divide Ridge Trail #1127 to Strobach Springs; then west to Blue Slide Lookout; then south on jeep trail to Blue Lake; then south along jeep trail to the Darland Mountain Road and the north boundary of the Yakima Indian Reservation; then east along the reservation boundary to the Yakima River and Highway 12; then north and west along Highway 12 to the point of beginning. (See Wenatchee National Forest Recreation map & Washington Atlas & Gazetteer)

GMU 370-Priest Rapids (Kittitas, Yakima and Benton counties): Beginning at the Interstate 90 bridge at Vantage; then west along Interstate 90 to the East Highline Canal (which is approximately 1/4 mile west of Boylston Road); then southwest along the canal to Highway 821 and the Yakima River, at a point about one mile south of Thrall; then southeast along the Yakima River to the Mabton-Sunnyside Road; then south along the Mabton-Sunnyside Road; then south along the Yakima Indian Reservation Boundary to the Yakima-Klickitat county line; then east along the county line to the Alderdale Road; then south along the Alderdale Road to Highway 14 and the Columbia River; then upstream along the Columbia River to the point of beginning at Vantage. (See Washington Atlas & Gazetteer)

REGION FOUR

GMU 405—Chuckanut (Whatcom and Skagit counties): Beginning at the Canadian border and the Silver Lake Road; then south along the Silver Lake Road to the Mount Baker Highway; then southwest along the Mount Baker Highway to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west down Skookum Creek to its mouth; then northwest down the South Fork Nooksack River to Saxon Bridge; then west on the Saxon Bridge Road to Highway 9; then south along Highway 9 through Sedro Woolley to the town of Arlington and the Stillaguamish River; then down the Stillaguamish River through Stanwood and West Pass to Skagit Bay; then west and north through Skagit Bay, Deception Pass, Rosario Strait and Bellingham Channel to Samish Bay and Edison; then north along the shoreline to the Whatcom County line; then west and north along the Whatcom County line to the Canadian border; then east along the Canadian border to the point of beginning. (See Washington Atlas & Gazetteer; this description is not easily found on base maps. Contact the Region 4 office for more information.)

GMU 410—Islands (San Juan, Island counties): All islands in San Juan County as well as Whidbey and Camano islands and Cypress and Sinclair islands in Skagit County. (See Washington Atlas & Gazetteer)

GMU 418—Nooksack (Whatcom and Skagit counties): Beginning at the point where Jackman Creek meets State Highway 20 (east of Concrete); then northeast up Jackman Creek to the range line between Range 9 and 10E; then north along this range line to the boundary of the North Cascades National Park; then north along the North Cascades Park boundary to the Canadian border; then west along the Canadian border to the Silver Lake Road; then south along the Silver Lake Road to the Mount Baker Highway; then southwest along the Mount Baker Highway to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west down Skookum Creek to its confluence with the South Fork Nooksack River; then west down the South Fork Nooksack River to the Saxon Bridge; then west on the Saxon Bridge Road to Highway 9; then south along Highway 9 to its intersection with State Highway 20 (east of Sedro Woolley); then east along Highway 20 to Jackman Creek (east of Concrete) and the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 426—Diablo (Skagit and Whatcom counties): The Ross Lake National Recreation Area and the adjoining corridor between the Pasayten Wilderness Area and the northeast boundary of the south segment of North Cascades National Park. (See Washington Atlas & Gazetteer)

GMU 433—Cavanaugh (Skagit and Snohomish counties): Beginning at the intersection of State Highway 20 and State Highway 9 at Sedro Woolley; then south

along State Highway 9 to Arlington; then east along the Arlington-Darrington Highway 530 to Darrington; then north along the Sauk Valley Road to Rockport; then west along the State Highway 20 to Sedro Woolley and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 440—Suiattle (Skagit and Snohomish counties): Beginning at the intersection of State Highway 20 and the Sauk Valley Road at Rockport; then south along the Sauk Valley Road to Darrington and the Sauk River to the Suiattle River; then along that river to the Glacier Peak Wilderness Area boundary; then north and east along that boundary to the line between Ranges 12 and 13 E.; then north on that range line to the North Cascades National Park boundary; then west and north along the North Cascades Park boundary and the Ross Lake National Recreation Area boundary to the range line between range 9 and 10 E; then south along this range line to the Jackman Creek drainage; then southwest down the Jackman Creek drainage to State Highway 20; then east along State Highway 20 to Rockport and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 442—Tulalip (Snohomish and King counties): Beginning at the mouth of the Stillaguamish River; then up the Stillaguamish River to Arlington; then northeast along the Arlington-Darrington Highway to the Trafton School at Trafton; then southeast along the Jim Creek-Trafton Road (242nd St. N.E.) to the City of Seattle power transmission line; then southwest along the transmission line to the point where it crosses the Jordan Road in Sec. 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls; then south along the Menzel Lake-Lake Roesiger Roads to the Woods Creek Road; then south on Woods Creek Road to Monroe; then south on Highway 203 to the Snoqualmie River at Duvall; then north down the Snoqualmie River to the Snohomish River and down the Snohomish River to Puget Sound; then north along the shore of Puget Sound to the mouth of the Stillaguamish River and the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 448—Stillaguamish (Snohomish and Skagit counties): Beginning at Sultan; then east along U.S. Highway 2 to Stevens Pass; then north along the Cascade Crest Trail to the headwaters of the Rapid River originating in Sec. 34, T27N, R13E; then north and west down said river to its junction with Meadow Creek in Sec. 14, T27N, R12E; then north up that creek to its junction with the headwaters of Cady Creek in Sec. 36, T28N, R12E; then north and west down Cady Creek to its junction with an unnamed creek in Sec. 21, T28N, R12E; then north up that unnamed creek to its headwaters at Excelsior Mountain and the Quartz Creek Trail (#1050); then north up the Quartz Creek Trail to Curry Gap; then east along USFS Trail #650 along the crest between Sloan Creek and the North Fork Skykomish River drainages to June Mountain and the Glacier Peak Wilderness Area boundary; then north along that boundary to the Suiattle River; then along the river to the Sauk River; then south up the Sauk River to

Darrington; then west along the Darrington-Arlington Highway to the Trafton School at Trafton; then southeast along the Jim Creek-Trafton Road (242nd St. N.E.) to the City of Seattle power transmission lines; then southwest along the transmission line to the point where it crosses the Jordan Road in Sec. 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls; then south along the Menzel Lake-Lake Roesiger Roads to the Woods Creek Road; then south on Woods Creek Road to Highway 2 (Skykomish-Monroe Highway); then east along Highway 2 to Sultan to the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 450-Cascade (Skagit and Snohomish counties): That part of Skagit County east of the range line between Ranges 12 and 13 E. that is south and west of the North Cascades National Park; and, in addition, those lands west of the range line between Ranges 12 and 13 E. that lie within the Glacier Peak Wilderness Area. That part of Snohomish County commencing at the Skagit County line and the Glacier Peak Wilderness Area boundary; then south along said boundary to June Mountain; then west along the 650 trail along the crest between Sloan Creek and the North Fork of the Skykomish River drainages past Long John and Bald Eagle Mountains to Curry Gap; then south along the Quartz Creek Trail (No. 1050) and across the North Fork of the Skykomish River to Excelsior Mountain Trail (No. 1054); then south and east to the headwaters of an unnamed creek in Sec. 16, T28N R12E; then south along said creek through Sections 16 and 21 to West Cady Creek; then up (easterly) said creek to its junction with the headwaters of Meadow Creek in Sec. 36 T28N R12E; then south down Meadow Creek to its junction with the Rapid River in Sec. 14 T27N R12E; then east up the Rapid River to the headwaters of its south and east branch in Sec. 34 T27N R13E near the Cascade Crest and the Chelan County line. (See Washington Atlas & Gazetteer and Mt. Baker/Snoqualmie National Forest map)

GMU 454-Issaquah (King and Snohomish counties): Beginning at the mouth of the Snohomish River near Everett; then southeast up the Snohomish River to Duvall; then south along State Highway 203 to Fall City; then southwest along the Fall City-Preston Road to Interstate 90; then east on Interstate 90 to State Highway 18; then southwest along State Highway 18 to its intersection with the Raging River; then south up that river to its junction with the posted boundary of the City of Seattle Cedar River Watershed; then along that posted boundary to its junction with the boundary of the City of Tacoma Green River Watershed (CTGRW); then south along the CTGRW posted boundary to Weyerhaeuser Road 5200 near Lynn Lake; then down the 5200 Road for approximately 7.6 miles to its junction with U.S. Highway 410; then west along U.S. Highway 410 and State Highway Nos. 164 and 18 through Auburn to U.S. Highway 99; then north along Highway 99 to the Redondo Beach junction; then due west to Puget Sound; then north along Puget Sound to

the mouth of the Snohomish River and the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 460-Snoqualmie (King and Snohomish Counties): Beginning at the intersection of State Highway 203 and U.S. Highway 2; then east along U.S. Highway 2 to Stevens Pass and the Pacific Crest Trail; then south along the Pacific Crest Trail to its junction with the City of Seattle Cedar River Watershed posted boundary; then west along the posted boundary to its intersection with the headwaters of the Raging River; then down the Raging River to its intersection with State Highway 18; then along State Highway 18 to its junction with Interstate Highway 90 (I-90); then west along I-90 to its junction with the Preston-Fall City Road; then north along the Preston-Fall City Road to State Highway 203; then north on State Highway 203 to the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 466-Stampede (King County): Beginning at intersection of the Pacific Crest Trail (USFS Trail 2000) and the posted boundary for the City of Seattle Cedar River Watershed; then south along the Pacific Crest Trail to its junction with the Naches Pass Trail at Pyramid Peak; then west on the Naches Pass Trail to Twin Camps and USFS Road 7035; then along USFS Road 7035 to USFS Trail 1172 and its intersection with USFS Road 7012 (Champion Creek Rd.); then down Road 7012 to the posted boundary of the City of Tacoma Green River Watershed; then east and north along that boundary and the City of Seattle Cedar River Watershed posted boundary to the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 472-White River (King and Pierce counties): Beginning at the junction of State Highway 410 and the north boundary of Mount Rainier National Park; then west along the north park boundary to the Carbon River; then down the Carbon River to its intersection with the Bonneville Power Transmission line; then up the powerline to South Prairie Creek; then up South Prairie Creek to New Pond Creek; then up New Pond Creek to its intersection with Champion 923 Road.; then north on Champion 923 Road to Champion 92 Road; then east on Champion 92 Road to Champion 93 Road; then northwest on Champion 93 Road to Champion 931 Road; then east on Champion 931 Road to Champion 9 Road; then northeast on Champion 9 Road to Champion 96 Road; then east on Champion 96 Road to Champion 9601 Road; then east on Champion 9601 Road to Old Pond Creek to the White River; then down White River to the second set of Bonneville Power Transmission lines; then up the powerline to where it intersects State Highway 410; then east along State Highway 410 to Weyerhaeuser Road 5200; then up that road for approximately 7.6 miles to its junction with the City of Tacoma Green River Watershed posted boundary; then east along that posted boundary and USFS Trail 1172 to USFS Road 7035; then east along that road to its intersection with the Naches Pass Trail at Twin Camps; then east along the Naches Pass Trail to the Pacific Crest

Trail (USFS Trail 2000) near Pyramid Peak; then south along the Pacific Crest Trail to the Mount Rainier National Park boundary near Sourdough Gap; then north and west along the park boundary to the point of beginning. (See Washington Atlas & Gazetteer and Mt. Baker/Snoqualmie National Forest map)

GMU 478-Mashel (Pierce County): Beginning where State Highway 162 crosses the Carbon River (near Crocker); then southeast up the Carbon River to the west boundary of Mt. Rainier National Park; then south along the park boundary to the Nisqually River; then west down the Nisqually River to Alder Lake; then continuing west down Alder Lake and the Nisqually River to the Weyerhaeuser 1000 (Main) Line (Vail-Eatonville Truck Trail) Bridge; then east on the 1000 line to its junctions with Highway 7 (Mountain Highway) and Highway 161 (Eatonville-LaGrande Road); then east and north along Highway 161 through Eatonville to its junction with Orville Road E. (Kapowsin-Eatonville Road); then north along that road through Kapowsin to its junction with Highway 162 just east of Orting at Crocker; then east along that highway to the Carbon River to the point of beginning. (See Mt. Baker/Snoqualmie National Forest map or Washington Atlas & Gazetteer)

GMU 480-South Islands (Pierce County): Anderson and Ketron Islands. Note special firearm restrictions in effect for these islands. Hunting is closed on McNeil Island. (See Washington Atlas & Gazetteer)

GMU 484-Puyallup (Pierce and King counties): Beginning at the mouth of the Nisqually River; then up the Nisqually River to its junction with the Weyerhaeuser 1000 line, then east along the Weyerhaeuser 1000 line to its intersection with State Highways 7 and 161; then north along State Highway 161 to its intersection with the Orville Road; then north along the Orville Road through the town of Kapowsin to the intersection of State Route 162; then northeast along State Route 162 to its intersection with the Carbon River; then east along the Carbon River to where it intersects the Bonneville Power Transmission line; then up the powerline to South Prairie Creek; then up South Prairie Creek to New Pond Creek; then up New Pond Creek to its intersection with Champion 923 Road; then north on Champion 923 Road to Champion 92 Road; then east on Champion 92 Road to Champion 93 Road; then northwest on Champion 93 Road to Champion 931 Road; then east on Champion 931 Road to Champion 9 Road; then northeast on Champion 9 Road to Champion 96 Road; then east on Champion 96 Road to Champion 9601 Road; then east on Champion 9601 Road to Old Pond Creek; then down Old Pond Creek to the White River; then down White River to the second set of Bonneville Power Transmission lines; then up the powerline to where it intersects State Highway 410; then east along State Highway 410 to where it intersects State Highway 164; then west along State Highway 164 through Auburn to Old Highway 99; then north along Old Highway 99 to Redondo Junction; then due west to Puget Sound; then south along the shoreline of Puget Sound to the mouth of the Nisqually River and the point of beginning. (See

Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 485-Green River (King County): Beginning at the junction of the Green River and the west boundary of the Tacoma Watershed; then south and east along the watershed boundary to the USFS 7012 Road (Champion Creek Road); then northwest along that road and the posted GMU 485 boundary to where it meets USFS Road 5063; then east, then north along that road to its junction with the USFS 5060 Road near the headwaters of Friday Creek; then north along that road to the Tacoma Watershed boundary; then west along the Tacoma Watershed boundary to the Green River and the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 490-Cedar River (King County): Beginning at the junction of the Cedar River and the western posted boundary of the City of Seattle Cedar River Watershed; then north and east along said posted boundary to Yakima Pass; then continue south and west along that posted boundary and to the point of beginning. Note that the City of Seattle enforces trespass on lands owned or controlled by the city. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

REGION FIVE

GMU 501-Lincoln (Lewis, Thurston, Pacific and Grays Harbor counties): Beginning at the intersection of Interstate 5 and State Highway 6, then west on State Highway 6 to the Stevens Road, then northwest on Stevens Road to Elk Creek Road (Doty), then west on Elk Creek Road to the 7000 Road, then west on the 7000 Rd. to the 7800 Rd., then west on the 7800 Rd. to the 720 Rd., then northeast on the 720 Rd. to Garrard Creek Road, then northeast on the Garrard Creek Road to Oakville and U.S. Highway 12, then east on U.S. 12 to Interstate 5, then south on Interstate 5 to State Highway 6 and point of beginning. (See Washington Atlas & Gazetteer)

GMU 504-Stella (Cowlitz County): Beginning at the mouth of the Cowlitz River at the Columbia River, then west down the Columbia to the mouth of Germany Creek, then north up Germany Creek to State Highway 4, then east on Highway 4 to Germany Creek Road, then north on Germany Creek Road to IP 1000 Road, then north on IP 1000 to the IP 1050 Road, then east on IP 1050 Road to the 2200 Rd., then east and south to the 2000 Rd., then south on the 2000 Rd. to the Delameter Road (Woodside Road), then east on Delameter Road to State Highway 411, then north on Highway 411 to PH 10 Road (Four Corners), then east to Cowlitz River, then south down the Cowlitz River to the Columbia River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 505-Mossyrock (Lewis County): Beginning on Interstate 5 and the Cowlitz River, then northeast up the Cowlitz River to Mayfield Lake and the U.S. Highway 12 bridge, then east on Highway 12 to Winston Creek Road, then south and east to Longbell Road and Perkins Road, then northeast on Perkins Road to Swofford

Road, then north on Swofford Road to Ajlune Road, then east on Ajlune Road to Riffe Lake, then east along the south shore to the Cowlitz River and up the Cowlitz River to the USFS 23 Road (Cispus Road) Bridge, then south and east to the Cline Road, then east to the Bennet Road, then east to U.S. Highway 12, then west on Highway 12 to State Highway 7 (Morton), then north on State Highway 7 to State Highway 508, then west on Highway 508 to Centralia/Alpha Road, then west and north on Centralia/Alpha Road to Salzer Valley Road, then west to Summa Street and Kresky Road, then north on Kresky Road to Tower Street, then on Tower Street to State Highway 507, then west on Highway 507 Cherry, Alder and Mellen streets to Interstate 5, then south on Interstate 5 to the Cowlitz River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 506-Willapa Hills (Wahkiakum, Pacific, Lewis counties): Beginning in Cathlamet on the State Highway 407 bridge across the Cathlamet Channel (Columbia River), then west down the Columbia River to the mouth of Deep River, then up Deep River to State Highway 4, then northwest to Salmon Creek Road, then northeast on Salmon Creek Road to the Bonneville Powerline Road, then north on the Bonneville Powerline Road to State Highway 6, then east on State Highway 6 to the town of PeEll and the Muller Road, then south on Muller Road to the 1000 Road, then south on the 1000 Road to the 1800 Road, then south on the 1800 Road to the 500 Road, then southeast on the 500 Road to State Highway 407, then south on State Highway 407 to Cathlamet and point of beginning. (See Washington Atlas & Gazetteer)

GMU 510-Stormking (Lewis County): Beginning on U.S. Highway 12 at the Silver Creek Bridge; then north up Silver Creek to Silverbrook Road, then east to USFS 47 Rd., then north on USFS 47 to USFS 85, then west on USFS 85 to Silver Creek, then southwest on Silver Creek to Lynx Creek, then north on Lynx Creek and its northern most tributary to USFS 85 Rd., then northwest on the USFS 85 Rd. to Catt Creek, then north on Catt Creek to the Nisqually River, then west down the Nisqually River to State Highway 7, then south on Highway 7 to U.S. Highway 12 (Morton), then east on Highway 12 to Silver Creek and point of beginning. (See Gifford Pinchot National Forest map)

GMU 512-Sawtooth (Lewis County): Beginning on U.S. Highway 12 at the Silver Creek bridge, then north up Silver Creek to Silverbrook Road, then east to USFS 47 Rd., then north on USFS 47 Rd. to USFS 85 Rd., then west on USFS 85 to Silver Creek, then southwest on Silver Creek to Lynx Creek, then north on Lynx Creek and its northern most tributary to USFS 85 Rd., then north on 85 Rd. to Catt Creek, then northwest down Catt Creek to the Nisqually River, then east up the Nisqually River to Horse Creek, then east up Horse Creek to USFS 52 Rd. (Skate Creek Road), then southeast on USFS 52 to the Cowlitz River, then southwest down the Cowlitz River to Smith Creek, then up Smith Creek to U.S. Highway 12, then west on U.S. Highway 12 to Silver Creek and point of beginning. (See Gifford

Pinchot National Forest map and/or Washington Atlas & Gazetteer)

GMU 514-Tatoosh (Lewis County): Beginning at USFS 52 Rd. (Skate Creek) and the Cowlitz River (at Packwood), then northwest on USFS 52 Rd. to Horse Creek, then down Horse Creek to the Nisqually River and the southern boundary of Mt. Rainier National Park, then north and east along the Nisqually River and south park boundary to the Cascade Crest Trail, then south along the Cascade Crest Trail to U.S. Highway 12, then northwest and southwest on Highway 12 To USFS 1270 Rd., then north on USFS 1270 to the Cowlitz River, then southwest down the Cowlitz River to the USFS 52 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 516-Packwood (Lewis and Skamania counties): Beginning at the mouth of Cispus River, then east up the Cispus River to the USFS 56 Rd. (Midway G.S. Road), then east on the USFS 56 Rd. to the USFS 5603 Rd., then east on the USFS 5603 to the Yakima Indian Reservation boundary and the Cascade Crest; then north along the Reservation boundary to Cispus Pass and the Cascade Crest Trail, then north along the Cascade Crest Trail to the U.S. Highway 12 (White Pass), then northwest and southwest on Highway 12 to USFS 1270 Rd. (Sec. 31, T14N, R10E), then north on USFS 1270 to the Cowlitz River, then southwest down the Cowlitz River to the mouth of Smith Creek, then south up Smith Creek to U.S. Highway 12, then southwest down Highway 12 to Bennet Road, then west on the Bennet Road to the Cline Road, then west to the USFS 23 Rd. (Cispus Road), then west and north to the Cowlitz River, then west down the Cowlitz River to the mouth of the Cispus River and point of beginning. (See Gifford Pinchot National Forest map)

GMU 520-Winston (Cowlitz, Lewis and Skamania counties): Beginning at the intersection of Interstate 5 and the Cowlitz River, then south down the Cowlitz River to the Toutle River, then east up the Toutle River to the North Fork Toutle River, then up the North Fork Toutle River to the Green River, then east up the Green River to USFS 2612 Rd., then east on 2612 to USFS 26 Rd. (Ryan Lake Road), then north on USFS 26 Rd. to the Cispus River, then west down the Cispus to the Cowlitz River, then west down the Cowlitz River to Riffe Lake, then west along the south shore to Ajlune Road, then west to Swofford Road, then south on Swofford Road to Perkins Road, then southwest and northwest on Perkins Road and Longbell Road to Winston Creek Road, then northwest on Winston Creek Road to State Highway 12, then west on State Highway 12 to the Mayfield Lake bridge, then southwest down Mayfield Lake and the Cowlitz River to Interstate 5 and point of beginning. (See Washington Atlas & Gazetteer)

GMU 522-Loo-wit (Cowlitz and Skamania counties): Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek, then southeast up the North Fork Toutle River to the Weyerhaeuser 3001 Rd., then southeast along the 3001, 3000, and 3090 roads to the headwaters of the South Fork Castle Creek, then due

south to the South Fork Toutle River, then east along South Fork Toutle to its headwaters and Mount St. Helens crater edge; then east along the crater edge to the headwaters of Ape Canyon, then down Ape Canyon to Smith Creek, then north along Smith Creek and following the eastern main branch to its headwaters, then due west to the USFS 99 Rd., then north along USFS 99 to USFS 26, then north to Strawberry Lake Creek, then west down Strawberry Lake Creek to the Green River, then across the Green River to Grizzly Creek, then up Grizzly Creek to Grizzly Lake, then west up the western inlet to its headwaters, then west to the headwaters of Coldwater Creek, then west down Coldwater Creek to Coldwater Lake, then southwest along the northwest shore to the old Weyerhaeuser 3500 Rd., then west along the 3500, 3530, 3540, 3130, 3120 roads to the intersection with Hoffstadt Creek, then down Hoffstadt Creek to the North Fork Toutle River and point of beginning. (See Gifford Pinchot National Forest map)

GMU 524-Margaret (Cowlitz, Skamania and Lewis counties): Beginning on the North Fork Toutle River at the mouth of the Green River, then southeast up the North Fork Toutle River to the mouth of Hoffstadt Creek, then up Hoffstadt Creek to the 3120 Rd., then east along the 3120, 3130, 3540, 3530 and 3500 roads to Coldwater Lake, then northeast along the northwest shoreline to Coldwater Creek, then up Coldwater Creek to its headwaters and east to the headwaters of Grizzly Lake, then east down the west inlet creek to Grizzly Lake, then down Grizzly Creek to the Green River and the mouth of Strawberry Lake Creek, then up Strawberry Lake Creek to the USFS 26 Rd. (Ryan Lake Road), then north on the USFS 26 Rd. to the USFS 2612 Rd., then west on USFS 2612 Rd. to the Green River, then down the Green River to its mouth and point of beginning. (See Gifford Pinchot National Forest map)

GMU 530-Ryderwood (Cowlitz, Lewis, Wahkiakum counties): Beginning in the town of PeEll (intersection of State Highway 6 and Muller Road), then south on Muller Road to the 1000 Rd., then south on the 1000 Rd. to the 1800 Rd., then south on the 1800 Rd. to the 500 Rd., then southeast on the 500 Rd. to State Highway 407, then south on State Highway 407 to the Columbia River Bridge (Cathlamet Channel), then east up the Columbia River to the mouth of Germany Creek, then north up Germany Creek to State Highway 4, then east on Highway 4 to Germany Creek Road, then north on Germany Creek Road to IP 1000 Road, then north on IP 1000 to IP 1050 Road, then east on IP 1050 Road to the 2200 Road, then east and south on the 2200 Road to the 2000 Road, then south on the 2000 Road to Delameter Road (Woodside Drive), then east on Delameter Road to State Highway 411, then north on State Highway 411 to PH 10 Road (4 Corners), then east to the Cowlitz River, then north up the Cowlitz River to the Interstate 5 bridge, then north on Interstate 5 to State Highway 6, then west on State Highway 6 to PeEll and point of beginning. (See Washington Atlas & Gazetteer)

GMU 550-Coweeman (Cowlitz County): Beginning at the mouth of the Cowlitz River, then north to the Toutle

River, then east along the Toutle River to the South Fork Toutle River, then up the South Fork Toutle to the 4950 Rd., then south and east on the 4950 Rd. to the 235 Rd., then south on the 235, 200, 245, 134, 133, 130 and 1680 roads to the 1600 Rd., then southeast along the 1600 and 1400 roads to the Kalama/Coweeman summit, then south along the 1420 Rd. to the 1425 Rd., then southwest along the 1425 Rd. to the 6400 Rd., then southwest down the 6400 Rd. to the 6000 Rd., then east to the 6450 Rd., then southeast approximately one mile on the 6450 Rd. to the Arnold Creek Road, then southeast on Arnold Creek Road to Dubois Road, then to State Highway 503, then west on State Highway 503 to Cape Horn Creek, then down Cape Horn Creek to Merwin Reservoir and the Lewis River, then down the Lewis River to the Columbia River, then down the Columbia River to the mouth of the Cowlitz River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 554-Yale (Cowlitz County): Beginning on State Highway 503 at its crossing of Cape Horn Creek, then east on Highway 503 to 6690 Rd. (Rock Creek Road), then northeast on the 6690 and 6696 roads to West Fork Speelyai Creek, then down Speelyai Creek to State Highway 503, then northeast on Highway 503 to Dog Creek, then down Dog Creek to Yale Reservoir, then south and west down Yale reservoir, Lewis River, and Merwin Reservoir to Cape Horn Creek, then up Cape Horn Creek to State Highway 503 and point of beginning.

GMU 556-Toutle (Cowlitz County): Beginning on State Highway 503 (Lewis River Road) and USFS 81 Rd. (Merrill Lake Road) intersection, then north on USFS 81 Rd. to Weyerhaeuser 7200 Rd., then northeast on the 7200 Rd. to the 7400 Rd., then northwest on the 7400 Rd. to the 5500 Rd., then east and north on the 5500 and 5670 roads to the South Fork Toutle River, then east up the South Fork Toutle River to a point due south of the headwaters of the South Fork Castle Creek (Sec. 1, TWP 8N R4E), then north to the headwaters of South Fork Castle Creek, then down South Fork Castle Creek to Weyerhaeuser 3092 Rd., then west on the 3092 Rd. to 3090 Rd., then northwest on the 3090, 3000 and 3001 roads to the North Fork Toutle River, then down the North Fork Toutle River to the South Fork Toutle River, then south-east up the South Fork Toutle River to the 4950 Rd., then south on the 4950, 235, 200, 245, 243A, 134, 133, 130, and 1680 roads to the 1600 road, then southeast on the 1600 and 1400 roads to the Kalama/Coweeman summit, then south on the 1420 Rd. to the 1425 Rd., then southwest along the 1425 Rd. to the 6400 Rd., then southwest on the 6400 Rd. to the 6000 Rd., then east up the 6000 Rd. to the 6450 Rd., then southwest on the 6450 Rd. approximately one mile to the Arnold Creek Road, then southeast on Arnold Creek and Dubois roads to State Highway 503, then east on State Highway 503 to the 6690 Rd. (Rock Creek Road); then northeast on the 6690 and 6696 roads to the West Fork Speelyai Creek, then down Speelyai Creek to State Highway 503, then northeast on State Highway 503 to USFS 81 Rd. and point of beginning. (See Washington Atlas & Gazetteer)

GMU 558—Marble (Cowlitz and Skamania counties): Beginning on State Highway 503 (Lewis River Road) and USFS 81 Rd. intersection, then north on USFS 81 Rd. to Weyerhaeuser 7200 Rd., then northeast on the 7200 Rd. to the 7400 Rd., then northwest on the 7400 Rd. to the 5500 Rd., then east and north on the 5500 and 5670 roads to the South Fork Toutle River, then east up the South Fork Toutle River to Mount St. Helens crater and along crater to headwaters of Ape Canyon, then east down Ape Canyon Creek to Smith Creek, then north up Smith Creek along the East Fork to its headwaters and USFS 99 Rd., then northeast on USFS 99 Rd. to USFS 25 Rd., then south on USFS 25 Rd. to the Muddy River, then south down the Muddy River to the North Fork Lewis River, then west down the North Fork Lewis River, Swift Reservoir to Yale Reservoir and Dog Creek, then north up Dog Creek to State Highway 503, then southwest to USFS 81 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 560—Lewis River (Skamania, Klickitat, Yakima and Lewis counties): Beginning at Trout Lake, north to the USFS 80 Rd., then north to the USFS 82 Rd., then northeast on the USFS 82 Rd. to the Yakima Indian Reservation boundary, then north along boundary (Cascade Crest) to USFS 5603 Rd., then west to the USFS 56 Rd., then west to the Cispus River, then northwest down the Cispus River to the USFS 26 Rd. (Ryan Lake Road), then west and south on the USFS 26 Rd. to USFS 99 Rd., then northeast to the USFS 25 Rd., then south to Muddy River, then south down the Muddy River to the North Fork Lewis River, then west to the USFS 90 Rd. bridge (Eagle Cliff), then east on USFS 90 Rd. to USFS 51 Rd., then southeast to USFS 30 Rd., then northeast on the USFS 30 Rd. to USFS 24 Rd., then southeast to the State Highway 141, then northeast to Trout Lake and point of beginning. (See Gifford Pinchot National Forest map)

GMU 564—Battle Ground (Clark County): Beginning at Merwin Dam on the Lewis River, then on a southeast line to the power line, then southeast to County Rd. 20, then south to Pup Creek Road, then southeast to County Rd. 16, then southeast through Amboy and Yacolt to Moulton and County Rd. 12, then west to Hantwick Road, south to Basket Flat Road, west to 197th Ave., south to 279th Street, west to 182nd Ave., south to 249th Street, and east to Crawford Road, then southeast on Allworth to 229th Street, then southeast on 229th Street to Berry Road, then southeast on Berry Road to DNR 1410 Rd., then southeast on the 1410 Road to DNR 1400 Rd., then west on 1400 Rd. to Rawson and Powell roads to 212th Ave., then south to 83rd Street, east to 217th Ave., south to 68th Street, east to 232nd Ave., and south to State Highway 500; then south and east to Blair Road, then southeast to State Highway 140, then north and east to State Highway 14 and Cape Horn Road, then south on Cape Horn Road to the Columbia River, then down the Columbia River to the Lewis River and up the Lewis River to Merwin Dam and point of beginning. (See Washington Atlas & Gazetteer)

GMU 568—Washougal (Clark and Skamania counties): Beginning at Merwin Dam on the Lewis River, then on a southeast line to the powerline crossing on County Rd. 20, then south to Pup Creek Road, then east to County Rd. 16, then southeast through Amboy and Yacolt to Moulton and County Rd. 12, then west to Hantwick Road, south to Basket Flat Road, west to 197th Ave., south to 279th St., west to 182nd Ave., south to 249th St., and east to Crawford Road, then southeast on Allworth to 229th St., to Berry Road and the DNR 1410 Rd., to DNR 1400 Rd., then west to Rawson and Powell roads to 212th Ave., then south to 83rd St., east to 217th Ave., south to 68th St., east to 232nd Ave., and south to State Highway 500; then south and east to Blair Road, then southeast to State Highway 140, then north and east to State Highway 14, and Cape Horn Road, then south on Cape Horn Road to the Columbia River, then east up the Columbia to the mouth of Rock Creek Stevenson; then northwest up Rock Creek to the south boundary of Gifford Pinchot National Forest, then due west approximately 0.5 miles to USFS Rd. 406; then northwest on USFS Rd. 406 to USFS 41, then west to Sunset Work Center and Forest Rd. 42 (Green Fork Road), then east to USFS 4205 Rd., then north and east to the USFS 53 Rd., then northwest to the USFS 37 Rd., and USFS 54 Rd., then northwest on USFS 54 Rd (N.E. Healy Rd.) to International Paper Road; then north to Canyon Creek, down Canyon Creek to Merwin Reservoir and west to Merwin Dam and point of beginning. (See Washington Atlas & Gazetteer)

GMU 572—Siouxon (Skamania and Clark counties): Beginning at the intersection of the Wind River Road and USFS 65 Rd. (Panther Creek Road); then north on the USFS 65 Rd, USFS 60 Rd. (Carson—Guler Road); then northwest to Peterson Prairie and USFS 24 Road, then north to the USFS 30, then southwest to the USFS 51 Rd. (Curly Creek Road), then northwest to the USFS 90 Rd. (Lewis River Road), then west to the Eagle Cliff bridge on the North Fork Lewis River; then down the North Fork Lewis River through Swift and Yale reservoirs to Merwin Reservoir and the mouth of Canyon Creek; then south up Canyon Creek to International Paper Road, then south to USFS 54 Rd. (N.E. Healy Road); then southeast to the USFS 37 Rd. and the USFS 53 Rd., then east and south to the USFS 4205 Rd., then south and west to the USFS 42 Rd. (Green Fork Road); then west to the USFS 41 Rd. at Sunset Falls; then east on the USFS 41 Rd. (Sunset Hemlock Road) to the U.S. Forest Service District Headquarters and the Hemlock Road; then east on the Hemlock Road to the Wind River Road (Stabler); then south on the Wind River Road to USFS 65 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 574—Wind River (Skamania County): Beginning at the mouth of Rock Creek (Stevenson), then northwest up Rock Creek to the south boundary of Gifford Pinchot National Forest, then due west approximately 1/2 mile to USFS 406 Rd., then northwest on USFS 406 Rd. to USFS 41 Rd., then east to U.S. Forest Service District Headquarters (Wind River) and Hemlock Road, then east to the Wind River Road (Stabler), then south to

USFS 65 Rd. (Panther Creek Road), then north to USFS 60 Rd. (Carson-Guler Road), then northeast to USFS 24 Rd. and 141 Rd. to USFS 86 Rd., then south on USFS 86 Rd. to USFS 1840 Rd. to the USFS 18 Rd. (Oklahoma Road) to Willard and the Little White Salmon River, then down the Little White Salmon River to the Columbia River, then west down the Columbia River to the mouth of Rock Creek and point of beginning. (See Gifford Pinchot National Forest map)

GMU 576-White Salmon (Klickitat, Yakima, and Skamania counties): Beginning at the mouth of the Klickitat River (Lyle) to the Fisher Hill Bridge, then north along the Fisher Hill Road (P-2000) to the Gravel Pit Road, then west to the B-Z Corners-Glenwood Road, then southwest to Highway 141 (B-Z Corners), then north to Trout Lake, then west on Highway 141 to USFS 86 Rd., then south to the USFS 1840 Rd., then south on the USFS 1840 Rd. to the USFS 18 Rd. (Oklahoma Road), then south on the 18 Rd. to Willard and the Little White Salmon River, then south down the Little White Salmon River to the Columbia River, then east up the Columbia River to the Klickitat River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 580-Sixprong (Klickitat and Yakima counties): Beginning on State Highway 14 at Sundale, then east to the Goldendale-Goodnoe Hills Road; then northwest along Goldendale-Goodnoe Hills Road to Dot Road; then north along the Dot Road to Cleveland; then along the Goldendale-Bickleton Road to the Yakima County line; then east along the Yakima County line to Alderdale Road; then southeast along the Alderdale Road to State Highway 14 and Columbia River; then west along the state line to Sundale and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 584-Goodnoe (Klickitat County): Beginning at the U.S. Highway 97 bridge on the Columbia River (Maryhill), then north on Highway 97 to Satus Pass and the Yakima Indian Reservation, then east along south Reservation boundary to the Yakima County line, then east to Goldendale/Bickleton Road, then southwest to Cleveland and Dot Road, then south to Goldendale/Goodnoe Hills Road, then southeast to State Highway 14, then west to Sundale and mouth of Chapman Creek, then west down the Columbia River to U.S. Highway 97 bridge and point of beginning. (See Washington Atlas & Gazetteer)

GMU 586-Glenwood (Klickitat County): Beginning at B-Z Corners and State Highway 141, then north to Trout Lake and the USFS 80 Rd., then to the USFS 82 Rd., then north to the Yakima Indian Reservation boundary, then east along the south Reservation boundary to Summit Creek Primary Road, then south to the Klickitat River and the Truck Cut Road, then west to the Glenwood/Goldendale Road, then northwest to the Gravel Pit Road, then south to the B-Z Corners/Glenwood Road, then southwest to B-Z Corners and point of beginning. (See Washington Atlas & Gazetteer)

GMU 588-Grayback (Klickitat County): Beginning at Highway 97 bridge across Columbia River (Maryhill),

then west down the Columbia River to Lyle and the mouth of the Klickitat River, then up the Klickitat River to the Fisher Hill Bridge, then north along the Fisher Hill Road (P-2000) to the Gravel Pit Road, then north to the Glenwood/Goldendale Road, then east to the Truck Cut Road, then north to the Summit Creek Primary Road, then to the Yakima Indian Reservation boundary, then east along the southern boundary of the Reservation to Highway 97 (Satus Pass Highway), then south on Highway 97 to Maryhill and point of beginning. (See Washington Atlas & Gazetteer)

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GMU 601-Hoko (Clallam County): Beginning at the mouth of the Hoko River, then up the river to State Highway 112; then southeast along State Highway 112 to its junction with the Hoko-Ozette Road; then southeast along the Hoko-Ozette Road to the Olympic National Park boundary; then north along the Olympic National Park boundary to the Makah Indian Reservation boundary; then east and north along the Makah Indian Reservation boundary to the Strait of Juan de Fuca; then southeast along the shore of the Strait of Juan de Fuca to the mouth of the Hoko River and the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 602-Dickey (Clallam County): Beginning at the mouth of the Clallam River, then up the river to State Highway 112; then south along State Highway 112 to its junction with the Burnt Mountain Road; then southwest along the Burnt Mountain Road to its junction with U.S. Highway 101; then southwest along U.S. Highway 101 to the junction with the LaPush Road; then southwest along LaPush Road to the Olympic National Park boundary; then north along the Olympic National Park boundary to the Hoko-Ozette Road; then northeast along the Hoko-Ozette Road to its junction with State Highway 112; then northwest along State Highway 112 to the Hoko River; then down the Hoko River to its mouth and the Strait of Juan de Fuca; then east along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River and the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 603-Pysht (Clallam County): Beginning at the mouth of the Clallam River; then up the river to the State Highway 112; then south along State Highway 112 to its junction with the Burnt Mountain Road; then southwest along the Burnt Mountain Road to its junction with U.S. Highway 101; then east along U.S. Highway 101 to the point where the highway enters the Olympic National Park, about one mile west of Lake Crescent; then north and east along the Olympic National Park boundary to the Elwha River; then north down the Elwha River to its mouth and the Strait of Juan de Fuca; then west along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River and the point of beginning. EXCEPT that part of the Lower Elwha Indian Reservation within this boundary. (See updated

Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 607—Soleduck (Clallam County): Beginning at Forks, then south along U.S. Highway 101 to the Bogachiel River; then east up the Bogachiel River to the Olympic National Park boundary; then north and east along the Olympic National Park boundary to its intersection with U.S. Highway 101; then west and south along U.S. Highway 101 to Forks to the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 612—Goodman (Jefferson and Clallam counties): Beginning at LaPush on the Pacific Ocean, then east along the LaPush Road to its junction with U.S. Highway 101 north of Forks; then south along U.S. Highway 101 to the Pacific Ocean below the mouth of the Hoh River; then north along the Pacific Ocean to LaPush and the point of beginning; EXCEPT that part of the Hoh Indian Reservation and the Olympic National Park within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 615—Clearwater (Jefferson County): Beginning at the junction of Bogachiel River and U.S. Highway 101, then east up the Bogachiel River to the Olympic National Park boundary; then south, east and west along the Olympic National Park boundary to where it meets the boundary of the Quinault Indian Reservation; then west along the Quinault Indian Reservation boundary to U.S. Highway 101; then north and east along U.S. Highway 101 to the Bogachiel River and point of beginning; EXCEPT that part of the Olympic National Park within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 618—Matheny (Jefferson and Grays Harbor counties): Those lands between the Queets and Quinault Rivers that are outside the Olympic National Park and outside the Quinault Indian Reservation. (See Olympic National Forest map)

GMU 621—Olympic (Jefferson, Clallam and Mason counties): Beginning at the junction of U.S. Highway 101 and the Elwha River, then south up the Elwha River to the Olympic National Park boundary; then east and south along Olympic National Park boundary to the North Fork of the Skokomish River; then south down the North Fork of the Skokomish River to Lake Cushman; then southeast along the west shore of Lake Cushman to Cushman Upper Dam; then east along the Power Dam Road to its intersection with Lake Cushman—Hoodsport Road; then southeast on Lake Cushman—Hoodsport Road to U.S. Highway 101 and Hood Canal; then north along Hood Canal to Dabob Bay and Quilcene Bay to East Quilcene Road at the north end of Quilcene Bay; then west along East Quilcene Road to its junction with Chimacum Center Road; then south along Chimacum Center Road to Quilcene and U.S. Highway 101; then north and west along U.S. Highway 101 to the Elwha River and the point of beginning. EXCEPT that

part of the Lower Elwha Indian Reservation within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 624—Coyle (Clallam and Jefferson counties): Beginning at the mouth of the Elwha River, then south up the Elwha River to U.S. Highway 101; then east and south along U.S. Highway 101 to Quilcene; then north on the Chimacum Center Road to its junction with East Quilcene Road; then east on the East Quilcene Road to Quilcene Bay; then south along the east shore of Quilcene Bay to Dabob Bay and Hood Canal; then north along the shore of Hood Canal to Puget Sound; then north through Admiralty Inlet to Port Townsend and Juan de Fuca Straits; then west along the south shore line of Juan de Fuca Straits to the mouth of the Elwha River and the point of beginning; EXCEPT all of Indian Island in Jefferson County. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 625—Indian Island (Jefferson County): Indian Island in Jefferson County. (See Washington Atlas & Gazetteer)

GMU 627—Kitsap (Kitsap, Mason, Pierce and King counties): Beginning at the town of Allyn on State Highway 3; then north along Highway 3 to Belfair; then north up the "Old Belfair Highway" to its junction with the Bear Creek—Dewatto Road; then west on Bear Creek—Dewatto Road to the Mason—Kitsap County line; then west along the Mason—Kitsap county line to Hood Canal; then north along the shoreline of Hood Canal to Puget Sound at Hansville; then south through Puget Sound to Nisqually Reach and Case Inlet; then north up Case Inlet to the town of Allyn and the point of beginning; also Vashon Island. (See Washington Atlas & Gazetteer)

GMU 633—Mason (Mason County): Beginning at the Mason—Thurston County Line on U.S. Highway 101 at Oyster Bay; then north and east through Oyster Bay, Totten Inlet—Dana Passage and Case Inlet to the town of Allyn on State Highway 3; then north along Highway 3 to Belfair; then north up the "Old Belfair Highway" to its junction with the Bear Creek—Dewatto Road; then west on the Bear Creek—Dewatto Road to its junction with the Dewatto—Holly Road; then west along the Mason—Kitsap County Line to Hood Canal; then south through Hood Canal to Hoodsport and U.S. Highway 101; then south along Highway 101 to the Mason—Thurston County Line and the point of beginning. (See the Washington Atlas & Gazetteer)

GMU 636—Skokomish (Grays Harbor and Mason counties): Beginning at the junction of the Lake Cushman—Hoodsport Road and U.S. Highway 101 at Hoodsport; then south down U.S. Highway 101 to its junction with the Shelton Dayton—Matlock Road (County Road 9010); then west to the town of Matlock; then west on the Matlock—Deckerville Road and Middle Satsop Road to the Kelly Road (C-500 Line); then north on the Kelly Road to its junction with the L-600 Line (Canyon River Road, Road 2153); then west on the L-600 line to

USFS Road 22 (Montesano-Grisdale Road); then north on USFS Road 22 through Grisdale; then west and south on USFS Road 22 to where it crosses the East Fork of the Humptulips River; then upstream on the East Fork Humptulips River to the most northern point crossed by the range line 7W.W.M. and 8W.W.M., then north on this range line to its junction with Road 2302 (USFS Road 2204-200); then east and north on Road 2302 to the Olympic National Park Boundary; then east along the Olympic Park boundary to the North Fork of the Skokomish River; then south down the North Fork of the Skokomish River to Lake Cushman; then southeast along the west shore of Lake Cushman to Cushman Upper Dam; then east along the Power Dam Road to its intersection with Lake Cushman-Hoodsport Road; then southeast on Lake Cushman-Hoodsport Road to U.S. Highway 101 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 638-Quinault Ridge (Grays Harbor and Jefferson counties): Beginning at the Olympic National Park boundary at the northwest corner of Lake Quinault; then southwest along the south shore of Lake Quinault to the boundary of the Quinault Indian Reservation; then southwest along this boundary to U.S. Highway 101; then south along U.S. Highway 101 to Quinault Ridge Road (Forest Service Road #2258); then northeast along the Quinault Ridge Road to the Forest Service Road #2280; then east along Forest Service Road #2280 to the Forest Service Road #2220; then north and south along that road to the Forest Service Road #2204; then northeast along Forest Service Road #2204 to the 2204-200 Spur Road; then north along this spur road to the boundary of the Olympic National Park; then west along the Olympic National Park Boundary to Lake Quinault and the point of beginning. (See Olympic National Forest map)

GMU 639-Humptulips (Grays Harbor County): Beginning at the junction of U.S. Highway 101 and the Quinault Ridge Road (Forest Service Road #2258); then northeast along Quinault Ridge Road to the Forest Service Road #2280; then east along Forest Service Road #2280 to the Forest Service Road #2220; then north and south along Forest Service Road #2220 to the Forest Service Road #2204; then northeast along Forest Service Road #2204 and the 2204-200 Spur Road to a point crossed by the range line between range 7W.W.M. and 8W.W.M.; then south on this range line to the most northern point crossed by the East Fork of the Humptulips River; then downstream on the East Fork of the Humptulips to the USFS 22 Road; then west and south along USFS 22 Road to its junction with the Donkey Creek Road; then southwest along the Donkey Creek Road (Forest Service Road #22) to its junction with U.S. Highway 101; then north along U.S. Highway 101 to its junction with the Quinault Ridge Road (Forest Service Road #2258) and the point of beginning. (See Olympic National Forest map)

GMU 642-Copalis (Grays Harbor County): Beginning at the U.S. Highway 101 bridge crossing the Hoquiam River in the City of Hoquiam; then north along U.S. Highway 101 to the boundary of the Quinault Indian

Reservation; then southwest along the Quinault Indian Reservation boundary to the Pacific Ocean; then south along the shore of the Pacific Ocean to Grays Harbor; then east along the north shore of Grays Harbor to the mouth of the Hoquiam River; then north along the Hoquiam River to U.S. Highway 101 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 648-Wynoochee (Grays Harbor County): Beginning at the junction of U.S. Highway 101 and the Donkey Creek Road; then northeast along the Donkey Creek Road (Forest Service Road #22) to its junction with the Donkey Creek-Grisdale Road; continuing east on this road (Forest Service Road #22) to Camp Grisdale (south of Wynoochee Lake); then south along the Grisdale-Montesano Road (Forest Service Road #22) to the junction with the L-600 line (Canyon River Road, Road 2153); then east along the L-600 line to the concrete bridge over the West Fork of the Satsop River in Sec. 15, T.21N., R.7W.W.M.; then south down the West Fork and the main stream of the Satsop River to U.S. Highway 12; then west along U.S. Highway 12 to its junction with U.S. Highway 101 in Aberdeen; then west and north along U.S. Highway 101 to its junction with the Donkey Creek Road and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 651-Satsop (Grays Harbor, Mason and Thurston counties): Beginning at the U.S. Highway 12 Bridge on the Satsop River, then upstream on the Satsop River to its junction with the West Fork of the Satsop River; then up the West Fork of the Satsop to the concrete bridge on the L-600 Road (Canyon River Road, Road 2153); then east on the L-600 Line to its junction with the Kelly Road; then south on the Kelly Road to the Middle Satsop Road; then east on the Middle Satsop and Matlock-Deckerville Roads to the town of Matlock; then east on the Shelton-Matlock Road (County Road 9010) to its junction with U.S. Highway 101; then south on U.S. Highway 101 to its junction with State Route #8, then west on State Route 8 to its junction with U.S. Highway 12; then west along Highway 12 to the Satsop River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 658-North River (Grays Harbor and Pacific counties): Beginning at the U.S. Highway 101 bridge across the Chehalis River in Aberdeen; then west along the Chehalis River to the river mouth; then west along the southern shore of Grays Harbor to the Pacific Ocean; then south along the Pacific Ocean to Willapa Bay; then east in Willapa Bay to the mouth of the Willapa River; then east up the Willapa River to U.S. Highway 101 in the City of Raymond; then north along U.S. Highway 101 to the Chehalis River Bridge and the point of beginning; also Rennie Island. (See Washington Atlas & Gazetteer)

GMU 660-Minot Peak (Grays Harbor and Pacific counties): Beginning at the junction of U.S. Highway 101 and U.S. Highway 12 in Aberdeen; then south along U.S. Highway 101 to the Smith Creek Road; then east along the Smith Creek Road to its junction with the North River Road; then east along the North River

Road through Brooklyn and continuing east along the Brooklyn-Oakville Road to the town of Oakville; then north along U.S. Highway 12 to Elma; then west along U.S. Highway 12 to U.S. Highway 101 and the point of beginning; also Rennie Island. (See Washington Atlas & Gazetteer)

GMU 663-Capitol Peak (Grays Harbor and Thurston counties): Beginning at Elma; then southeast along U.S. Highway 12 to its junction with the Moon Road; then north on the Moon Road to the Gate-Mima Road; then northeast on Gate-Mima Road to Waddell Creek Road; then northeast and then northwest on Waddell Creek Road to Delphi Road; then north on the Delphi Road to U.S. Highway 101; then west on Highway 101 to Highway 8; then west on Highway 8 to Elma and Highway 12 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 666-Deschutes (Thurston County): Beginning at the mouth of the Nisqually River; then south on the Nisqually River to Pacific Highway; then southwest on Pacific Highway to Highway 510; then southeast on Highway 510 to Yelm Highway; then southwest and west on the Yelm Highway to Spurgeon Creek Road; then south on the Spurgeon Creek Road to Rainier Road; then northwest on Rainier Road to Stedman Road; then west and south on Stedman Road to Waldrick Road; then west on Waldrick Road to Pacific Highway; then north on Pacific Highway to McCorkle Road; then west on McCorkle Road to 113th Avenue; then west on 113th Avenue to Littlerock Road; then north on Littlerock Road to 110th Avenue (Bloom Road); then west on 110th Avenue to Delphi Road; then north on Delphi Road to U.S. Highway 101; then northwest on Highway 101 to the Mason-Thurston county Line at Oyster Bay; then northeast and southeast through Totten Inlet, Dana Passage and Nisqually Reach to the mouth of the Nisqually River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 667-Skookumchuck (Thurston and Lewis counties): Beginning at the Pacific Highway Bridge on the Nisqually River; then upstream on the Nisqually River to Alder Lake; then along the north shore of Alder Lake to the town of Elbe and Highway 7; then south on Highway 7 to Highway 508 at Morton; then west on Highway 508 to the Centralia-Alpha Road; then west on the Centralia-Alpha Road, Salzer and Summa Roads to Pearl Street; then north on Pearl Street to Highway 507; then northwest on Highway 507 to Interstate 5 then north on Interstate 5 to U.S. Highway 12; then west on Highway 12 to Moon Road; then north on Moon Road to the Gate-Mima Road; then northeast on the Gate-Mima Road to Waddell Creek Road; then northeast on the Waddell Creek Road to the Delphi Road; then south on the Delphi Road to 110th Avenue; then east on 110th Avenue to Littlerock Road; then south on Littlerock Road to 113th Avenue; then east on 113th Avenue to McCorkle Road; then east on McCorkle Road to Pacific Highway; then south on Pacific Highway to Waldrick Road; then east on Waldrick Road to Stedman Road; then north and east on Stedman Road to Rainier Road; then southeast on Rainier Road to Spurgeon Creek

Road; then north on Spurgeon Creek Road to the Yelm Highway; then east and northeast on Yelm Highway to Highway 510; then northwest on Highway 510 to Pacific Highway; then northeast on Pacific Highway to the Nisqually River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 669-Palix (Pacific County): Beginning at the U.S. Highway 101 Bridge across the Willapa River in Raymond; then west along the Willapa River to Willapa Bay; then south along the east shore of Willapa Bay to the mouth of the North Nemah River; then northeast up the North Nemah River and Williams Creek to the North Nemah Road Crossing (or North Nemah A Line); then east on the North Nemah A Line to the Williams Creek A Line; then northeast on the Williams Creek A Line to the C2000 Line to the Trap Creek A Line; then east on the Trap Creek A Line (on the north side of the Trap Creek Lookout) to the Bonneville Power Line Road; then north on the Bonneville Powerline Road to its junction with State Highway 6; then northwest along Highway 6 to its junction with U.S. Highway 101 in the City of Raymond; then north along U.S. Highway 101 to the bridge across the Willapa River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 672-Fall River (Pacific, Lewis and Grays Harbor counties): Beginning at the junction of U.S. Highway 101 and State Highway 6 in Raymond; then east along State Highway 6 to Doty Road (Stevens Road); then northwest on Stevens Road to the Elk Creek Road (in Doty); then west on the Elk Creek Road to the 7000 Road; then west on the 7000 Road to the 7800 Road; then west on the 7800 Road to the 720 Road; then northeast on the 720 Road to Garrard Creek Road; then north on the Garrard Creek Road to the Brooklyn-Oakville Road; then east along the Brooklyn-Oakville Road, North River Road, to the Smith Creek Road; then southwest along the Smith Creek Road to U.S. Highway 101; then south on U.S. Highway 101 to its junction with State Highway 6 and the point of the beginning. (See Washington Atlas & Gazetteer)

GMU 678-Nemah (Pacific and Wahkiakum counties): Beginning at the mouth of the North Nemah River on Willapa Bay; then northeast up the North Nemah River and Williams Creek to the North Nemah Road Crossing (or North Nemah A Line); then east on the North Nemah A Line to the Williams Creek A Line to the C2000 line to the Trap Creek A Line; then east along the Trap Creek A Line (north side of Trap Creek Lookout) to the Bonneville Powerline Road; then south along the Powerline Road to the Salmon Creek Road; then southwest along the Salmon Creek Road to State Highway 4; then west along State Highway 4 to its junction with U.S. Highway 101 at Johnson's Landing and continuing west along U.S. Highway 101 to the Naselle River bridge; then down the Naselle River to Willapa Bay; then north along the shore of Willapa Bay to the mouth of the North Nemah River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 681-Bear River (Pacific and Wahkiakum counties): Beginning at the Deep River Bridge on State

Highway 4; then down the Deep River to the Columbia River; then west along the Columbia River to the mouth of the Wallacut River; then up the Wallacut River to U.S. Highway 101; then northwest on U.S. Highway No. 101, north on Alternate U.S. Highway No. 101 and northeast on U.S. Highway 101 to the Bear River; then down the Bear River to Willapa Bay; then north along the shore of Willapa Bay to the mouth of the Naselle River and up the Naselle River to U.S. Highway 101; then east along U.S. Highway 101 to its junction with State Highway 4 at Johnson's Landing; then southeast along State Highway 4 to the Deep River Bridge and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 684-Long Beach (Pacific County): The Long Beach Peninsula and those lands west of the following line; beginning at the mouth of Bear River; then up the Bear river to U.S. Highway 101; then southwest along U.S. Highway 101 to Alternate U.S. Highway 101; then south along Alternate U.S. Highway 101 to U.S. Highway 101; then southeast along U.S. Highway 101 to the Wallacut River; then down the Wallacut River to the Columbia River. (See Washington Atlas & Gazetteer)

DEER AREA DESCRIPTIONS

Deer Area No. 001 Champion North (Pierce County): Beginning at the point where the Bonneville Power Transmission Line crosses the Carbon River (about 14 miles northwest of Carbonado); then south and west up the Carbon River to where it intersects State Highway No. 165; then south and east along State Highway No. 165 to where it intersects the Mt. Rainier National Park boundary; then south along said boundary to where it intersects the North Fork Puyallup River; then north and west down the North Fork Puyallup River and the Puyallup River to where it intersects the Bonneville Power Transmission Line (about three miles south of Orting); then north and east along said power transmission line to the point of beginning. (See Washington Atlas & Gazetteer)

Deer Area No. 002 Champion South (Pierce County): Beginning at the point where Champion's 1 Road crosses the Puyallup River (approximately 1 1/2 miles NE of Kapowsin) then southeast up the Puyallup River to the confluence with Deer Creek; then south up Deer Creek to where it intersects the 243 Road; then northwest along the 243 Road to where it intersects the 24 Road; then southwest along the 24 Road to where it intersects the 3270 Road; then west along the 3270 Road to where it intersects the 327 Road; then southwest along the 327 Road to where it crosses Busy Wild Creek (near Lake Lorraine); then west down the Busy Wild Creek to its confluence with the North Fork Mashel River; then up the North Fork Mashel River (about 1 mile) to the point nearest the southernmost extension of the 311 Road (T16N, R6E, Sec. 19, SW 1/2 of SW 1/2); then in a line to the 311 Road; then along 311 Road to where it intersects the 3113 Road; then north along the 3113 Road to where it intersects the 843 Road; then along the 843 Road to where it intersects the 84 Road; then along the 84 Road to where it intersects the 8 Road; then

north along the 8 Road to where it intersects the 82 Road; then along the 82 Road to where it intersects the township line between Townships 16 & 17 North, W.M.; then west on said line to where it intersects the range line between Ranges 4 & 5 East, W.M.; then north on said line to northwest corner of Sec. 31, T17N, R5E; then east on section line between sections 30 and 31, T17N, R5E to 1/4 corner (Champion ownership); then north from said corner along ownership line to the point closest to the southernmost extension of the 0-100 Road (approx. 3/4 mile); then in a northwest line to the 0-100 Road, then along the 0-100 Road to where it intersects with Ohop Creek; then northwest along Ohop Creek to where it empties into Lake Kapowsin; then northeast along the east shore of Lake Kapowsin to the point closest to the start of the 1 Road; then along the 1 Road to point of beginning. (See Washington Atlas & Gazetteer)

Deer Area No. 010 Pyramid (Chelan County): That part of GMUs 306 and 304 beginning at the Glacier Peaks Wilderness and Lake Chelan; then south along Lake Chelan to Corral Creek Campground; then west to the intersection of trail #1433 and Butte Trail #1440; then northwest along Butte Trail #1440 to South Pyramid Trail #1439; then southwest to intersection of trail #1437; then due west to Trail #1434; then northwest to Trail #1435; then south to Trail #1400; then southeast to Garland Creek; then west to Garland Peak; then north along trail #1408 to Trail #1515; then south to Trail #1530; then west to trail #1509; then south to Trail #1527; then north to Estes Butte and continuing along the Glacier Peaks Wilderness boundary to beginning. (See Wenatchee National Forest map)

Deer Area No. 040 Foss River (King County in the Alpine Lakes Wilderness Area): Beginning at the intersection of the Dingford Creek Trail (USFS Trail 1005) and the Alpine Lakes Wilderness Area boundary; then north along USFS Trail 1005 to Little Myrtle Lake; then in a northeast line approximately one-half mile to Marlene Lake; then down the tributary from Marlene Lake to its intersection with USFS Trail 1072 near Lake Dorothy; then north along USFS Trail 1072 to its intersection with the Alpine Lakes Wilderness Area boundary; then north and east along the wilderness boundary to the Pacific Crest Trail at Hope Lake; then south along the Pacific Crest Trail to the headwaters of Burntboot Creek about Iceberg Lake at Overcoat Peak; then down Burntboot Creek to the Alpine Lakes Wilderness Area boundary; then north and west along the wilderness area boundary to the point of beginning. (See Washington Atlas and Gazetteer)

Deer Area No. 060 Olympic Wilderness (Clallam, Jefferson, Grays Harbor and Mason counties): The Buckhorn, Colonel Bob, Mt. Skokomish, the Brothers and Wonder Mountain Wilderness areas of Olympic National Forest. (See Olympic National Forest map for these primitive roadless areas)

Deer Area No. 061 Marrowstone Island (Jefferson County): Marrowstone Island in Jefferson County. (See Washington Atlas and Gazetteer)

ELK AREA DESCRIPTIONS

Elk Area No. 001 Trinidad (Grant and Douglas counties): All of Douglas and Grant counties except closed in the corridor described as follows: Beginning at East Wenatchee and following a line parallel to and one-half mile north and east of Highway No. 28 from East Wenatchee to a point in Grant County one-half mile north of SR 28 on Road "U" N.W.; then south on Road "U" N.W. to Road "9" N.W.; then west on Road "9" N.W. To the Ancient Lake Road; then south on the Ancient Lake Road to the northwest corner of Sec. 8, T19N, R23E W.M. (yellow cattle guard); then west to midstream of the Columbia; then north up midstream of the Columbia River to East Wenatchee and the point of beginning. (See official road map of Douglas and Grant counties)

Elk Area No. 002 Caribou (Kittitas County): Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction at the USFS 3517 Road; then east and south along USFS 3517 Road and Lillard Hill Road to the Bonneville Powerlines; then east along the Bonneville Powerlines to the Colockum Pass-Brushy Road (cattle guard); then east along the Brushy Road to the Crossover Road; then south along the Crossover Road to the Perkins/Caribou junction; then east along the Perkins Road to the Beacon Ridge Road; then south along the Beacon Ridge Road to the Old Vantage Highway; then south along a county service road to Interstate #90; then west along Interstate #90 to the Highline Canal near the Stevens Road; then northwest along the Highline Canal to the point of beginning. (See Department of Wildlife map)

Elk Area No. 003 Kingsbury (Chelan, Kittitas counties): That portion of GMU 314 which lies east of the Stemilt Creek, Stemilt Creek Road, Stemilt Hill Road, Stemilt Loop Road and Jump Off Ridge Road. (See Washington Atlas & Gazetteer)

Elk Area No. 004 Wenatchee (Chelan, Kittitas and Okanogan Counties): GMUs 300, 304, 306, 308, 316, that portion of 302 which lies in Chelan County; and that portion of 314 which lies west of the following boundaries: Beginning at the mouth of the Stemilt Creek at the Columbia River, south up Stemilt Creek to the Stemilt Creek Road to the Stemilt Hill Road; then east and south along the Stemilt Hill Road to the Stemilt Loop Road; then east along the Jump Off Road to the Jump Off Ridge Road (Bonneville Powerlines); then south along the Jump Off Ridge Road to the Naneum Ridge Road. (See Washington Atlas & Gazetteer)

Elk Area No. 025 Backbone (Lewis County): Beginning at State Highway No. 12 at the Pacific Crest Trail; then northwest and southwest along State Highway No. 12 to Coal Creek in Sec. 1, Twp. 13N., R 9 E.W.M.; then north along the range line between Ranges 9 and 10 E.W.M., across the Cowlitz River to the Gifford Pinchot National Forest boundary in the NE corner of Sec. 1, Twp. 13N., R 9 E.W.M.; then southwest along the National Forest Boundary to the Skate Creek Road (first contact) in Sec. 9, Twp. 13N., R 9 E.W.M.; then northwest along the Skate Creek Road to the mouth of Horse

Creek and the south boundary of Mt. Rainier National Park; then east along the south Park boundary to the Pacific Crest Trail; then south along the Pacific Crest Trail to State Highway No. 12 and the point of beginning. (See Gifford Pinchot National Forest map)

Elk Area No. 029 Toledo (Lewis County): Beginning at the Cedar Creek Bridge along State Highway No. 505; then northeast up Cedar Creek approximately 4 miles to the Weyco 1970 line; then north and west along the Weyco 1970 line approximately 3.5 miles to the Weyco 1800 line; then north along the Weyco 1800 line approximately 1 mile to the Evans Road; then southwest along the Evans Road to the Layton Road; then south along the Layton Road to State Highway No. 505; then east and southeast along State Highway No. 505 to Cedar Creek Bridge and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 030 Reecer Creek (Kittitas County): Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction of the USFS 3517 Road; then east and south along the USFS 3517 Road and Lillard Hill Road to the Wilson Creek Road to the Highline Canal; then west along the Highline Canal to the point of beginning. (See Wenatchee National Forest map)

Elk Area No. 031 Shushuskin (Kittitas County): Beginning at Damon Road and the Yakima River; then west along Damon Road to Manastash Road; then west on Manastash Road to Cove Road; then south on Cove Road and Mellegaard Road to Umataneum Creek; then east (downstream) along Umataneum Creek to the Yakima River; then north along the Yakima River to the point of beginning. (See Washington Atlas and Gazetteer)

Elk Area No. 032 Malaga (Kittitas, Chelan Counties): Beginning at Powerlines on the Columbia River (approximately 3/4 mile downstream from Colockum Creek); then west and south along the Powerline Road #12 to Colockum Pass Road; then south along the Colockum Pass Road to the section line between Sections 8 and 9 (T20N, R21E); then west along the section line to the Mose Carr Road; then north and west on the Mose Carr Road to the Jump Off Road; then north and west on Jump Off Road to the Shaller Road and Upper Basin Loop Road; then north and east on the Upper Basin Loop Road and Wenatchee Heights Road; then northeast on the Wenatchee Heights Road and Squilchuck Road to the Columbia River; then down the west bank of the Columbia River to the point of beginning. (See Washington Atlas and Gazetteer)

Elk Area No. 033 Peshastin (Chelan County): Beginning at Crawford Street and the Columbia River in Wenatchee; then west on Crawford Street and Number Two Canyon Road to USFS #7101 Road (Peavine Canyon); then west on USFS #7101 to Mission Creek Road; then north on Mission Creek Road to USFS #7104 Road (Poison Canyon); then northwest on USFS #7104 Road and along the northeast edge of Camas Meadow; then west along this dirt road to the USFS #7200 Road to Highway #97; then north on Highway #97 to USFS

#7300 Road (Mountain Home Road); then north on the USFS #7300 Road to the Wenatchee River at Leavenworth; then down the Wenatchee River and Columbia River to the point of beginning. (See Washington Atlas and Gazetteer)

Elk Area No. 039 Backbone (Lewis County): Legal description same as Elk Area No. 025 (Backbone) (See Gifford Pinchot National Forest Map)

Elk Area No. 051 Doty (Lewis and Pacific Counties): Beginning on State Highway 6 at the town of Adna, then west on Highway 6 to Stevens Road, then northwest on Stevens Road to Elk Creek Road (Doty), then west on Elk Creek Road to the 7000 Road, then west on the 7000 Road to the 7800 Road, then west on the 7800 Road to the 720 Road, then northeast on the 720 Road to Garrard Creek Road, east on Garrard Creek Road to Manners Road, then south on Manners Road to Lincoln Creek Road, then east along Lincoln Creek Road to Ingalls Road, then south and east on Ingalls and Bunker Creek roads to the town of Adna and point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 052 Mayfield (Lewis County): Beginning at the junction of Highway 12 and the Winston Creek Road; then southeast and north along the Winston Creek Road, Longbell, Perkins, Green Mountain roads to Riffe Lake; then west and northwest along the shoreline of Riffe Lake to the Cowlitz River; then west along the Cowlitz River to Highway 12; then west along Highway 12 to the Winston Creek Road and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 053 Randle (Lewis County): Beginning at State Highway 12 and the Cispus Road in the town of Randle; then east along Highway 12 to the Bennett Road approximately one (1) mile east of Cora Bridge; then west on Bennett and Cline roads to the Cispus Road; then north on said road to the town of Randle and the point of beginning. (See Gifford Pinchot National Forest map)

Elk Area No. 054 Boistfort (Lewis County): Beginning at the town of Vader; then west along State Highway 506 to the Wildwood Road; then north along the Wildwood Road to the Abernathy 500 line gate (Sec. 20, T11N, R3W, Willamette Meridian); then northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; then northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Sec. 15, T12N, R4W); then west along the Pe Ell/McDonald Road to the Lost Valley Road; then northeast along the Lost Valley Road to the Boistfort Road; then north along the Boistfort Road to the King Road; then east along the King Road to the town of Winlock and State Highway 603; then south along Highway 603 to the Winlock/Vader Road; then south along said road to the town of Vader and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 055 East Valley (Wahkiakum County): Within one mile on either side of the line beginning at Wilson Creek Park on East Valley Road; then west on East Valley Road to the junction with Middle Valley

Road (4.5 miles); then north along Middle Valley Road to the junction of Oat Field Road (2.5 miles). (See Washington Atlas & Gazetteer)

Elk Area No. 057 Carlton (Lewis County): That part of unit 514 (Tatoosh) lying east of Highway No. 123 and north of Highway No. 12. (See Gifford Pinchot National Forest map)

Elk Area No. 058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Cascade Crest Trail. (See Gifford Pinchot National Forest map)

Elk Area No. 059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness (See Gifford Pinchot National Forest map)

Elk Area No. 061 Mt. Tebo (Mason County): Beginning at the junction of the North Fork and South Fork of the Skokomish River; then northwest along the South Fork to the boundary of Olympic National Park; then east along the National Park boundary to the North Fork of the Skokomish River; then southeast down the North Fork of the Skokomish River through Lake Cushman; then south down the North Fork of the Skokomish River to the South Fork of the Skokomish River and the point of beginning. (See Olympic National Forest Map)

Elk Area No. 065 Willapa Valley (Pacific County): That part of Pacific County within two miles of State Highway 6 between Menlo and the eastern most junction of Elk Prairie Road and State Highway 6. (See Washington Atlas & Gazetteer)

Elk Area No. 066 Twin Valley (Grays Harbor County): Beginning in the City of Hoquiam at the junction of U.S. Highway No. 101 and the East Hoquiam Road; then north on the East Hoquiam Road to its junction with the East Hoquiam Cutoff Road in Sec. 21, T19N, R9 W.W.M.; then east on the East Hoquiam Cutoff Road to its junction with the Wishkah Road; then south on the Wishkah Road to its junction with the Wishkah-Wynoochee Crossover Road in Sec. 35, T19N, R9 W.W.M.; then east on the Wishkah-Wynoochee Crossover Road to its junction with the Donovan Corkey A line; then north on the A line to its junction with the A 2200; then east on the A 2200 Road to its junction with the A 2210; then south on the A 2210 Road to a point crossed by the township line between Twp 20N and 19N; then east on the township line to its junction with the Wynoochee River Road; then south along the Wynoochee River Road to U.S. Highway No. 12; then west along U.S. Highway 12 to its junction with U.S. Highway No. 101 in the City of Aberdeen, then west on U.S. Highway 101 to the City of Hoquiam and junction with the East Hoquiam Road and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 067 South Willapa (Pacific County): Beginning in the City of South Bend at the junction of U.S. Highway 101 and the Skidmore Slough C-line; then south on the Skidmore Slough C-line to its junction with the B-line in Sec. 11, T13N, R9 W.W.M.; then southeast on the B-line to its junction with the A-line in Sec. 18, T13N, R8 W.W.M.; then east and north on the A-line to its junction with the South Fork Willapa

Road; then east along the South Fork Willapa Road to State Highway No. 6, Sec. 10, Twp. 13 N., R. 8 W.W.M.; then northwest on State Highway No. 6 to its junction with U.S. Highway 101; then southwest on U.S. Highway 101 to its junction with the Skidmore Slough C-line and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 069 Chinook (Pacific County): Beginning at the junction of U.S. Highway 101 and the Prest Road (approximately 4 miles west of the town of Chinook); then northwest on Prest Road to its junction with Chinook Valley Road; then west on Chinook Valley Road to its intersection with the east branch of the Wallicut River; then north along the Wallicut River to its intersection with Highway 101; then west on Highway 101 to the junction of Highway 101 alternate; then south on Highway 101 alternate to Highway 101; then east on Highway 101 to Prest Road and the point of beginning. (See Washington Atlas & Gazetteer)

BOW AND ARROW AREA DESCRIPTIONS

Bow Area No. 802 Long Island (Pacific County): Long Island in Pacific County. (See Washington Atlas & Gazetteer map)

Bow Area No. 806 Rattlesnake (Yakima County): Beginning at the point where USFS Road #1500 crosses Little Rattlesnake Creek, near Hanging Tree Campground; then southwest up Little Rattlesnake Creek to USFS Road #1500; then north along Road #1500 to USFS Trail #1101 (MJB Trail); then northwest along MJB Trail to USFS Trail #1114; then north along Trail #1114 to USFS Trail #981; then west along Trail #981 to USFS Trail #982; then northeast along Trail #982 to USFS Trail #973; then northwest along Trail #973 to the North Fork of Rattlesnake Creek; then down the North Fork to the junction with South Fork of Rattlesnake Creek; then up the South Fork to USFS Road #1502; then east on Road #1502 to USFS Road #1500; then east on Road #1500 to Little Rattlesnake Creek and the point of beginning. (See Wenatchee National Forest map)

Bow Area No. 807 Ahtanum (Yakima County): That part of GMU 368 which lies west of the following boundary; beginning at the junction of the North and South fork of Ahtanum Creek; then northwest up North Fork of Ahtanum Creek to Nasty Creek; then north up Nasty Creek to the Nasty Creek-Cowiche Road (DNR Road #C1050); then north on Road #C1050 to South Fork of Cowiche Creek; then east down South Fork Cowiche Creek to the power line which crosses near the mouth of Reynolds Creek; then northwest along the powerline to Jump-off (USFS Road #1302). Except closed east of a north south line drawn between the South Fork and North Fork of Ahtanum Creek two miles west of the Tampico Store. (See Wenatchee National Forest map)

Bow Area No. 808 Acme (Whatcom County): Beginning at the town of Acme; then north on Highway No. 9 to the junction of the Strand Road; then east on the Strand Road and over the Van Zandt Dike following the

south boundaries of Sections 21, 22 and 23 of Twp. 38 N, R 5 E to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west along Skookum Creek to the South Fork Nooksack River; then continue west along the South Fork Nooksack River to the mouth of Christy Creek; then south along Christy Creek to its source; then west to Ennis Creek; then west along Ennis Creek to the Ennis Creek Road; then west along Ennis Creek Road to the Wickersham Road; then west along the Wickersham Road to Highway No. 9; then north along Highway No. 9 to Acme and the point of beginning. (See Washington Atlas & Gazetteer)

Bow Area No. 820 Malott (Okanogan County): Beginning south of the town of Riverside, then south down the Okanogan River to Highway 97 bridge at mouth of river, then west on Highway 97 through the town of Brewster to the Indian Dan Canyon Road, then north to Paradise Hill Road; then east and south along the Paradise Hill Road to the Hanford Cutoff (approximately 1/2 mile south of Rat Lake Road), then west on Hanford Cutoff to the North Star Road, then north on North Star Road to junction with Chiliwist Road then east on Chiliwist Road to junction with Olema/Cook Mt. Road, then north on Olema/Cook Mt. Road to its junction with Highway 20, then east on Highway 20 to the junction with Buzzard Lake Road, then north on Buzzard Lake Road to the junction with Windy Hill Road, then east on Windy Hill Road to its junction with Spring Coulee/Salmon Creek Road, then north on Spring Coulee/Salmon Creek Road to the junction with Green Lake Road, then north on Green Lake Road to the Conconully Highway then northwest on the Conconully Highway to the junction with the Riverside Cutoff Road, then northeast of the Riverside Cutoff Road to the town of Riverside and the Okanogan River and the point of beginning. (See Washington Atlas & Gazetteer)

Bow Area No. 831 Hamilton (Skagit County): Beginning at the point where State Highway No. 20 crosses Child's Creek approximately one mile west of Lyman; then east along Highway No. 20 to the Burpee Hill Road at Concrete; then north along said road to the Baker Lake Highway; then west along said highway to the DNR Road N. 2400; then continue west along said line to the DNR 2000 line; then north along said line to the DNR 2800 line; then west along said line to the DNR 2900 line; then west along said line to the Scott Paper Mainline; then north along said line to the Scott Paper 110 line; then continue west along said line to where it crosses Child's Creek; then south down said creek to State Highway No. 20 and point of beginning. (See Washington Atlas & Gazetteer)

MUZZLELOADER AREA DESCRIPTIONS

Muzzleloader Area No. 908 Acme (Whatcom County): Same as Bow Area No. 808. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 910 Cle Elum (Kittitas County): Beginning at Easton; then southeast along the main BPA Powerlines to the Fowler Creek Road (4517);

southeast on Spur Road 117 to Granite Creek Trail #1326; then south on Trail #1326 to the top of South Cle Elum Ridge; then east along the ridge on Trail #1326 to Spur Road 119; then north on Road 119 to the Peoh Point Road (3350); then south on Road 3350 to the junction with Road 3352; then east on the 3352 Road to the Cedar Creek Road; then north on the Microwave Road to Sky Meadows and Casassa Road to the BPA Powerlines; then east along the BPA Powerlines to Highway 10; then east along Highway 10 to the junction with Highway 97; then north on Highway 97 to the Lower Green Canyon Road; then north to Upper Green Canyon Road to the junction of the First Creek Road; then west on the First Creek Road to Highway 97; then north on Highway 97 to USFS 9738 (Blue Creek); then west on USFS 9738 to USFS 9702 (Dickey Creek); then west on USFS 9702 to the North Fork Teanaway Road; then south to the junction with West Fork Teanaway Road; then south on Middle Fork Road to Bible Camp; then south up #17 Canyon Road to Cle Elum Ridge Road; then west on Cle Elum Ridge Road to the bottom of #5 Canyon Road; then south to Highway 903 and Bullfrog Road; then south on Bullfrog Road to Interstate Highway 90; then west on Interstate Highway 90 to Easton and point of beginning. (See Wenatchee National Forest map)

Muzzleloader Area No. 925 Ritzville. (Adams County): Beginning at the junction of Interstate 90 and S.R. 261 near the town of Ritzville, then south along S.R. 261 to Washtucna, then east on S.R. 26 to the Whitman County line, then north along the Adams, Whitman County line to where it intersects the Lincoln, Adams County line, then north along the Adams, Lincoln County line to Interstate 90, then west along Interstate 90 to point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 944 Clemans (Yakima County): That portion of GMU 346 beginning at the junction of Highway #410 and USFS Road #1701 (Big Bald Mountain Road); then north to USFS Road #1712; then east on USFS Road #1712 (Clemens Ridge Road) to the east edge of Meyster Canyon; then along the east side of Meyster Canyon to the elk fence; then west along the elk fence to Waterworks Canyon and Highway #410 and to point of beginning. (See Wenatchee National Forest map)

Muzzleloader Area No. 950 Toutle Mountain (Cowlitz County): Beginning at the confluence of the South Fork Toutle River and the North Fork Toutle River; then up the S.F. Toutle River to Johnson Creek; then up Johnson Creek to the Weyerhaeuser Company 4400 Road; then northeast on the 440 Road to the 2421 Road; then north to the 2400 Road; then east on the 2400 Road to Alder Creek; then north down Alder Creek to the North Fork Toutle River; then west down the North Fork Toutle River to the confluence with the South Fork Toutle River and point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 961 Hoko River (Clallam County): Within one mile of the Hoko County Road between Highway 112 and the Olympic National Park

boundary near Lake Ozette. (See Olympic National Forest Map)

Muzzleloader Area No. 962 Elwha (Clallam County): Beginning at the U.S. Highway 101 Bridge on the Elwha River; then south on the Elwha River to the Olympic National Park boundary; then along Olympic National Park boundary to the section line between Sections 32 and 33 of T 30 N, R 7 W. W. M.; then north on the section lines to U.S. Highway 101; then east on U.S. Highway 101 to Elwha River and point of beginning. (See Washington Atlas and Gazetteer)

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 90-15-001
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 070—Filed July 6, 1990, 9:49 a.m.]

Date of Adoption: July 5, 1990.

Purpose: Increase fees for certificate of need application review to cover program costs.

Citation of Existing Rules Affected by this Order: Amending WAC 440-44-030.

Statutory Authority for Adoption: Chapter 70.38 RCW.

Pursuant to notice filed as WSR 90-11-092 on May 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 5, 1990
 Pamela Campbell Mead
 for Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 2, filed 10/13/89, effective 11/13/89)

WAC 440-44-030 CERTIFICATE OF NEED REVIEW FEES. (1) An application for a certificate of need under chapter 248-19 WAC shall include payment of a fee consisting of the following:

(a) An application processing fee in the amount of seven hundred fifty dollars which shall not be refundable;

(b) A review fee based on the project description and the total capital expenditure.

Project Description	Capital Expenditure Range	Review Fee
Additional	\$ 0 - \$ 100,000	\$ ((3,600)) 4,300
kidney disease	100,001 - 250,000	((4,800)) 5,700
treatment center stations	250,001 or more	((6,400)) 7,600
Administrative or	0 - 250,000	((4,500)) 5,400
emergency review	250,001 or more	((6,800)) 8,100
Amendment to a certificate of need	((0 - 250,000)) 250,001 - 12,000,000 2,000,001 or more	4,500 6,800 11,200)) 5,000

Project Description	Capital Expenditure Range	Review Fee
Bed addition of less than 10 beds	0 - 100,000	((3,600)) 4,300
	100,001 - 5,000,000	((4,800)) 5,700
	5,000,001 or more	((6,400)) 7,600
Bed addition of 10 beds or more	0 - 500,000	((6,800)) 8,100
	500,001 - 5,000,000	((10,000)) 11,900
	5,000,001 or more	((13,200)) 15,700
Bed redistribution or bed relocation	0 - 100,000	((5,900)) 7,000
	100,001 - 2,000,000	((8,900)) 10,600
	2,000,001 or more	((11,100)) 13,200
Capital expenditure over the minimum expenditure	Exp. min. - 5,000,000	((6,400)) 7,600
	5,000,001 - 10,000,000	((8,100)) 9,600
	10,000,001 or more	((11,400)) 13,600
Establishment of a new hospital, nursing home, or continuing care retirement community	0 - 2,000,000	((8,900)) 10,600
	2,000,001 or more	((13,200)) 15,700
Establishment of a new home health agency, hospice, ambulatory surgery facility, or kidney disease treatment center	0	((3,100)) 3,700
	1 - 100,000	((4,800)) 5,700
	100,001 or more	((6,400)) 7,600
Extension of the certificate of need validity period (projects involving plans review by construction review unit)		((100)) 150
Extension of the certificate of need validity period (other projects)		((750)) 900
Replacement of an existing health care facility	1 - 2,000,000	((4,500)) 5,400
	2,000,001 - 5,000,000	((6,800)) 8,100
	5,000,001 or more	((8,100)) 9,600
Sale, purchase, or lease of part or all of an existing hospital	1 - 5,000,000	((6,400)) 7,600
	5,000,001 or more	((9,700)) 11,500
Substantial change in services, or offering a new tertiary health service	0 - 100,000	((6,800)) 8,100
	100,001 - 2,000,000	((8,900)) 10,600
	2,000,001 or more	((13,200)) 15,700
Transfer of a certificate of need		((2,300)) 2,700

existing or proposed continuing care retirement community (CCRC) as defined in WAC 248-19-328 (3)(b).

(2) For purposes of subsection (1)(b) of this section, "total capital expenditure" means the total project costs to be capitalized according to generally accepted accounting principles consistently applied, and includes, but is not limited to, the following:

- (a) Legal fees;
- (b) Feasibility studies;
- (c) Site development;
- (d) Soil survey and investigation;
- (e) Consulting fees;
- (f) Interest expenses during construction;
- (g) Temporary relocation;
- (h) Architect and engineering fees;
- (i) Construction, renovation, or alteration;
- (j) Total costs of leases of capital assets;
- (k) Labor;
- (l) Materials;
- (m) Equipment;
- (n) Sales taxes;
- (o) Equipment delivery; and
- (p) Equipment installation.

(3) Where more than one project description under subsection (1)(b) of this section applies to an application, the applicant shall use the project description and capital expenditure range with the highest review fee in calculating the payment to accompany the application submittal.

(4) The applicant shall accompany the submittal of an amendment to a certificate of need application with a fee consisting of the following:

- (a) A nonrefundable processing fee of five hundred dollars;
- (b) When the amendment increases the capital expenditure, or results in a project description with a larger review fee, an additional review fee based on the difference between the review fee previously paid when the application was submitted and the review fee applicable to the greater capital expenditure or new project description;
- (c) When the amendment decreases the capital expenditure, or results in a project description with a smaller review fee, the department shall refund to the applicant the difference between the review fee previously paid when the application was submitted and the review fee applicable to the smaller capital expenditure or new project description.

(5) When an application for a certificate of need is returned by the department in accordance with the provisions of WAC 248-19-280 (2)(b) or (e), the department shall refund all review fees paid.

(6) When an applicant submits a written request to withdraw an application before the beginning of review, the department shall refund any review fees paid by the applicant.

(7) When an applicant submits a written request to withdraw an application after the beginning of review, but before the beginning of the ex parte period as determined by the department consistent with WAC 248-19-326, the department shall refund one-half of all review fees paid.

(c) A nonrefundable two thousand dollar actuarial review fee surcharge for an application sponsored by an

(8) When an applicant submits a written request to withdraw an application after the beginning of the ex parte period as determined by the department consistent with WAC 248-19-326, the department shall not refund any of the review fees paid.

(9) Other certificate of need program fees are:

(a) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of WAC 248-19-405; and

(b) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of RCW 70.38.105 (4)(d).

WSR 90-15-002
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
TRADE AND ECONOMIC DEVELOPMENT
[Memorandum—July 5, 1990]

The Washington Economic Development Finance Authority will hold public hearings on its general plan at the times, dates, and places listed below. The general plan includes the economic development finance objectives to be implemented by the authority, and shall include a current report on authority activities. The general plan is being prepared for public hearings as per RCW 43.163.090.

Copies of the general plan are available upon written request to: Department of Trade and Economic Development, WEDFA, Suite 2700, 2001 Sixth Avenue, Seattle, WA 98121.

Written comments on the general plan will be accepted at the same address until September 4, 1990.

Hearings will be held as follows:

- | | |
|----------------------|---|
| July 31
Tuesday | Spokane Chamber of Commerce
Main Center Room
West 1020 Riverside
Spokane, WA
Time: 3 p.m. – 5 p.m. |
| August 24
Friday | Fourth Corner Development Group
Conference Room
1023 Cornwall Avenue
Bellingham, WA
Time: 9 a.m. – 11 a.m. |
| August 28
Tuesday | Town Plaza
Lower Terrace Room
North 7th Street and
East Yakima Avenue
Yakima, Washington
Time: 10 a.m. – 12 Noon |
| August 31
Friday | Chamber of Commerce
Board Room
600 University Street
Seattle, WA
Time: 9 a.m. – 11 a.m. |

WSR 90-15-003
EMERGENCY RULES
BOARD FOR
COMMUNITY COLLEGE EDUCATION
[Filed July 6, 1990, 11:00 a.m.]

Date of Adoption: June 21, 1990.

Purpose: To implement the provisions of SHB 2999 and RCW 28B.50.140(3) as amended requiring rules defining permissible compensation elements for community college presidents.

Statutory Authority for Adoption: RCW 28B.50.140(3) as amended by SHB 2999, chapter 135, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Pending employment of presidents in several community college districts did not allow time to meet the filing requirements for permanent rule adoption.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This section was previously adopted as an emergency rule and is being readopted on that basis as a means of extending its effective period. Appropriate notice of adoption as a permanent rule has been given. See WSR 90-13-095, filed June 21, 1990.

Effective Date of Rule: Immediately.

July 5, 1990
Gilbert J. Carbone
Assistant Director

NEW SECTION

WAC 131-16-500 PERMISSIBLE COMPENSATION ELEMENTS FOR COMMUNITY COLLEGE PRESIDENTS. (1) RCW 28B.50.140(3) requires the state board for community college education to adopt rules defining the permissible elements of compensation which college boards may approve for community college presidents.

(2) Compensation (including salary) increases granted in accordance with this section shall not exceed the amount or percentage established for that purpose in the state Omnibus Appropriations Act as allocated to the college boards by the state board for community college education.

(3) For purposes of implementation of RCW 28B.50.140(3), the permissible elements of compensation for community college presidents are defined as: (a) Salary, (b) a stipend to compensate the president for providing and maintaining a private automobile for the president's use on college business, (c) medical, life, accidental death and dismemberment, long-term disability and liability insurance, (d) deferred compensation, (e) tax-deferred annuities, (f) relocation assistance, (g) deferred payment for accrued annual leave upon termination of employment in accordance with RCW 43.01.041,

and (h) deferred payment for accrued sick leave upon retirement in accordance with RCW 41.04.340, provided that benefits listed in (b) through (h) of this subsection shall not affect but may supplement such benefits otherwise applicable to presidents as state employees.

WSR 90-15-004
EMERGENCY RULES
BOARD FOR
COMMUNITY COLLEGE EDUCATION

[Filed July 6, 1990, 11:01 a.m.]

Date of Adoption: June 21, 1990.

Purpose: To implement requirements of chapter 29, Laws of 1990, under which the board must adopt guidelines governing the exceptional faculty award program established by that chapter.

Statutory Authority for Adoption: Chapter 29, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The schedule of meetings of the state board is such that it would not be possible to meet the filing requirements for a permanent rule adoption and establish the guidelines for the program in order to make them available for application at the start of the 1990-91 academic year.

Effective Date of Rule: Immediately.

July 5, 1990
Gilbert J. Carbone
Assistant Director

NEW SECTION

WAC 131-16-450 EXCEPTIONAL FACULTY AWARDS TRUST FUND. (1) Pursuant to Chapter 29, Laws of 1990, the Community College Exceptional Faculty Award Program shall be subject to the following limitations:

(a) All funds generated by and through this program shall be credited to the college district's exceptional faculty local endowment trust fund, from which only the earnings of such funds may be expended for the purpose of this program.

(b) Authorization to transfer funds from the exceptional faculty award trust fund in the state treasury to a college district endowment fund shall be contingent upon certification by the college district that no less than twenty-five thousand dollars of matching cash donations from private sources has been deposited in the district endowment fund.

(c) Grants to individual colleges shall not exceed:

(i) One grant to each college prior to June 30, 1991, unless all colleges have received one grant each,

(ii) Two grants to each college prior to December 31, 1991 and

(iii) Four grants to each college in any single biennium.

(d) Award of requested grants to colleges shall be contingent upon determination by the State Board for Community College Education that the request is consistent with and meets the requirements of these guidelines. Further, if grant requests exceed available funds, the State Board for Community College Education shall select the recipients.

(e) Funds granted for the purposes of the faculty awards program shall be held in trust by the district for the college to which such funds were specifically awarded.

(f) Each college district shall establish procedures by which awards may be named in honor of a donor, benefactor, or honoree; may designate the use of funds; and may renew or redesignate the award annually.

(g) By September 1 of each year beginning in 1991, each district shall report to the State Board for Community College Education the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

(h) The process for determining awards shall be subject to collective bargaining, except that the amount of individual awards and the recipient(s) shall be determined by the district board of trustees.

(i) Only persons holding faculty assignments as defined by RCW 28B.52.020(2) shall be eligible to receive awards under this section.

(2) The award of exceptional faculty grants from the district endowment fund shall be subject to the following limitations.

(a) The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to make a one time supplement to the salary of the holder or holders of a faculty award, for the duration of the award; or to pay expenses associated with the holder's program area.

(b) Funds from this program shall not be used to supplant existing faculty development funds.

WSR 90-15-005
PERMANENT RULES
UNIVERSITY OF WASHINGTON

[Filed July 6, 1990, 11:08 a.m.]

Date of Adoption: June 8, 1990.

Purpose: Amendments and additions to various WACs of Title 478 WAC for compliance with the new Administrative Procedure Act.

Citation of Existing Rules Affected by this Order: Amending WAC 478-116-510.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Pursuant to notice filed as WSR 90-08-084 on April 3, 1990.

Changes Other than Editing from Proposed to Adopted Version: New section WAC 478-108-010 delete subsections (3) and (5) and amend subsection (12); added new sections WAC 478-108-060, 478-108-070 and 478-108-080; and withdrew amendatory sections WAC 478-120-070 and 478-120-130.

Effective Date of Rule: Thirty-one days after filing.

July 3, 1990

Melody Tereski

Administrative Procedures Officer

Chapter 478-04 WAC
ORGANIZATION

NEW SECTION

WAC 478-04-010 PURPOSE. The purpose of this chapter is to establish rules implementing RCW 34.05-.220 (1)(b) and 42.17.250 (1)(a) and (b).

NEW SECTION

WAC 478-04-020 ORGANIZATION—OPERATION—INFORMATION. (1) Organization. The University of Washington is established in Title 28B RCW as a public institution of higher education. The institution is governed by a nine-member board of regents, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Operation. The administrative office of the University of Washington is at the following address:

Office of the President
301 Administration, AH-30
University of Washington
Seattle, Washington 98195

(3) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

Office of the Registrar
209 Schmitz, PD-10
University of Washington
Seattle, Washington 98195

Chapter 478-108 WAC
PRACTICE AND PROCEDURE

PART I
GENERAL PROCEDURAL RULES

NEW SECTION

WAC 478-108-010 MATTERS SUBJECT TO BRIEF ADJUDICATION. This rule is adopted in accordance with RCW 34.05.479 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

- (1) Appeals from residency classifications under RCW 28B.15.013 as established in chapter 478-160 WAC;
- (2) Appeals from traffic and parking violations as provided for in chapter 478-116 WAC;

(3) Challenges to contents of educational records as provided for in chapter 478-140 WAC;

(4) Proceedings under the animal control policy as detailed in chapter 478-124 WAC;

(5) Requests for reconsideration of admission decisions as provided for in chapter 478-160 WAC;

(6) Appeals of library charges as provided in chapter 478-168 WAC;

(7) Reviews of denials of public records requests as provided in chapter 478-276 WAC;

(8) Federal financial aid appeals as provided for by federal law;

(9) Collection of outstanding debts owed by students or employees; and

(10) Appeals from areas exempt from the rules requirements of chapter 34.05 RCW including standards of admission, academic advancement, academic credit, graduation and the granting of degrees, employment relationships (except for all aspects of faculty and librarianship employment relationships), and fiscal processes.

NEW SECTION

WAC 478-108-020 APPLICATION FOR ADJUDICATIVE PROCEEDING. An application for an adjudicative proceeding shall be in writing. The application shall include the signature of the applicant, the nature of the matter for which an adjudicative proceeding is sought, and an explanation of the facts involved. Application forms are available at the following address:

Visitors Information Center
4014 University Way N.E., HI-22
University of Washington
Seattle, Washington 98195

An application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless otherwise provided for by statute or rule.

NEW SECTION

WAC 478-108-030 APPOINTMENT OF PRESIDING OFFICERS. The president of the University of Washington or his or her designee shall have the power to appoint presiding officers for formal and brief adjudicative proceedings. The presiding officer shall be an administrative law judge; a member in good standing of the Washington State Bar Association; committees or members of the faculty, staff, or student body; a panel of individuals; the president or his or her designee; or any combination of the above. Where more than one individual is designated to be the presiding officer, one person may be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 478-108-040 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

NEW SECTION

WAC 478-108-050 ADJUDICATIVE PROCEEDINGS CLOSED. Adjudicative proceedings shall be closed to the public unless the Open Public Meetings Act, chapter 42.30 RCW, requires otherwise. If the act requires an open proceeding, then a party may apply to the presiding officer for a protective order to close part of the proceeding. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefore in writing within twenty days of receiving the request.

No cameras or recording devices, other than the official recording method, shall be allowed in proceedings or parts of proceedings which have been closed.

NEW SECTION

WAC 478-108-060 STUDENT CONDUCT CODE. All adjudicative proceedings applicable to student conduct at the University of Washington shall be governed exclusively by the provisions of the student conduct code (chapter 478-120 WAC), as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to students through the university processes.

NEW SECTION

WAC 478-108-070 FACULTY EMPLOYMENT RELATIONSHIPS. All adjudicative proceedings affecting a faculty member at the University of Washington shall be governed exclusively by the provisions of relevant university codes and handbooks, as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to faculty through the university processes.

NEW SECTION

WAC 478-108-080 LIBRARIAN EMPLOYMENT RELATIONSHIPS. All adjudicative proceedings affecting librarians at the University of Washington shall be governed exclusively by the provisions of relevant university rules and library policies, as they may be amended from time to time, except that any additional procedural protections for adjudicative proceedings in applicable sections of the Washington Administrative Procedure Act shall be available to librarians through the university processes.

PART II
PROCEDURAL RULES FOR FORMAL
PROCEEDINGS

NEW SECTION

WAC 478-108-110 ADOPTION OF MODEL RULES OF PROCEDURE. In formal proceedings pursuant to RCW 34.05.413 through 34.05.476, the University of Washington adopts the model rules of procedure adopted by the chief administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title and this chapter are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and these procedural rules, the procedural rules adopted by this institution shall govern.

NEW SECTION

WAC 478-108-120 DISCOVERY. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 478-108-130 TRANSMITTAL OF RECOMMENDED DECISIONS. The presiding officer shall transmit a full and complete record of the proceedings and a recommended decision to the institutional official who is to enter a final or initial order after considering the record and evidence so transmitted. The record of proceedings shall include such comments upon the demeanor of witnesses as the presiding officer deems relevant.

NEW SECTION

WAC 478-108-140 PETITION FOR STAY PENDING APPEAL. Upon the request of a party intending to appeal, the official, officer, or body of officers who entered a final decision in an adjudicative proceeding may issue a stay of effectiveness pending the outcome of the appeal.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89)

WAC 478-116-510 PROCEDURE—JUDGMENT. (1) Upon conclusion of the hearing, the parking judge shall specify the charge or charges, pronounce judgment of acquittal or conviction as to each charge, and shall assess fines or penalties not in excess of the schedule of fines and penalties established pursuant to the procedures set forth in WAC 478-116-520.

(2) The parking court judge shall endorse his or her signature upon the court docket, certifying the record to be correct.

(3) The judgment and sentence imposed, if any, shall be recorded in the records maintained by the parking violations division for a period not less than one year.

(4) Within ten days, the parking judge shall give the parties a brief written statement of the reasons for the

decision and any internal administrative review available.

NEW SECTION

WAC 478-160-162 FINANCIAL AID INFORMATION. Federal, state, and private financial aid applications and information may be obtained at the following address:

Office of Student Financial Aid
105 Schmitz Hall, PE-20
University of Washington
Seattle, WA 98195

Award of federal and state aid will be made in accordance with applicable federal and state laws and regulations.

NEW SECTION

WAC 478-160-232 APPEALS PROCEDURES—BRIEF ADJUDICATORY PROCEEDINGS. The residence classification review committee shall provide a brief adjudicatory proceeding for each appeal of residence classification. This proceeding shall be in accordance with RCW 34.05.482 through 34.05.494.

WSR 90-15-006
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Filed July 6, 1990, 2:18 p.m.]

Date of Adoption: July 6, 1990.

Purpose: To repeal existing chapter 458-14 WAC and to replace with new chapter 458-14 WAC clarifying County Board of Equalization rules.

Citation of Existing Rules Affected by this Order: Repealing existing sections of chapter 458-14 WAC.

Statutory Authority for Adoption: RCW 84.08.010, 84.08.070 and 84.48.200.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: County Boards of Equalization are required by law to convene July 15 of each year to perform their duties. These rules govern the procedures used by the boards.

Effective Date of Rule: Immediately.

July 6, 1990
Linda L. Lethlean
Acting Assistant Director

REPEALER

The following sections of the Chapter 458-14 Washington Administrative Code are hereby repealed:

458-14-010 RECONVENING COUNTY BOARDS OF EQUALIZATION—BY WHOM.

458-14-020 RECONVENING COUNTY BOARDS OF EQUALIZATION—CONTENTS OF REQUEST.

458-14-030 CONTENT OF ORDER—LIMITATION ON WHAT COUNTY BOARD MAY CONSIDER.

458-14-040 LIMITATIONS ON RECONVENING.

458-14-045 RECONVENING UPON TIMELY FILED PETITION—LIMITATIONS.

458-14-050 MEMBERSHIP.

458-14-052 CHANGE OF VENUE.

458-14-055 CLERK.

458-14-060 LEGAL ADVISOR.

458-14-062 PROPERTY TAX ADVISOR.

458-14-065 APPRAISERS.

458-14-070 PUBLIC NOTICE OF JULY

MEETINGS.

458-14-075 MEETINGS.

458-14-080 ORGANIZATION OF THE BOARD.

458-14-085 RECORD OF PROCEEDINGS—IN

GENERAL.

458-14-086 ADDITIONAL RECORD

REQUIREMENTS.

458-14-090 ASSESSMENT ROLL AND

RECORDS.

458-14-091 CERTIFICATION OF THE VALUA-

TION OF THE ASSESSMENT ROLL BY

ASSESSOR.

458-14-092 CHANGE OF ASSESSMENT ROLLS.

458-14-094 AVAILABILITY OF VALUATION

INFORMATION.

458-14-098 REVIEW OF VALUATION.

458-14-100 DUTIES OF THE BOARD.

458-14-110 NOTICE OF RAISE IN VALUATION

BY THE BOARD.

458-14-115 EXEMPT PROPERTIES.

458-14-120 PETITIONS.

458-14-121 ACTION ON APPEALS.

458-14-122 APPEAL OF BOARD MEMBERS, AS-

SISTANTS, OR COUNTY GOVERNMENTAL

AUTHORITIES.

458-14-125 HEARING ON PETITION.

458-14-126 HEARING EXAMINERS.

458-14-130 ORDERS OF THE BOARD.

458-14-135 APPEALS.

458-14-140 RECORDS TO STATE BOARD.

458-14-145 JUNE MEETING.

458-14-150 NOVEMBER MEETING.

458-14-152 MANIFEST ERRORS.

458-14-155 DEFINITIONS.

NEW SECTION

WAC 458-14-001 BOARDS OF EQUALIZATION - INTRODUCTION. The following rules pertain to county boards of equalization and implement the provisions of RCW 84.48 and other statutes dealing with county boards of equalization. The purpose of these rules is to promote uniformity throughout the state in the practices and procedures of these boards.

NEW SECTION

WAC 458-14-005 DEFINITIONS. The following definitions shall apply to WAC chapter 458-14:

- (1) "Alternate Member" means a board member appointed by the county legislative authority to serve in the temporary absence of a regular board member.
- (2) "Assessed Value" means the value of real or personal property determined by an assessor.
- (3) "Assessment Roll" means the record which contains the assessed values of property in the county.
- (4) "Assessment Year" means the year when the property is listed and valued by the assessor and precedes the year when the tax is due and payable.
- (5) "Assessor" means a county assessor or any person authorized to act on behalf of the assessor.
- (6) "Board" means a county board of equalization.
- (7) "County Financial Authority" means the county treasurer or any other person responsible for billing and collecting property taxes.
- (8) "County Legislative Authority" means the board of county commissioners or the county legislative body as established under a home rule charter.
- (9) "Department" means the department of revenue.
- (10) "Documentary Evidence" means comparable sales data, cost data, income data or any other item of evidence which supports value.
- (11) "Equalize" means the process by which the county board of equalization reviews the valuation of real and personal property on the assessment roll as returned by the assessor, so that each tract or lot of real property and each article or class of personal property is entered on the assessment roll at 100% of its true and fair value.
- (12) "Interim Member" means a board member appointed by the county legislative authority to fill a vacancy caused by the resignation or permanent incapacity of a regular board member. Such interim member shall serve for the balance of the regular board member's term.
- (13) "Manifest Error" means an error in listing or assessment, which does not involve a revaluation of property, including the following:
 - (a) An error in the legal description;
 - (b) A clerical or posting error;
 - (c) Double assessments;
 - (d) Misapplication of statistical data;
 - (e) Incorrect characteristic data;
 - (f) Incorrect placement of improvements;
 - (g) Erroneous measurements;
 - (h) The assessment of property exempted by law from taxation;
 - (i) The failure to deduct the exemption allowed by law to the head of a family; or
 - (j) Any other error which can be corrected without exercising appraisal judgment.
- (14) "Market Value" means the amount of money a buyer of property willing but not obligated to buy would pay a seller of property willing but not obligated to sell, taking into consideration all uses to which the property is adapted and might in reason be applied. True and fair value is the same as market value or fair market value.

(15) "May" as used in this chapter is expressly intended to be permissive.

(16) "Member" means a regular member of a board.

(17) "Reconvene" refers to the board's limited power to meet to equalize assessments in the current assessment year after the board's regularly convened session is adjourned, or to meet to hear matters concerning prior years.

(18) "Regularly Convened Session" means the statutorily mandated twenty-eight day period commencing annually on July 15, or the first business day following July 15 if it should fall on a Saturday, Sunday or holiday.

(19) "Revaluation" means a change in value of property based upon an exercise of appraisal judgment.

(20) "Shall" as used in this chapter is expressly intended to be mandatory.

(21) "Taxpayer" means the person or entity whose name and address appears on the assessment rolls, or their duly authorized agent, personal representative or guardian. A property owner may contract with a lessee for the purpose of making the lessee responsible for the payment of the property tax and such lessee may be deemed to be a taxpayer solely for the purpose of pursuing property tax appeals in his or her own name. If such contract is made, the lessee shall be responsible for providing the county assessor with a proper and current mailing address.

(22) "Tax Year" means the year when property taxes are due and payable.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 458-14-015 JURISDICTION OF COUNTY BOARDS OF EQUALIZATION. (1) Boards have jurisdiction to hear all appeals as may be authorized by statute, including the following types of appeals:

(a) Appeals of exemption denials arising under RCW 35.21.755 (public corporations).

(b) Appeals of decisions or disputes pursuant to RCW 84.26.130 (historic property).

(c) Forest land determinations pursuant to RCW 84.33.120, .130 and .140.

(d) Current use determinations pursuant to RCW 84.34.108.

(e) Appeals pursuant to RCW 84.36.812 (cessation of exempt use).

(f) Determinations pursuant to RCW 84.38.040 (property tax deferrals).

(g) Determinations pursuant to RCW 84.40.085 (omitted property or value).

(h) Valuation appeals of taxpayers pursuant to RCW 84.48.010.

(i) Destroyed property appeals pursuant to RCW 84.70.010.

(2) Boards have jurisdiction to equalize property values throughout the county on their own initiative pursuant to RCW 84.48.010.

(3) Boards have jurisdiction to review manifest error determinations of assessors or county financial authorities pursuant to RCW 84.48.065.

NEW SECTION

WAC 458-14-025 ASSESSMENT ROLL CORRECTIONS NOT REQUIRING BOARD ACTION.

(1) Introduction. The board need not be involved in all determinations made by an assessor relative to property tax matters, but may become involved in instances when a taxpayer appeals from an assessor's determination.

(2) Statutorily required corrections to the assessment rolls shall be made by the assessor as necessary and shall not require any board action. Such corrections include:

- (a) Change of tax status due to a sale to or by a public corporation;
- (b) The removal, addition or change of status of a senior citizens/disabled exemption;
- (c) The removal, addition or change of status of a current use assessment;
- (d) The removal, addition or change of status of forest land classification or designation;
- (e) The reduction of property value with respect to destroyed property;
- (f) The removal, addition or change of status of a special valuation assessment (RCW 84.26);
- (g) The exemption with respect to physical improvements to a single family dwelling (RCW 84.36.400);
- (h) The change of status of property determined to be exempt by the department;
- (i) The change of status of property owned by a public corporation, commission, or authority, based on use (RCW 35.21.755).

(3) Notice of any of the above changes, except for item (2)(h), shall be personally served upon the taxpayer, or mailed to the taxpayer by the assessor, and shall notify the taxpayer of the right to appeal the change to the board and shall notify the taxpayer of the time period in which to file his or her petition.

NEW SECTION

WAC 458-14-035 QUALIFICATIONS OF MEMBERS - TERM - ORGANIZATION OF BOARD - QUORUM - ADJOURNMENT - ALTERNATE AND INTERIM MEMBERS (1) Board members shall be residents of the county where the board is located and shall attend the department's training seminar held pursuant to WAC 458-14-156 within one year of appointment or reappointment unless this requirement is waived in writing by the assistant director of the department's property tax division, or his or her designee, for just cause.

(2) The board shall consist of at least three members and no more than seven members, including alternate members. Board members shall be appointed or reappointed by the county legislative authority prior to June 1st, and their appointment shall be for a term of three years or until their successors are appointed. Board members who are appointed by the county legislative authority may be removed by a majority vote of the county legislative authority.

(3) The members of the board shall elect a chairman and vice-chairman once each year, at the beginning of the regularly convened session.

(4) The members of the board shall take an oath once each year prior to the regularly convened session to fairly and impartially perform their duties as members of the board.

(5) All orders of the board shall be decided by majority vote.

(6) A majority of the board shall constitute a quorum.

(7) The board may adjourn from time to time during the regularly convened session but shall not be adjourned sine die, until the last day of the twenty-eight day period, and shall be considered adjourned after the expiration of the twenty-eight day period, for purposes of the regularly convened session. The board shall adjourn after each reconvened session when the purposes for which the reconvened session was requested or required shall have been accomplished.

(8) The county legislative authority may appoint alternate board members or interim board members, as it deems necessary. Alternate and interim board members shall meet the same qualifications and subscribe to the same oath as regular members, and shall attend the next regularly scheduled board training seminar held by the department following their appointment, unless this requirement is waived in writing by the assistant director of the department's property tax division, or his or her designee, for just cause.

(9) No member of a county legislative authority may sit as a board member unless the entire board is comprised of members of the county legislative authority.

(10) Persons who have been employed in the assessor's office shall not sit on that county's board for a period of two years after leaving their employment.

NEW SECTION

WAC 458-14-046 REGULARLY CONVENED SESSION - BOARD DUTIES - PRESUMPTION - TERM. (1) RCW 84.48.010 requires the board to meet annually beginning July 15th for the purpose of equalizing property values in the county and to hear taxpayer appeals. The board shall remain in session not less than three days, nor more than twenty-eight days, provided that the board, with the approval of the county legislative authority may convene at any time when taxpayer petitions filed exceed twenty-five or ten percent of the number of petitions filed in the preceding year, whichever is greater. It is during this twenty-eight day session that the board has the authority to equalize property values on its own initiative.

(2) At its regularly convened session, the board shall adjust the current assessment year's value of property, both real and personal, to its true and fair value, but only if the board finds that the assessed value is not correct based upon:

(a) Information available to the board and/or the board's own examination and comparison of the assessment roll, or

(b) A request by the assessor, together with necessary valuation information, for correction of an error which correction requires some appraisal judgment.

(3) The board shall also hold hearings in accordance with WAC 458-14-076 on properly and timely filed taxpayer petitions.

(4) The assessor's valuation shall be presumed correct, except with respect to subsection (2)(b) above, unless the board has clear, cogent and convincing evidence that the valuation is grossly inequitable and palpably excessive or that the valuation was made on a fundamentally wrong basis.

(5) The board shall also consider any taxpayer appeals from an assessor's decision with respect to tax exemption of real or personal property, and determine:

- (a) If the taxpayer is entitled to an exemption, and
- (b) If so, the amount thereof.

NEW SECTION

WAC 458-14-056 PETITIONS - TIME LIMITS.

(1) The sole method for appealing an assessor's determination as to valuation of property, or as to any other types of assessor determinations shall be by means of a properly completed and timely filed taxpayer petition.

(2) A taxpayer's petition for review of the assessed valuation placed upon property by the assessor or for review of any of the types of appeals listed in WAC 458-14-015 shall be filed with the clerk of the board on or before July 1st of the assessment year or within thirty days after the date an assessment or value change notice or other determination notice has been mailed to the taxpayer, whichever date is later (RCW 84.40.045 and 84.40.038).

(3) Such petition shall be filed using the form provided or approved by the department, and shall contain sufficient information to apprise the assessor of the reasons for the appeal and shall include all available documentary evidence. Provided, that if, at the time of filing the petition, the taxpayer does not have all the documentary evidence available which he or she intends to present at the hearing, the petition will be deemed to be fully and properly completed for purposes of preserving the taxpayer's right of appeal, if it is otherwise fully and properly completed. A copy of the completed petition shall be provided to the assessor by the clerk of the board. Any petition not fully and properly completed shall not be considered by the board (RCW 84.40.038).

(4) The assessor and taxpayer shall submit to each other and to the board copies of all documentary evidence which they intend to present at the hearing, within thirty days of the date the taxpayer's request for valuation information under WAC 458-14-066 becomes effective.

(a) The deadline for submitting documentary evidence may be extended by the board up to thirty additional days, and the hearing date continued as necessary, upon a showing that the party requesting the time extension is making a diligent effort to obtain relevant evidence.

(b) The deadline for submitting documentary evidence may be further extended by order of the department upon written request from a party. Such a request to the department shall state the reason(s) why an extension of

time is necessary and shall specify the length of extension requested.

(5) If a petition is filed by mail it shall be postmarked no later than the filing deadline. If the filing deadline falls upon a Saturday, Sunday or holiday, the petition shall be filed on or postmarked no later than the next business day.

(6) If, after filing the petition, the assessor and taxpayer reach an agreement as to the true and fair value of the property, such agreement shall be submitted to the board for approval, together with necessary valuation information. Approval shall be granted unless the board has evidence that the agreed value was arbitrary, capricious or intentionally discriminatory in nature, or was a result of fraud or collusion between the assessor and the taxpayer.

(7) Whenever the taxpayer has an appeal pending with the board, the state board of tax appeals or with a court of law, and the assessor notifies the taxpayer of a change in property valuation, the taxpayer shall be required to file a timely petition in order to preserve the right to appeal the change in valuation. For example, if a taxpayer has appealed a decision of the board to the board of tax appeals regarding an assessment for the year 1989, and that appeal is pending when the assessor issues a value change notice for the 1990 assessment year, the taxpayer must still file a timely petition appealing the valuation for the 1990 assessment year in order to preserve his or her right to appeal from that 1990 assessment.

(8) Petition forms shall be available from the clerk of the board and from the assessor's office.

NEW SECTION

WAC 458-14-066 REQUESTS FOR VALUATION INFORMATION - TIME LIMITS.

(1) Introduction. Timely access to valuation information should be readily available to both parties prior to the hearing on a petition so that time-consuming and costly discovery procedures are unnecessary.

(2) Requests by a taxpayer for valuation information shall be made on the petition form submitted to the clerk of the board.

(3) The valuation information provided by the assessor to the taxpayer shall not be subsequently changed or modified by the assessor in any review or appeal proceedings unless the assessor has found new evidence supporting the assessor's valuation, in which situation the assessor shall provide such additional evidence to the taxpayer at least ten business days prior to the review proceedings or the hearing on appeal.

(4) A taxpayer who lists comparable sales in connection with the filing of his petition shall not thereafter change or add other comparable sales without providing the assessor with the additional information at least five business days prior to the board hearing. The board may waive the taxpayer's requirement to provide the information at least five business days prior to the hearing, and in such event, the board shall allow the assessor a continuance when so requested.

NEW SECTION

WAC 458-14-076 HEARINGS ON PETITIONS.
 (1) The board or one of its hearing examiners shall hold individual hearings on each properly filed petition.
 (2) The assessor and taxpayer shall be provided notice of the hearing date by the clerk of the board at least fifteen business days before the hearing, unless the clerk and the parties agree upon a shorter time period.
 (3) If property is sold or transferred after a petition has been timely filed, the new purchaser or transferee may pursue the appeal in place of the seller or transferor.
 (4) All persons testifying before the board shall swear or affirm on the record that they will testify truthfully under penalty of perjury.

NEW SECTION

WAC 458-14-087 EVIDENCE OF VALUE - ADMISSIBILITY - WEIGHT. (1) In making its decision with respect to the value of property, the board shall use the criteria set forth in RCW 84.40.030.
 (2) Parties may submit and boards may consider any sales of the subject property or similar properties which occurred prior to the hearing date so long as the requirements of RCW 84.40.030, 84.48.150 and WAC 458-14-066 are complied with. Only sales made within five years of the date of the petition shall be considered.
 (3) Any sale of property prior to or after January 1st of the assessment year shall be adjusted to its value as of January 1st of the assessment year, reflecting market activity. For example, for assessment year 1990, a sale of the subject property or similar property in September, 1986, must be adjusted, based upon market activity for that local area, to show what that sale would have been worth as of January 1, 1990. Similarly, for assessment year 1990, a sale of the subject property or similar property in May, 1990, must be adjusted, based upon market activity for that local area, to show what that sale would have been worth as of January 1, 1990.
 (4) More weight shall be given to similar sales occurring closest to the assessment date which require the fewest adjustments for characteristics.

NEW SECTION

WAC 458-14-095 RECORD OF HEARINGS. (1) All hearings of a board or its hearing examiners shall be recorded with an audio recording device.
 (2) Testimony concerning information which is exempt from public disclosure pursuant to RCW 84.40.340 or 42.17.310 shall be recorded on a separate blank audio tape, and shall, along with any other confidential evidence, be placed in an envelope bearing the notation "confidential evidence" and the case number, and sealed from public inspection. The clerk shall keep a separate file for all such confidential evidence.
 (3) The public record shall include:
 (a) The date or dates the board was in session;
 (b) The names of board members or hearing examiners in attendance; and

(c) All evidence presented to the board.
 (4) The requirements of this section shall not apply to post hearing deliberations of a board.
 (5) Boards are not required to provide transcripts of proceedings to any person or entity other than as may be required by RCW 42.17, however board clerks shall complete a form provided by the department for each hearing.
 (6) The records of the board shall be kept and maintained as required by RCW 40.14.060.

NEW SECTION

WAC 458-14-105 HEARINGS - OPEN SESSIONS - EXCEPTIONS. (1) All board hearings shall be open to the public unless a party requests that part or all of a hearing be conducted in closed session in accordance with subsection (2) of this section.
 (2) If one of the parties intends to introduce evidence obtained under RCW 84.40.340 or confidential income date exempted from public inspection pursuant to RCW 42.17.310 and requests that the hearing be closed to the public, the board shall conduct the hearing in closed session, to the extent necessary to protect and preserve confidentiality.

NEW SECTION

WAC 458-14-116 ORDERS OF THE BOARD - NOTICE OF VALUE ADJUSTMENT - EFFECTIVE DATE. (1) All orders issued by a board shall be on the form provided by the department and shall state the facts and evidence upon which the decision is based and the reason(s) for the decision.
 (2) All orders of the board shall be signed by the chairman of the board, provided, however, that the chairman may, by written designation, authorize other members or the board clerk to sign orders on behalf of the chairman.
 (3) After a hearing, if a board adjusts or sustains the valuation of a parcel of real property or an item of personal property, the board shall serve or mail notice of the decision to the appellant and the assessor.
 (a) If the valuation is reduced, the new valuation shall take effect immediately.
 (b) If the valuation is increased, the increased valuation shall become effective thirty days after the date of service or mailing of the notice of the adjustment unless the taxpayer or assessor files a petition to the board of tax appeals in accordance with WAC 458-14-170, before the effective date.
 (4) If the valuation is increased without a hearing having been held, the increased valuation shall become effective thirty days after the date of service or mailing of the notice of the adjustment unless the taxpayer files a petition with the clerk of the board on or before the effective date.

NEW SECTION

WAC 458-14-127 RECONVENED BOARDS - AUTHORITY. (1) Boards of equalization may reconvene on their own authority to hear requests or appeals

concerning the current assessment year and for prior assessments years in accordance with subparagraph (d) below, when:

(a) A taxpayer requests the board reconvene and submits to the clerk of the board a sworn affidavit stating that notice of change of value for the assessment year was not received and can show proof that the value was actually changed.

(b) An assessor or county financial authority requests the board reconvene to correct errors as authorized by RCW 84.48.065.

(c) An assessor submits an affidavit to the clerk of the board stating that the assessor was unaware of facts which were discoverable at the time of appraisal and that such lack of facts caused the valuation of property to be materially affected.

(d) A valuation adjustment for a prior year is ordered by the state board of tax appeals or by a court of law, and no intervening change of value has occurred, and the request to reconvene is made within thirty days after receipt by the taxpayer of the order providing for the adjustment.

(2) Requests for reconvening boards concerning prior year's assessments or for an extension of the annual regularly convened session to enable the board to complete its annual equalization duties shall be submitted to and determined by the department.

(3) The department may require any board to reconvene at any time for the purpose of performing or completing any duty or taking any action the board might lawfully have performed or taken at any of its previous meetings, or for any other purpose allowed by law.

(4) The department shall reconvene a board upon request of a taxpayer when the taxpayer makes a prima facie showing of actual or constructive fraud on the part of taxing officials. The department shall reconvene a board upon request of an assessor when the assessor makes a prima facie showing of actual or constructive fraud on the part of a taxpayer.

(5) All reconvening requests shall:

(a) Specify the assessment year(s) which is the subject of the request; and

(b) State the specific grounds upon which the request is based; and

(c) If the taxpayer is the party requesting the reconvening, state that he or she is the owner of the property or is a lessee responsible for the payment of the property taxes.

(6) No board shall reconvene later than three years after the adjournment of its regularly convened session.

NEW SECTION

WAC 458-14-136 HEARING EXAMINERS. (1) Any board consisting of seven members may employ one or more hearing examiners to assist the board in conducting hearings.

(2) All hearing examiners shall take the same oath required of regular board members and shall meet the same qualifications for membership as regular board members.

(3) A board member may act as a hearing examiner.

(4) A hearing examiner may hold hearings separate from the board and take testimony from both parties and their witnesses.

(5) Hearing examiners shall present to the full board or a quorum thereof, all evidence submitted by the parties at the hearing before the hearing examiner. The board shall make the final determination on all petitions filed. The board may make its final determination based upon the record submitted by the examiner or may request further testimony or documentation from either the taxpayer or the assessor before making its final determination.

NEW SECTION

WAC 458-14-146 CONFLICTS OF INTEREST.

(1) Board members shall disqualify themselves from hearing an appeal involving property owned in whole or in part by members or employees of the board or county legislative authority or any person related to a member or employee of the board or county legislative authority by blood or marriage. Board members do not need to disqualify themselves from hearing an appeal filed by other county officials, such as the county auditor, sheriff, treasurer, prosecutor, assessor, judges or other county officials or their employees.

(2) Board members who are or who have been real estate agents, appraisers or assessors shall disqualify themselves from hearing an appeal involving property:

(a) That they have appraised; or

(b) With which they have been connected with the purchase or sale; or

(c) With which they have in any way exercised discretion; until the next revaluation cycle following departure from their former occupation.

(3) If a board cannot achieve a quorum due to the provisions of subparagraphs (1) and (2) above, the board shall sustain the assessor's determination. The taxpayer shall be advised by the board of the right to appeal the determination to the state board of tax appeals.

NEW SECTION

WAC 458-14-156 TRAINING SEMINARS. Board members, alternate board members, interim board members, hearing examiners and clerks shall attend board of equalization training seminars as directed by the department unless this requirement is waived in writing by the assistant director of the department's property tax division, or his or her designee, for just cause.

NEW SECTION

WAC 458-14-160 CONTINUANCES - EX PARTE CONTACT (1) Extensions of time, continuances and adjournments may be ordered by the board on its own motion or may be granted by it, in its discretion, on motion of any party showing good and sufficient cause therefor.

(2) No one shall make or attempt to make any ex parte contact with board members except upon notice and opportunity for all parties to be present or to the extent required for the disposition of ex parte matters as

authorized by law, nor shall a board member make or attempt to make any ex parte contact with any person regarding any issue in the proceeding who has a direct or indirect interest in the outcome of the proceeding, without notice and opportunity for all parties to participate, unless necessary to procedural aspects of maintaining an orderly process.

NEW SECTION

WAC 458-14-170 APPEALS TO THE STATE BOARD OF TAX APPEALS. (1) Pursuant to RCW 84.08.130, any taxpayer, taxing unit or assessor feeling aggrieved by the action of a board may appeal to the board of tax appeals by filing with the county auditor a notice of appeal in duplicate within thirty days after the board has served or mailed its decision.

(2) The notice of appeal shall specify the actions of the board which appellant is appealing, and shall be in such form as is required by the board of tax appeals (see WAC 456-10-312).

(3) The board appealed from shall file with the board of tax appeals a true and correct copy of its decision in such action and all evidence taken in connection therewith.

WSR 90-15-007
RULES COORDINATOR
GRAYS HARBOR COLLEGE
[Filed July 9, 1990, 1:30 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for Grays Harbor College is Sandra Zelasko, Office of the President, Grays Harbor College, Aberdeen, Washington 98520, phone (206) 532-9020, 433-1216 scan.

Jewell C. Manspeaker
President

WSR 90-15-008
EMERGENCY RULES
WASHINGTON STATE UNIVERSITY
[Filed July 9, 1990, 1:35 p.m.]

Date of Adoption: June 27, 1990.

Purpose: Adoption of State Environmental Protection Act (SEPA) guidelines.

Statutory Authority for Adoption: RCW 43.21C.120, 34.05.350 and 28B.30.095.

Other Authority: WAC 197-11-904.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Adoption of this rule continues longstanding policy of Washington State University. Adoption is immediately necessary to assure public notice and awareness of the standards applicable to university decision-making.

Effective Date of Rule: Immediately.

June 30, 1990
Samuel H. Smith
President

Chapter 504-48 WAC
STATE ENVIRONMENTAL POLICY ACT (SEPA)
RULES

WAC

504-48-010 State Environmental Policy Act (SEPA)

NEW SECTION

WAC 504-48-010 STATE ENVIRONMENTAL POLICY ACT (SEPA). Pursuant to Chapter 43.21C RCW, Washington State University hereby adopts the provisions of Chapter 197-11 WAC as its SEPA Rules.

For the Purposes of SEPA, the responsible agency official is:

Assistant Vice President—Finance
432 French Administration Building
Washington State University
Pullman, WA 99164-1045

The Assistant Vice President—Finance may delegate responsibility for particular projects to other University officials.

WSR 90-15-009
NOTICE OF PUBLIC MEETINGS
CONVENTION AND
TRADE CENTER

[Memorandum—July 3, 1990]

The Design Committee of the Washington State Convention and Trade Center will meet on Wednesday, July 11, 1990, at 1:00 p.m. in Room 601 of the Convention Center, 800 Convention Place, Seattle.

The board of directors of the Washington State Convention and Trade Center will meet on Wednesday, July 11, 1990, at 2:00 p.m. in Room 601 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding these meetings, please call 447-5000.

WSR 90-15-010
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 9, 1990, 4:13 p.m.]

Original Notice.

Title of Rule: Chapter 388-11 WAC, Child support—Obligations.

Purpose: Conform WAC rules to the provisions of EHB 2888 relating to the Washington state child support schedule, termination of stepparent liability and credit for disability benefit payments. Simplify and clarify existing language. Establish criteria for setting liability for birth cost in an administrative proceeding to establish a support obligation.

Statutory Authority for Adoption: Chapter 2, Laws of 1990 1st ex. sess.

Statute Being Implemented: Chapter 2, Laws of 1990 1st ex. sess.

Summary: These amendments clarify and simplify existing language; provide for the application of the state child support schedule in administrative proceedings in the same manner as in superior court; conform rules to the provisions of EHB 2888 which allow the court to relieve a stepparent of the child support obligation prior to the entry of a divorce decree; allow a responsible parent credit against the parent's support obligation for disability benefits paid for or on behalf of a dependent child; conform rules which authorize collection action with state law that defines the circumstances under which income withholding and other collection action is appropriate; and establish criteria for assessing liability for birth costs in an administrative proceeding to establish a support obligation.

Reasons Supporting Proposal: This rule is necessary to implement the provisions of EHB 2888 which require the department to apply the Washington state support schedule in the same manner as the courts. The effective date of these provisions was July 1, 1990.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bill Paine, Office of Support Enforcement, 586-3278.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on September 5, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by September 5, 1990.

Date of Intended Adoption: September 19, 1990.

July 9, 1990

Leslie F. James, Director
Administrative Services

Reviser's note: The material contained in this filing will appear in the 90-16 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 90-15-011
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3036—Filed July 9, 1990, 4:16 p.m.]

Date of Adoption: July 9, 1990.

Purpose: Conform WAC rules to the provisions of EHB 2888 relating to the Washington state child support schedule, termination of stepparent liability and credit for disability benefit payments; simplify and clarify existing language; and establish criteria for setting liability for birth cost in an administrative proceeding to establish a support obligation.

Citation of Existing Rules Affected by this Order: Amending chapter 388-11 WAC, Child support—Obligations.

Statutory Authority for Adoption: Chapter 2, Laws of 1990 1st ex. sess.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to implement the provisions of EHB 2888 which require the department to apply the Washington state support schedule in the same manner as the courts. The effective date of these provisions was July 1, 1990.

Effective Date of Rule: July 10, 1990, 12:01 a.m.

July 9, 1990

Leslie F. James, Director
Administrative Services

Reviser's note: The material contained in this filing will appear in the 90-16 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 90-15-012
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 569—Filed July 9, 1990, 4:25 p.m.]

Date of Adoption: July 9, 1990.

Purpose: Establish regions of extra fire hazard which are closed to entry due to the condition of the forest slash.

Statutory Authority for Adoption: RCW 76.04.305.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Certain areas of the state are particularly exposed to fire danger due to the continuous acres of slash. In order to prevent a fire from starting whereby lives and property would be at risk, it is necessary to post these lands as closed to entry.

Effective Date of Rule: Immediately.

July 9, 1990
 Brian J. Boyle
 Commissioner of
 Public Lands

NEW SECTION

WAC 332-26-010 SOUTHWEST REGION CLOSURES Clark County: Township 5N, Range 4E: All Section 1; All Section 2; S1/2 N1/2, S1/2 Section 3; Part SW1/4, Part of SE1/4 Section 4; Part SE1/4; Section 5; Part SE1/4 Section 8; All Section 9; All Section 10; All Section 11; All Section 12; All Section 13; All Section 14; All Section 15 except W1/2 SW1/4; All Section 16; All Section 17; Part SW1/4, Part SE1/4 Section 18; All Section 19; All Section 20; All Section 21; All Section 22; All Section 23; All Section 24; All Section 25; All Section 26; All Section 27; All Section 28; All Section 29; All Section 30; All Section 31; All Section 32; All Section 33; All Section 34; All Section 35; All Section 36. Township 5N, Range 3E: Part SE1/4 Section 25; Part E1/2 Section 36. Township 4N, Range 4E: All Section 1; All Section 2; All Section 3; All Section 4; All Section 5; All Section 6; All Section 7; All Section 8; All Section 9; All Section 10; All Section 11; All Section 12; All Section 13; All Section 14; All Section 15; All Section 16; All Section 17 except E1/2 SW1/4; NE1/4, Part NW1/4, Part SW1/4, NE1/4 SE1/4, Section 18; Part NE1/4 Section 20; N1/2 Section 21; N1/2 N1/2 Section 22, Part N1/2 N1/2 Section 23; Part N1/2 N1/2 Section 24. Township 4N Range 3E: Part E1/2 Section 12.

When, in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the region and to radio and television stations serving the region, specifying the date and time of the suspension and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective midnight, Monday, July 9, 1990 to midnight, Sunday, October 7, 1990.

NEW SECTION

WAC 332-26-020 OLYMPIC REGION CLOSURES GRAYS HARBOR COUNTY: Township 17 North, Range 8 West: All Section 6; All Section 5; N1/2 NW1/4 Section 4; NE1/4 Section 7; W1/2 NW1/4, NE1/4 NW1/4 Section 8. Township 17 North, Range 9 West: N1/2 NE1/4, NE1/4 NE1/4, E1/2 SE1/4, SW1/4 SE1/4 Section 2; NE1/4, N1/2 SW1/4, S1/2 NW1/4 Section 3. Township 18 North, Range 8 West: W1/2 W1/2 Section 6; NW1/4 NW1/4 Section 7; W1/2 SW1/4 Section 18; W1/2 NW1/4 Section 19; SW1/4 Section 29; All of Sections 19, 30, 31 and 32. Township 18 North, Range 9 West: E1/2 Section 1; E1/2, E1/2 SW1/4 Section 12; NE1/4, N1/2 SE1/4, NE1/4 SW1/4, N1/2 NW1/4, All of Sections 13 & 14; SE1/4 SE1/4 Section 16; Parts of the NE1/4 Section 21; All but the SW1/4 NW1/4 Section 22; All Section 23; All of Sections 24, 25 and 26; E1/2 NE1/4, NE1/4 NW1/4 Section 27; All Section 35; N1/2, SE1/4 Section 36. Township 18 North, Range 10 West: W1/2 of Section 1; All Section 10; NE1/4 Section 11; NW1/4 Section 12; All Section 13; NE1/4 Section 14; All of Sections 15, 16, 17, and 35. Township 19 North, Range 8 West: N1/2 Section 5; SW1/4 Section 31. Township 19 North, Range 10 West: All of Sections 9 and 10. Township 20 North, Range 8 West: SW1/4 Section 28; N1/2 Section 32.

When, in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above-described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight, Tuesday, July 5, 1988, to midnight Monday, October 3, 1988.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 332-26-030 **OUTDOOR RULE BURN SUSPENSION.** Effective midnight Monday, July 9, 1990 to midnight, Sunday, October 7, 1990, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and 332-24-205, and the use of a burning barrel without a written burning permit, as allowed by WAC 332-24-201 and WAC 332-24-225, on lands protected by the Department of Natural Resources in Okanogan, Ferry, Stevens, Pend Oreille, Spokane counties, and Lincoln County north of U.S. Highway 2, are suspended.

NEW SECTION

WAC 332-26-040 **CENTRAL REGION CLOSURES** Grays Harbor County: Township 17 North, Range 6 West: S1/2 lying east of K line Section 24; E1/2, SW1/4, NE1/4 NW1/4 Section 25; SE1/2, S1/2 SW1/4, NE1/4 SW1/4 Section 26; Part of the N1/2 N1/2 N1/2 Section 35; NW1/4 except SW1/4 NW1/4 Section 36. Township 18 North, Range 4 West: SW1/4 except NE1/4 NE1/4, W1/2 SE1/4, SW1/4 NW1/4 Section 4; All Section 5 except SW1/4 NW1/4 and NW1/4 SW1/4; S1/2 SE1/4 Section 6; NE1/4, part of E1/2 SE1/4 north of Hwy. 410 Section 8; NW1/4 except S1/2 S1/2 SE1/4 Section 9. Township 21 North, Range 7 West: Part of E1/2 SE1/4 lying east of 6875 road, Part of E1/2 SE1/4 NE1/4 lying east of 6875 road Section 24; N1/2 N1/2 SW1/4, S1/2 NW1/4, Part of E1/2 lying east of 500 road and west of Wildcat Creek Section 25; NE1/4 NE1/4 SE1/4 Section 26.

Lewis County: Township 13 North, Range 3 East: All Section 1; All Section 2; All Section 3; All Section 4; All Section 5; All Section 6; All Section 9; All Section 11; All Section 15; All Section 23; NE1/4, NW1/4 NW1/4, E1/2 NW1/4 Section 26. Township 14 North, Range 2 East: S1/2 Section 13; All Section 24. Township 14 North, Range 3 East: Part of W1/2 lying W of Deschutes River Section 1; All Section 2; All Section 3; All Section 4; All Section 5; All Section 6; All Section 7; All Section 8; All Section 9; All Section 10; All Section 11; All Section 12; All Section 13; All Section 14; All Section 15; All Section 16; All Section 17; All Section 18; All Section 19; All Section 20; All Section 21; All Section 22; All Section 23; All Section 25; All Section 26; All Section 27; All Section 28; All Section 29; All Section 33; All Section 34; All Section 35. Township 15 North, Range 3 East: Part of W1/2 lying west of Dischutes River Section 25; All Section 26; All Section 35; Part of W1/2 lying west of Deschutes River Section 36.

Pacific County: Township 11 North, Range 7 West: All Section 5; N1/2 Section 6. Township 12 North, Range 7 West: S1/2 Section 29; S1/2 Section 30; All Section 31; All Section 32.

Thurston County: Township 15 North, Range 1 West: Part of SW1/4 lying north of Tono County Road Section 8; S1/2 Section 16; Part of N1/2 lying east of Tono County Road, Part of SE1/4 lying east of Tono County Road Section 17; Part of N1/2 except W1/2 NW1/4, Part of S1/2 except that part of SW1/4 lying west of

Tono County Road and S1/2 SE1/4 SE1/4 Section 21; All Section 22 except E1/2 E1/2. Township 15 North, Range 2 West: W1/2, NW1/4 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4 Section 2; All Section 3 except S1/2 SW1/4 and SW1/4 SE1/4; All Section 4 except SE1/4; Part of S1/2 NW1/4, part of NE1/4, SE1/4 NW1/4 SW1/4 Section 5; NE1/4 SE1/4 Section 6; E1/2 E1/2 NW1/4, W1/2 NE1/4 Section 8; N1/2 NE1/4 Section 9; W1/2 NE1/4 Section 10; W1/2 NW1/4, NW1/4 NE1/4 Section 11. Township 16 North, Range 1 West: SW1/4, W1/2 SE1/4 Section 35.

When, in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this notice by issuing a news release to the newspapers of general circulation in the area and to radio and television stations serving the area, specifying the date and time of the suspension, and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above-described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective from midnight Tuesday, July 5, 1988 to midnight Monday, October 3, 1988.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 332-26-050 **NORTHWEST REGION CLOSURES.** Whatcom County: Township 41 North, Range 6 East: S1/2 SW1/4, SE1/4 Section 33. Township 40 North, Range 6 East: all Section 4; SW1/4 SW1/4 Section 9. Township 38 North, Range 5 East: SW1/4 Section 9. Township 37 North, Range 5 East: SE1/4 Section 10; E1/2 Section 13; N1/2 Section 15; SE1/4 SW1/4 Section 21; S1/2 NE1/4 Section 22; NW1/4 except for the SW1/4 NW1/4 Section 28. Township 37 North, Range 3 East: SE1/4 Section 21; S1/2 SW1/4, SW1/4 SE1/4 Section 27; SW1/4, S1/2 SE1/4, NW1/4 NE1/4 Section 28; E1/2 Section 29; E1/2 Section 32; W1/2, W1/2 E1/2, NE1/4 NE1/4 Section 33; E1/2, N1/2 NW1/4 Section 34; W1/2 Section 35. Township 37 North, Range 4 East: NW1/4 except for the NW1/4 NW1/4, W1/2 NE1/4 Section 28.

Skagit County: Township 36 North, Range 9 East: NW1/4 Section 5; NW1/4 Section 6; S1/2 NE1/4, N1/2 SE1/4 Section 7; W1/2 NE1/4 Section 18. Township 36 North, Range 8 East: S1/2 NE1/4, SE1/4 Section 17; S1/2 SE1/4, SE1/4 SW1/4 Section 18; S1/2 NE1/4, S1/2 NW1/4 Section 19; E1/2 NW1/4, W1/2 NE1/4 Section 20. Township 36 North, Range 7 East: W1/2, W1/2 SE1/4 Section 2; all except W1/2 W1/2 Section 6; NE1/4 Section 7; SW1/4 Section 8; E1/2 NE1/4, E1/2 SE1/4 Section 10; NW1/4, NW1/4 NE1/4, SW1/4 Section 11; NW1/4 Section 13; N1/2 except for the S1/2, NE1/4, SE1/4 Section 14; E1/2 NE1/4 Section 15; N1/2 except for the S1/2 NW1/4 Section 17; SW1/4 Section 19; E1/2 NW1/4 Section 23. Township 36 North, Range 6 East: SE1/4 Section 24; N1/2 NE1/4 Section 25. Township 36 North, Range 5 East: NE1/4 NW1/4, N1/2 NE1/4 Section 3; SW1/4 NE1/4, E1/2 SW1/4, W1/2 SE1/4 Section 17. Township 36 North, Range 4 East: SE1/4 Section 6; NE1/4 except for the SW1/4 NE1/4 Section 7; N1/2 NW1/4 NW1/4 Section 9. Township 35 North, Range 11 East: SE1/4, SW1/4 SW1/4 Section 12; SW1/4, NW1/4 except for the NE1/4 NW1/4 Section 13; S1/2 SE1/4 Section 14; N1/2 NE1/4, NE1/4 NW1/4 north of the Cascade River Road Section 16; SE1/4 NE1/4, NE1/4 SE1/4 Section 23; all Section 24; NW1/4 SW1/4 Section 28; SE1/4 Section 29; NW1/4 SW1/4 Section 30; NW1/4 NE1/4, E1/2 NW1/4, NE1/4 SW1/4, SW1/4 SW1/4 Section 32. Township 35 North, Range 10 East: S1/2, SW1/4 NE1/4, SE1/4 NW1/4 all south of the Rockport-Cascade Road Section 26; S1/2 SE1/4 all south of the Rockport-Cascade Road Section 27; N1/2 NE1/4 Section 34. Township 35 North, Range 9 East: N1/2 SW1/4 Section 20; E1/2 SE1/4 Section 28; SW1/4 NE1/4, Lot 2, NW1/4 SE1/4, W1/2 NE1/4 SE1/4 Section 29. Township 35 North, Range 8 East: S1/2 SW1/4 Section 19; S1/2 Section 26; S1/2, S1/2 NW1/4, S1/2 NE1/4 Section 27; S1/2, S1/2 NE1/4, SE1/4 NW1/4 Section 28; N1/2 NW1/4 Section 30; S1/2 NW1/4, S1/2 Section 31; S1/2 except for the NW1/4 SW1/4 Section 32; all Section 33; all Section 34; all Section 35. Township 35 North, Range 7 East: SE1/4 Section 24; S1/2 NE1/4 Section 29; S1/2 N1/2 Section 35. Township 35 North, Range 6 East: E1/2 SW1/4 Section 2; N1/2 except for the passage corridor only on the Medford Road and the Crown Pacific, LTD.'s Mainline Section 11; S1/2 NE1/4, SE1/4, NW1/4 NW1/4 Section 12; S1/2 SE1/4 Section 33; N1/2 SW1/4 Section 34. Township 35 North, Range 5 East: W1/2 NE1/4, E1/4 NW1/4, N1/2 SE1/4 SE1/4, NE1/4 SW1/4 Section 31; all Section 32. Township 34 North, Range 10 East: W1/2 NW1/4, NW1/4 SW1/4 (Lots 1, 2, 3) Section 18; E1/2 SW1/4 Section 19; W1/2 SW1/4, SW1/4 NW1/4 Section 30; E1/2 Section 31. Township 34 North, Range 9 East: S1/2 SE1/4 Section 13; E1/2 SE1/4 SW1/4, S1/2 SE1/4 Section 24; E1/2 NE1/4, NE1/4 SE1/4, S1/2 SE1/4, E1/2 NE1/4 NW1/4, NW1/4 NE1/4 Section 25; NE1/4 Section 35; all Section 36. Township 34 North, Range 6 East: Government Lots 4, 5, 12 Section 3; Government Lots 1, 2, 7, 8 Section 4; all Section 7; all Section 8; W1/2 Section 17; all

Section 18; all Section 19; SE1/4 NW1/4, SE1/4 Section 25; all Section 27; all Section 28; NW1/4, S1/2 Section 29; all Section 30; N1/2 Section 32; N1/2 Section 33; all Section 34; N1/2 Section 35. Township 33 North, Range 10 East: W1/2 Section 14; E1/2 Section 15, E1/2 except for the NW1/4 NE1/4 Section 22; W1/2 except for the SE1/4 NW1/4, NE1/4 SW1/4 Section 23; W1/2 SW1/4 Section 26; NE1/4, W1/2 SE1/4, E1/2 SW1/4, SW1/4 SW1/4 Section 27; SE1/4 SE1/4 Section 28. Township 33 North, Range 6 East: S1/2 NE1/4, SE1/4 NW1/4, SE1/4 Section 10; SW1/4 NW1/4, SW1/4 Section 11; NE1/4 SW1/4 Section 14; N1/2 Section 15; S1/2 SW1/4 Section 17; NE1/4 Section 20; SW1/4 NW1/4 Section 21.

Snohomish County: Township 32 North, Range 9 East: SW1/4 Section 24.

When, in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the region and to radio and television stations serving the region, specifying the date and time of the suspension and by removing the posted notice of hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire, the following rule will be enforced:

Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective midnight, Monday, July 9, 1990 to midnight, Sunday, October 7, 1990.

NEW SECTION

WAC 332-26-060 SOUTH PUGET SOUND REGION CLOSURES. King County: Township 26 North, Range 7 East, Government Lots 1, 2, 3, and 4: NE1/4; N1/2 S1/2; NW1/4 East of Lake Margaret Platt, Section 3. Township 26 North, Range 7 East: NW1/4; W1/2 SW1/4, Section 13. Township 24 North, Range 9 East: S1/2, Section 31. Township 23 North, Range 9 East: SW1/4, Section 3; S1/2 SW1/4, NE1/4 SW1/4, SE1/4, Section 4; All Section 7; E1/2, Section 8; N1/2, Section 9; NW1/4, N1/2 SW1/4, Section 10; NE1/4, N1/2 SE1/4, Section 17. Township 23 North, Range 8 East: All Section 1; E1/2 E1/2, Section 12. Township 20 North, Range 8 East: E1/2 SE1/4, Section 10; All of Section 11; Part of the NE1/4, Part of the NW1/4, All of the SW1/4, Part of the SE1/4, Section 12; All Section 13; All Section 14; NE1/4, Section 22; All Section 23 and 24. Township 20 North, Range 11 East: All Section 29; All Section 30. Township 20

North, Range 10 East: All Section 31, All Section 33. Township 20 North, Range 9 East: All Section 35. Township 20 North, Range 8 East: All Section 11; Part NE1/4, Part NW1/4, All SW1/4, Part SE1/4, Section 12; All Section 13; All Section 14; NE1/4, Section 22; All Section 23; All Section 24. Township 19 North, Range 11 East: All Section 5; All Section 7; All Section 9; All Section 17; All Section 19; All Section 21. Township 19 North, Range 10 East: All Section 1; All Section 3; All Section 5; All Section 7; All Section 9; All Section 11; All Section 13; All Section 15; All Section 17; N1/2, Section 19; N1/4, Section 21; N1/2, Section 23. Township 19 North, Range 9 East: All Section 1; All Section 12; Part Section 13. Township 26 North, Range 9 East: all Section 8; all Section 9; all Section 10; all section 11; all Section 12.

Pierce County: Township 14 North, Range 6 East: all Section 10; all Section 11; W1/2 of Section 12; SW1/4 of the W1/2 of Section 12; W1/2, NE1/4 of Section 13; SE1/4 and the W1/2 of Section 13; all Section 14; all Section; all Section 15; the SW1/4 of Section 17; all Section 18; all Section 20; all Section 21; all Section 22; all Section 23; all Section 24; all Section 25; all Section 26; all Section 27; all Section 28; all Section 29; all Section 30; all Section 32; all Section 33; all Section 34; all Section 35; all Section 36. Township 13 North, Range 6 East: all Section 1; all Section 2; all Section 3; E1/2 of Section 4; the NW1/4 of Section 4; the N1/2 of Section 10; all Section 12. Township 14 North, Range 7 East: all Section 19.

Mason County: Township 19 North, Range 4 West: all Section 17; all Section 18; all Section 19; all Section 20; all Section 21; all Section 28; all Section 29; all Section 30. Township 19 North, Range 5 West: all Section 13; all Section 21; all Section 22; all Section 23; all Section 29.

When, in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he may suspend this Notice by issuing a news release to the newspapers of general circulation in the region and to radio and television stations serving the region, specifying the date and time of the suspension and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire, the following rule will be enforced:

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Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective midnight, Monday, July 9, 1990 to midnight, Sunday, October 7, 1990.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 90-15-013
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOLUNTEER FIREFIGHTERS
[Memorandum—July 9, 1990]

The Board for Volunteer Firefighters will next meet on July 20, 1990, at 9:00 a.m. in Room 207 of the Olympia Forum Building, Olympia.

WSR 90-15-014
PERMANENT RULES
LOTTERY COMMISSION
[Filed July 10, 1990, 4:26 p.m.]

Date of Adoption: July 6, 1990.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Nos. 56 and 57.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 90-11-127 on May 23, 1990.

Effective Date of Rule: Thirty days after filing.

July 10, 1990
Evelyn Y. Sun
Director

NEW SECTION

WAC 315-11-560 DEFINITIONS FOR INSTANT GAME NUMBER 56 ("SILVER BELLS").

(1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$12.00"; "\$50.00"; "\$5,000"; and . One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 56, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$12.00	TLV DOL
\$50.00	\$FIFTY\$
\$5,000	FIVTHOU
	DOUBLE

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 05600001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 56 constitute the "pack number" which starts at 05600001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game Number 56, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FOR	\$4.00
EGT	\$8.00
TLV	\$12.00
TTF	\$24.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-561 CRITERIA FOR INSTANT GAME NUMBER 56. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three	\$ 1.00	play symbols	- Win	\$ 1.00
Two	\$ 1.00	play symbols and one 	- Win	\$ 2.00
Three	\$ 2.00	play symbols	- Win	\$ 2.00
Two	\$ 2.00	play symbols and one 	- Win	\$ 4.00
Three	\$ 4.00	play symbols	- Win	\$ 4.00
Two	\$ 4.00	play symbols and one 	- Win	\$ 8.00
Three	\$ 12.00	play symbols	- Win	\$ 12.00
Two	\$ 12.00	play symbols and one 	- Win	\$ 24.00
Three	\$ 50.00	play symbols	- Win	\$ 50.00
Two	\$ 50.00	play symbols and one 	- Win	\$ 100.00
Two	\$ 5000.00	play symbols and one 	- Win	\$10000.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the

lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 56 set forth in WAC 315-11-562, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 56; and/or

(b) Vary the number of tickets sold in Instant Game Number 56 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-562 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 56. (1) A valid instant game ticket for Instant Game Number 56 shall meet all of the following validation requirements as well as all other requirements in these rules and regulations.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the main portion of the ticket.

(b) Each of the six play symbols must have a caption below it, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-560(1) and each of the captions must be exactly one of those described in WAC 315-11-560(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-570 DEFINITIONS FOR INSTANT GAME NUMBER 57 ("TREASURE ISLAND"). (1) Play symbols: The following are the "play symbols": ; "\$1.00"; "\$2.00"; "\$5.00"; "\$8.00"; "\$24.00"; "\$50.00"; "\$5000". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verify and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 57, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
	\$ENTRY\$
\$1.00	ONE DOL
\$2.00	TWO DOL
\$5.00	FIV DOL
\$8.00	EGT DOL
\$24.00	TWY FOR
\$50.00	\$FIFTY\$
\$5000	FIVTHOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 05700001-000 printed on the front of the ticket. The first eight digits of the pack-ticket number for Instant Game Number 57 constitute the "pack number" which starts at 05700001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 57, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
EGT	\$8.00
TTF	\$24.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-571 CRITERIA FOR INSTANT GAME NUMBER 57. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three \$1.00 play symbols – Win \$1.00
- Three \$2.00 play symbols – Win \$2.00
- Three \$5.00 play symbols – Win \$5.00
- Three \$8.00 play symbols – Win \$8.00
- Three \$24.00 play symbols – Win \$24.00
- Three \$50.00 play symbols – Win \$50.00
- Three \$5000 play symbols – Win \$5000.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 57 set forth in WAC 315-11-572, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There will be a grand prize drawing held in conjunction with Instant Game Number 57. It will be conducted at a time and place and pursuant to procedures to be established and announced by the director. The prizes awarded at the grand prize drawing will be as follows:

- One \$ 10,000 prize
- One \$ 20,000 prize
- One \$ 30,000 prize
- One \$ 40,000 prize
- One \$ 50,000 prize
- One \$ 60,000 prize
- One \$ 70,000 prize
- One \$ 80,000 prize
- One \$ 90,000 prize
- One \$ 100,000 prize

Qualifying entries from Instant Game Number 57 will be entered into the grand prize drawing.

(a) To be eligible for entry into the grand prize drawings, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67-.70 RCW and Title 315 WAC.

(ii) Collect three tickets each of which have one  play symbol.

(iii) Write or print legibly the entrant's name, address, and telephone number on each and every ticket. An entry containing more than one name shall be disqualified.

(iv) Place the tickets in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified in the player's brochure, or deliver it in person during normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A nonconforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the "GRAND PRIZE DRAWING." All mail not drawn will be shredded unopened.

(f) The lottery shall not be responsible for any entries mailed or delivered to the wrong address.

(6) A preliminary drawing will be held to select ten grand prize entries that will be retained and will be eligible for the grand prize drawing. Entries received by the lottery at lottery headquarters by 5:00 p.m. local time on the last business day prior to the preliminary drawing shall be entitled to participation in the preliminary drawing. Entries received at one of the regional offices must arrive no later than 5:00 p.m. two business days prior to the date of the preliminary drawing to be eligible for participation in the preliminary drawing. The preliminary drawing will be conducted at a time and place and pursuant to procedures established and announced by the director. Entries selected during the preliminary drawing will be retained and will be eligible for the grand prize drawing provided they have not been disqualified pursuant to these rules.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 57 and/or

(b) Vary the number of tickets sold in Instant Game Number 57 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-572 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 57. (1) A valid instant game ticket for Instant Game Number 57 shall meet all of the following validation requirements as well as all other requirements in these rules and regulations:

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below it and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-570(1) and each of the captions must be exactly one of those described in WAC 315-11-570(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 90-15-015

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

TRADE AND ECONOMIC DEVELOPMENT

(Hardwoods Commission)

[Memorandum—July 9, 1990]

A Hardwoods Commission meeting will be held on August 7, 1990, in the House Office Building, Hearing Room E. The meeting will begin at 10:00 a.m. and adjourn at 2:00 p.m.

WSR 90-15-016

NOTICE OF PUBLIC MEETINGS

FOREST PRACTICES BOARD

[Memorandum—July 9, 1990]

This notice is given pursuant to provisions of RCW 42-30.075 and WAC 222-08-040.

There is a change in meeting time for the Washington Forest Practices Board regular quarterly meeting on August 8, 1990, at the Skagit Valley Community College, 2405 College Way, Mt. Vernon, WA. The meeting time will be 10:00 a.m.

Additional information may be obtained from the Division of Forest Regulation and Assistance, 1007 South Washington Street, EL-03, Olympia, WA 98504, (206) 753-5315.

WSR 90-15-017

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Institutions)

[Order 3037—Filed July 12, 1990, 8:39 a.m.]

Date of Adoption: July 12, 1990.

Purpose: To amend and increase asset capitalization from \$500 to \$1,000 per OFM policy. To increase compensation for direct care staff in IMR's as legislature has appropriated funds. To allow discretion in recovery of rate increases during periods when a facility is downsizing to close.

Citation of Existing Rules Affected by this Order: Amending WAC 275-38-770, 275-38-860 and 275-38-906.

Statutory Authority for Adoption: RCW 74.09.120.

Pursuant to notice filed as WSR 90-11-007 on May 3, 1990.

Changes Other than Editing from Proposed to Adopted Version: In WAC 275-38-906(5) second last sentence, the word "when" is replaced by "unless." The last sentence is deleted starting with "Funds not spent . . ."

Effective Date of Rule: Thirty-one days after filing.

July 12, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-770 CAPITALIZATION. The contractor shall capitalize the following costs:

(1) Expenditures and costs for equipment including furniture and furnishings, with historical cost in excess of one hundred fifty dollars per unit and a useful life of more than one year from the date of purchase.

(2) Expenditures and costs for equipment including furniture and furnishings, with historical cost of one hundred fifty dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or

(b) The item was part of the initial equipment or stock of the IMR facility.

(3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsection (1) of this section shall be applied with the sum (([±])five hundred dollars([±])) replacing the sum (([±])one hundred fifty dollars.([±]))

(4) Effective January 1, 1990, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1990, and subsequently, subsection (1) of this section shall be applied with the sum one thousand dollars replacing the sum five hundred dollars.

(5) Expenditures for and costs of building, and other real property items, components, and improvements and leasehold improvements, if required or authorized by the lease agreement, in excess of (~~five hundred~~) one thousand dollars and involving one or more of the following:

(a) Increase the interior floor space of the structure;

(b) Increase or renewal of paved areas outside the structure adjacent to or providing access to the structure;

(c) Modification of the exterior or interior walls of the structure;

(d) Installation of additional heating, cooling, electrical water-related, or similar fixed equipment;

(e) Landscaping or redecorating;

(f) Increase the useful life of the structure by two years or more;

(g) For a leasehold improvement, the asset shall be amortized over the asset's useful life in accordance with American hospital association guidelines.

AMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-860 RESIDENT CARE AND HABILITATION COST CENTER RATE. (1) For C and D level facilities, the resident care and habilitation cost center will reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation.

(2) For E level facilities, the resident care and habilitation cost center will reimburse for resident living services, habilitative and training services, recreation services, and nursing services in accordance with applicable federal and state regulation. The cost center will also

reimburse for resident care and training staff performing administration and operations functions specified in WAC 275-38-870.

(3) A facility's resident care and habilitation cost center rate shall be determined as follows:

(a) The facility's most recent desk-reviewed costs per resident day shall be adjusted for inflation except the costs for resident care and training (RCT) and recreation staff and purchased services;

(b) RCT and recreation reimbursement shall be determined by multiplying the number of reimbursed RCT and recreation staff and purchased services hours reported in the facility's most recent cost report by the greater of ten dollars and seventy-nine cents or the most recent reported cost for RCT and recreation staff and purchased services per reported hour; and

(c) The amounts determined under subsection (3)(a) and (b) of this section shall be summed to establish the facility's rate.

AMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-906 ADJUSTMENTS TO PROSPECTIVE RATES. (1) Prospective rates shall be maximum payment rates for contractors for the periods to which they apply, except as otherwise provided in WAC 275-38-906. The department shall not grant rate adjustments for cost increases which are or were subject to management control or negotiation including, but not limited to, all lease cost increases, or for cost increases not expressly authorized in subsections (2) and (3) of this section.

(2) The department shall adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(3) The department shall adjust rates for increased costs that must be incurred and which cannot be otherwise met through the contractor's prospective rate, for the following:

(a) Program changes required by the department;

(b) Changes in staffing levels or consultants at a facility required by the department; and

(c) Changes required by survey.

(4) Contractors requesting an adjustment shall submit:

(a) A financial analysis showing the increased cost and an estimate of the rate increase, computed according to allowable methods, necessary to fund the cost;

(b) A written justification for granting the rate increase; and

(c) A certification and supporting documentation which shows the changes in staffing, or other improvements, have been commenced or completed.

(5) Contractors receiving prospective rate increases (~~((pursuant to))~~ under WAC 275-38-906 (~~((must))~~) shall submit quarterly reports, beginning the first day of the month following the date the increase is granted, showing how the additional rate funds were spent. If the funds were not spent for change or improvements approved by the department in granting the adjustment, they (~~((staff))~~) may be subject to immediate recovery by the department unless the department finds the facility

gave written notice of its intent to close by a date certain and recovery jeopardizes the facility's ability to provide for resident health, safety, and welfare.

(6) A contractor requesting an adjustment ((pursuant to)) under subsection (3)(c) of this section shall submit a written plan specifying additional staff to be added and the resident needs the facility has been unable to meet due to lack of sufficient staff.

(7) In reviewing a request made under subsection (3) of this section, the department shall consider:

- (a) Whether additional staff requested by a contractor is appropriate in meeting resident needs;
- (b) Comparisons of staffing levels of facilities having similar characteristics;
- (c) The physical layout of the facility;
- (d) Supervision and management of current staff;
- (e) Historic trends in under-spending of a facility's resident care and habilitation;
- (f) Numbers and positions of existing staff; and
- (g) Other resources available to the contractor under subsection (3) of this section.

WSR 90-15-018
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3038—Filed July 12, 1990, 8:40 a.m.]

Date of Adoption: July 12, 1990.

Purpose: Requires the Department of Social and Health Services to provide the full grant standard to homeless families and persons in shelters and homeowners, rather than the shelter at no cost standard.

Citation of Existing Rules Affected by this Order: Amending WAC 388-29-100.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-11-081 on May 16, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 12, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2947, filed 3/1/90, effective 4/1/90)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The statewide monthly need standards for basic requirements shall be:

(a) Households with an obligation to pay shelter costs effective August 1, 1989.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as renters if the household member makes any utility payment in lieu of a rental payment.

This need standard includes a recipient owning, purchasing, or renting their home.

Effective April 23, 1990, this need standard includes homeless families or persons:

(i) Lacking a fixed, regular, and adequate nighttime residence;

(ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or

(iii) Provided temporary lodging through a public or privately funded emergency shelter program.

Recipients in Household	Need Standard
1	\$ 579
2	733
3	907
4	1,068
5	1,230
6	1,395
7	1,612
8	1,784
9	1,959
10 or more	2,129

(b) Households without shelter costs effective August 1, 1989, except as described under subsection (1)(a) of this section.

The monthly standard for clients without shelter costs includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

Recipients in Household	Need Standard
1	\$ 341
2	432
3	535
4	630
5	725
6	823
7	951
8	1,052
9	1,155
10 or more	1,256

(2) One hundred eighty-five percent of the statewide monthly need standard for basic requirements is:

(a) Households with shelter costs effective August 1, 1989.

Recipients in Household	185% of Need Standard
1	\$ 1,071
2	1,356
3	1,677
4	1,975
5	2,275
6	2,580
7	2,982
8	3,300
9	3,624
10 or more	3,938

(b) Households without shelter costs effective August 1, 1989.

Recipients in Household	185% of Need Standard
1	\$ 630
2	799
3	989
4	1,165
5	1,341
6	1,522
7	1,759
8	1,946
9	2,136
10 or more	2,323

Recipients in Household	Payment Standard
4	347
5	400
6	453
7	524
8	580
9	637
10 or more	692

(3) The statewide monthly payment standard shall be:
 (a) Effective January 1, 1990, payment standards for households with shelter costs reflecting a ratable reduction of 44.9 percent of need standards.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as renters if the household member makes any utility payment in lieu of a rental payment.

This payment standard includes a recipient owning, purchasing, or renting their home.

Effective April 23, 1990, this payment standard includes homeless families or persons:

(i) Lacking a fixed, regular, and adequate nighttime residence;

(ii) Residing in a public or privately operated shelter designed to provide temporary living accommodations; or

(iii) Provided temporary lodging through a public or privately funded emergency shelter program.

Recipients in Household	Payment Standard
1	\$ 320
2	404
3	501
4	589
5	679
6	771
7	890
8	985
9	1,082
10 or more	1,176

(b) Effective January 1, 1990, payment standards for households without shelter costs reflecting a ratable reduction of 44.9 percent of the need standard, except as described under subsection (3)(a) of this section.

The monthly payment standard for clients without shelter costs shall include requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

Recipients in Household	Payment Standard
1	\$ 188
2	238
3	295

WSR 90-15-019
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3039—Filed July 12, 1990, 8:42 a.m.]

Date of Adoption: July 12, 1990.

Purpose: The changes will make personal care definitions uniform for all AASA care services, will eliminate the need to change the WAC for each rate increase, and will make the WAC more easily understood.

Citation of Existing Rules Affected by this Order: Amending chapter 388-15 WAC.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-11-006 on May 3, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 12, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2558, filed 11/18/87)

WAC 388-15-610 COPES—ELIGIBLE PERSONS. (1) Categorically related Medicaid recipients (i.e., aged, blind, and disabled persons) eighteen years of age and over shall be eligible for COPES services when ~~((they))~~ the recipients:

(a) Have gross monthly income ~~((which is))~~ less than three hundred percent of the federal Supplemental Security Income (SSI) benefit level, excluding the state supplement ~~((see))~~ as described under WAC 388-95-320 (1)(a)(~~3~~); and

(b) Have resources at or below the Medicaid standard as described under WAC 388-95-337 and 388-95-340(1); and

(c) Are assessed by the department as eligible for ~~((skilled))~~ nursing facility care ~~((or intermediate nursing care))~~; and

(d) ~~((Will likely))~~ Require institutionalization in the absence of home and community-based waiver services; and

(e) Choose to ~~((five))~~ reside in their own homes ~~((or))~~, in congregate care facilities, or in licensed adult family homes within Washington state; and

(f) Have a feasible department-developed and approved written plan of care for COPES services ~~((developed and approved by the department))~~. The plan shall

be sufficient to safeguard the recipient's health and safety. The total cost for this plan of care, including the one-person medically needy income level, shall be less than ninety percent of the average state-wide nursing home rate.

(2) ~~((Participation)) An eligible person may choose whether to participate in COPEs ((is the choice of the otherwise eligible recipient)) or enter a nursing facility.~~

AMENDATORY SECTION (Amending Order 2558, filed 11/18/87)

WAC 388-15-620 COPEs—SERVICES. (1) The department may authorize the following services ~~((may be authorized))~~ to COPEs eligible recipients, based on department assessment of need and feasible plan of care:

(a) Congregate care as defined ~~((in))~~ under WAC 388-15-560 through 388-15-568. In addition, congregate care facilities may provide medication administration to COPEs eligible clients when this service is required by the department and performed by a ~~((registered))~~ licensed nurse under the general direction of a licensed physician or dentist. ~~((f))~~ Refer to RCW 18.88-.285 and WAC 308-120-100 through 308-120-522~~((-))~~;

(b) Adult family home care as defined ~~((in))~~ under WAC 388-15-551 through 388-15-555~~((-))~~;

(c) Adult day health~~((-))~~;

(d) Home health services as defined ~~((in))~~ under WAC 388-86-045~~((-))~~;

(e) Direct personal care services ~~((are services provided to a person residing in his or her established residence including meal preparation, dressing/undressing, care of appearance, body care, bed transfer, ambulation, wheelchair transfer, bathing, toileting, and reminding to take medicines. Other forms of household assistance such as house cleaning, telephoning, and laundry are allowed when the recipient is unable to perform these tasks independently. Personal care also includes protective supervision when required due to the recipient's diminished mental capacity or judgment))~~ as defined under WAC 388-15-820(4). Sterile procedures and administration of medications are not authorized personal care tasks, unless the provider is a licensed health practitioner or a member of the recipient's immediate family~~((-))~~;

(f) Household assistance as defined under WAC 388-15-820(6); and

(g) Case management.

(2) The department shall not authorize additional personal care services ~~((shall not be authorized))~~ to recipients residing in congregate care facilities or adult family homes.

(3) The department shall provide adult day health and home health services ~~((are provided))~~ only when the recipient requires congregate care, adult family home services, or personal care. The department shall include the actual cost for adult day health and home health services ~~((must be included))~~ in the total plan of care cost computation.

AMENDATORY SECTION (Amending Order 2558, filed 11/18/87)

WAC 388-15-630 COPEs—PAYMENT—PROCEDURES. The department shall:

(1) Allocate all nonexempt income of a person receiving COPEs services ~~((shall be allocated))~~ according to procedures ~~((in))~~ under WAC 388-83-200~~((-))~~;

(2) ~~((The department shall))~~ Pay ~~((to))~~ the providers of congregate care, home health services, adult day health care, and adult family home care a sum not ~~((to exceed))~~ exceeding the rates set forth in the most recent schedule of rates established and published by the department~~((-))~~;

(3) ~~((The department shall))~~ Pay for care of recipients ~~((living))~~ residing in the nonrelated provider's established residence at the adult family home rate when the provider's home is a licensed and contracted adult family home~~((-))~~;

(4) ~~((The department shall))~~ Pay for personal care services provided by a relative, except a spouse. The department shall make payment to a father, mother, son, or daughter ~~((shall be made))~~ only when the:

(a) ~~((The))~~ Relative will not provide the care unpaid~~((-))~~; and

(b) ~~((The))~~ Relative's gross income, including spousal income, is less than the medically needy income level (MNIL) adjusted for household size.

(5) ~~((The department shall))~~ Pay care providers, meeting or exceeding minimum performance standards for personal care of a recipient residing in ~~((his or her))~~ the recipient's established residence ~~((The payment rate shall be at least three dollars and sixty cents to individual and independent providers, but shall not exceed four dollars and twenty-seven cents per hour. When the provider assists the recipient full time, a standby hourly wage shall be paid when the provider must be with the recipient but is not directly assisting the client. This standby wage shall not exceed twenty-seven cents per hour-))~~, a sum not exceeding the department-established rate;

(6) ~~((The department shall))~~ Pay ~~((to))~~ private and public agencies providing personal care ~~((the same))~~ an hourly unit rate ~~((reimbursement))~~ established by the department ~~((for chore services personal care-))~~; and

(7) ~~((Payments))~~ Pay for COPEs services ~~((plus))~~ which, combined with the recipient's income allocated for maintenance in the home ~~((shall))~~, does not exceed ninety percent of the average state-wide monthly rate for nursing home care.

~~((f))~~ Income allocated for maintenance needs in the home shall not exceed the medically needy income level~~((-))~~

WSR 90-15-020

PROPOSED RULES

WASHINGTON STATE PATROL

[Order 90-003—Filed July 12, 1990, 10:39 a.m.]

Original Notice.

Title of Rule: Sex offender registration, requires Washington State Patrol to maintain a registry of sex offenders.

Purpose: Maintain a central registry of convicted sex offenders to assist with investigations. The registry will include fingerprint cards, current photographs and change of address forms.

Statutory Authority for Adoption: Chapter 3, Laws of 1990.

Summary: The Washington State Patrol will maintain the registry and provide copies of fingerprint cards, rap sheets, photographs and change of address forms upon request.

Reasons Supporting Proposal: The 1990 legislature adopted the sex offender registration law which requires the Washington State Patrol to maintain a sex offender registry as part of the criminal history record. These rules were adopted to implement chapter 3, Laws of 1990.

Name of Agency Personnel Responsible for Drafting: Washington State Patrol, Tumwater, Washington, 753-6827; **Implementation and Enforcement:** Lieutenant Rick Phillips, Washington State Patrol, 753-6827.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establish and maintain a register of sexual offenders to include fingerprints, photographs and change of address forms. This information will be available to law enforcement agencies to assist with investigations.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Auditorium, General Administration Building, on September 6, 1990, at 1:30.

Submit Written Comments to: Lieutenant Rick Phillips, by August 20, 1990.

Date of Intended Adoption: September 7, 1990.

July 12, 1990
George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in chapter 486, Laws of 1987, and as amended by chapter 3, Laws of 1990, "AN ACT Relating to child and adult abuse information," shall apply whenever applicable in these regulations.

AMENDATORY SECTION (Amending Order 88-03-A [WSR 90-23-017], filed 3/17/88 [12/17/89])

WAC 446-20-285 EMPLOYMENT-CONVICTION RECORDS-CHILD AND ADULT ABUSE INFORMATION. After January 1, 1988, certain child and adult abuse conviction information will be furnished by the state patrol upon the submission of a written

request of any applicant, business or organization, the state board of education, or the department of social and health services. This information will consist of the following:

(1) Convictions of crimes against children or other persons as defined in RCW 43.43.830(6), and as amended by chapter 3, Laws of 1990;

(2) Department of licensing disciplinary board final decisions of specific findings of physical or sexual abuse or exploitation of a child and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision; for the businesses and professions defined in chapter 3, Laws of 1990; and

(3) Civil adjudications of child abuse, as amended by chapter 3, Laws of 1990.

This information will be furnished, consistent with the provisions of ((chapter 486, Laws of 1987)) RCW 43.43.830 through 43.43.840, on an approved request for criminal history information form available from the Washington State Patrol, ((P.O. Box 2527)) Identification and Criminal History Section, Mailstop QE-02, Olympia, Washington, ((98507-2527)) 98504.

The state patrol shall also furnish any similar records maintained by the Federal Bureau of Investigation or records in custody of the National Crime Information Center, if available, subject to their policies and procedures regarding such dissemination.

(a) The business or organization making such request shall not make an inquiry to the Washington state patrol or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer that an inquiry may be made.

(b) For positive identification, the request for criminal history information form may be accompanied by fingerprint cards of a type specified by the Washington state patrol identification section, and shall contain a certification by the business or organization; the state board of education; or the department of social and health services, that the information is being requested and will be used only for the purposes as enumerated in chapter 486, Laws of 1987.

(c) In the absence of fingerprint cards, the applicant may provide a right thumb fingerprint impression in the area provided on the request for criminal history information form. In the event of a possible match, where the applicant's name and date of birth as submitted varies from that of the record contained by the identification section, the right thumb fingerprint impression will be used for identification verification purposes only. An exact name and date of birth match will be required for dissemination of conviction information in the absence of a fingerprint card or thumbprint impression for positive identification or verification of record.

(d) After processing a properly completed request for criminal history information form, if the conviction record, disciplinary board final decision, adjudication record, or equivalent response from a federal law enforcement agency shows no evidence of crimes against persons, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol within fourteen working days of receipt of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period.

(e) The business or organization shall notify the applicant of the state patrol's response within ten calendar days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(f) The business or organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-290 FEES. (1) A nonrefundable fee of ten dollars shall accompany each request for conviction records submitted pursuant to RCW 43.43.815 and chapter 486, Laws of 1987, unless through prior arrangement an account is authorized and established. Fees are to be made payable to the "Washington state patrol," and are to be remitted only by cashier's check, money order or check written on a

commercial business account. The Washington state patrol identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of these chapters are recovered.

(2) Pursuant to provisions of (~~chapter 486, Laws of 1987~~) RCW 43.43.838, no fees will be charged to a nonprofit organization, including school districts and educational service districts, for the request for conviction records.

NEW SECTION

WAC 446-20-500 SEX OFFENDER REGISTRATION. E2SSB 6259, chapter 3, Laws of 1990, "AN ACT Relating to criminal offender" requires any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense as defined in RCW 9.94A.030 to register with the county sheriff for the county of that person's residence. The sheriff is required to forward the registration information to the section within five working days. The state patrol is mandated to maintain a central registry of sex offenders consistent with chapters 10.97, 10.98, and 43.43 RCW. The following regulations implement the provisions of this act.

NEW SECTION

WAC 446-20-510 HISTORY RETENTION. Sex offender registration information will be maintained in the offender's criminal history file according to retention periods outlined in chapter 3, Laws of 1990. Once an offender is registered, a notation of "registered sex offender" shall be printed on the rap sheet for that individual.

NEW SECTION

WAC 446-20-515 PHOTOGRAPH/FINGERPRINT REQUIREMENT. Registration requires the offender be fingerprinted and photographed and also provide the sheriff with the following information which must be forwarded to the Washington state patrol identification & criminal history section within five working days:

Name;
Address;
Social Security number;
Place of employment;
Crime for which convicted;
Date/place of conviction; and
Aliases used.

NEW SECTION

WAC 446-20-520 PHOTOGRAPHS. Photographs should be of the polaroid type and in color. These are not to be file photos. You will need to take a "new" photo.

On the reverse side of the photo, write full name, date of birth, and SID number. Paperclip (no staples please) the photo to the fingerprint card with the registration information completed and forward to Washington State Patrol, Identification & Criminal History Section, Mailstop QE-02, Olympia, WA 98504.

NEW SECTION

WAC 446-20-525 CHANGE OF ADDRESS FORM. Sex offenders who change residence from one county to another are required to register with the sheriff in the county of their new residence and also notify the county sheriff where they were previously registered. A "change of address" form WSP-CRD-502 must be sent to the county sheriff of the former residence and the offender must then register with the county sheriff of the new residence.

Registered sex offenders are required to send written notice of a change of address to the sheriff within ten days of establishing a new residence within the same county. "Change of address" forms must be forwarded to the Washington state patrol identification & criminal history section within five working days.

NEW SECTION

WAC 446-20-530 REFUNDABLE FEE. Agencies are to bill the Washington state patrol for the actual registration cost not to exceed thirty-two dollars for each registration which shall include photographs and fingerprints submitted pursuant to section 403, chapter 3, Laws of 1990. This fee will further ensure that direct and indirect costs at the county level associated with the provisions of this chapter

are refunded by the Washington state patrol on a monthly basis upon receipt of an invoice from the county sheriff indicating the number of registrations submitted.

WSR 90-15-021

EMERGENCY RULES

WASHINGTON STATE PATROL

[Order 90-003—Filed July 12, 1990, 10:43 a.m.]

Date of Adoption: July 12, 1990.

Purpose: Adopt and amend WACs for implementation of chapter 3, Laws of 1990.

Citation of Existing Rules Affected by this Order: Amending WAC 446-20-020, 446-20-285 and 446-20-290.

Statutory Authority for Adoption: Chapter 3, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The 1990 legislature adopted the sex offender registration law which requires the Washington State Patrol to maintain a sex offender registry as part of the criminal history record. These rules are adopted to implement chapter 3, Laws of 1990.

Effective Date of Rule: Immediately.

July 12, 1990

George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 88-03A, filed 3/17/88)

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in chapter 486, Laws of 1987, and as amended by chapter 3, Laws of 1990, "AN ACT Relating to child and adult abuse information," shall apply whenever applicable in these regulations.

AMENDATORY SECTION (Amending Order 88-03-A [WSR 90-23-017], filed 3/17/88 [12/17/89])

WAC 446-20-285 EMPLOYMENT—CONVICTION RECORDS—CHILD AND ADULT ABUSE INFORMATION. After January 1, 1988, certain child and adult abuse conviction information will be furnished by the state patrol upon the submission of a

written request of any applicant, business or organization, the state board of education, or the department of social and health services. This information will consist of the following:

(1) Convictions of crimes against children or other persons as defined in RCW 43.43.830(6), and as amended by chapter 3, Laws of 1990;

(2) Department of licensing disciplinary board final decisions of specific findings of physical or sexual abuse or exploitation of a child and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision; for the businesses and professions defined in chapter 3, Laws of 1990; and

(3) Civil adjudications of child abuse, as amended by chapter 3, Laws of 1990.

This information will be furnished, consistent with the provisions of (~~chapter 486, Laws of 1987~~) RCW 43.43.830 through 43.43.840, on an approved request for criminal history information form available from the Washington State Patrol, (~~P.O. Box 2527~~) Identification and Criminal History Section, Mailstop QE-02, Olympia, Washington, (~~98507-2527~~) 98504.

The state patrol shall also furnish any similar records maintained by the Federal Bureau of Investigation or records in custody of the National Crime Information Center, if available, subject to their policies and procedures regarding such dissemination.

(a) The business or organization making such request shall not make an inquiry to the Washington state patrol or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer that an inquiry may be made.

(b) For positive identification, the request for criminal history information form may be accompanied by fingerprint cards of a type specified by the Washington state patrol identification section, and shall contain a certification by the business or organization; the state board of education; or the department of social and health services, that the information is being requested and will be used only for the purposes as enumerated in chapter 486, Laws of 1987.

(c) In the absence of fingerprint cards, the applicant may provide a right thumb fingerprint impression in the area provided on the request for criminal history information form. In the event of a possible match, where the applicant's name and date of birth as submitted varies from that of the record contained by the identification section, the right thumb fingerprint impression will be used for identification verification purposes only. An exact name and date of birth match will be required for dissemination of conviction information in the absence of a fingerprint card or thumbprint impression for positive identification or verification of record.

(d) After processing a properly completed request for criminal history information form, if the conviction record, disciplinary board final decision, adjudication record, or equivalent response from a federal law enforcement agency shows no evidence of crimes against persons, an identification declaring the showing of no

evidence shall be issued to the applicant by the state patrol within fourteen working days of receipt of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period.

(e) The business or organization shall notify the applicant of the state patrol's response within ten calendar days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(f) The business or organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-290 FEES. (1) A nonrefundable fee of ten dollars shall accompany each request for conviction records submitted pursuant to RCW 43.43.815 and chapter 486, Laws of 1987, unless through prior arrangement an account is authorized and established. Fees are to be made payable to the "Washington state patrol," and are to be remitted only by cashier's check, money order or check written on a commercial business account. The Washington state patrol identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of these chapters are recovered.

(2) Pursuant to provisions of (~~chapter 486, Laws of 1987~~) RCW 43.43.838, no fees will be charged to a nonprofit organization, including school districts and educational service districts, for the request for conviction records.

NEW SECTION

WAC 446-20-500 SEX OFFENDER REGISTRATION. E2SSB 6259, chapter 3, Laws of 1990, "AN ACT Relating to criminal offender" requires any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense as defined in RCW 9.94A.030 to register with the county sheriff for the county of that person's residence. The sheriff is required to forward the registration information to the section within five working days. The state patrol is mandated to maintain a central registry of sex offenders consistent with chapters 10.97, 10.98, and 43.43 RCW. The following regulations implement the provisions of this act.

NEW SECTION

WAC 446-20-510 HISTORY RETENTION. Sex offender registration information will be maintained in the offender's criminal history file according to retention periods outlined in chapter 3, Laws of 1990. Once an offender is registered, a notation of "registered sex offender" shall be printed on the rap sheet for that individual.

NEW SECTION

WAC 446-20-515 PHOTOGRAPH/FINGER-PRINT REQUIREMENT. Registration requires the offender be fingerprinted and photographed and also provide the sheriff with the following information which must be forwarded to the Washington state patrol identification & criminal history section within five working days:

Name;
Address;
Social Security number;
Place of employment;
Crime for which convicted;
Date/place of conviction; and
Aliases used.

NEW SECTION

WAC 446-20-520 PHOTOGRAPHS. Photographs should be of the polaroid type and in color. These are not to be file photos. You will need to take a "new" photo.

On the reverse side of the photo, write full name, date of birth, and SID number. Paperclip (no staples please) the photo to the fingerprint card with the registration information completed and forward to Washington State Patrol, Identification & Criminal History Section, Mailstop QE-02, Olympia, WA 98504.

NEW SECTION

WAC 446-20-525 CHANGE OF ADDRESS FORM. Sex offenders who change residence from one county to another are required to register with the sheriff in the county of their new residence and also notify the county sheriff where they were previously registered. A "change of address" form WSP-CRD-502 must be sent to the county sheriff of the former residence and the offender must then register with the county sheriff of the new residence.

Registered sex offenders are required to send written notice of a change of address to the sheriff within ten days of establishing a new residence within the same county. "Change of address" forms must be forwarded to the Washington state patrol identification & criminal history section within five working days.

NEW SECTION

WAC 446-20-530 REFUNDABLE FEE. Agencies are to bill the Washington state patrol for the actual registration cost not to exceed thirty-two dollars for each registration which shall include photographs and fingerprints submitted pursuant to section 403, chapter 3, Laws of 1990. This fee will further ensure that direct and indirect costs at the county level associated with the provisions of this chapter are refunded by the Washington state patrol on a monthly basis upon receipt of an invoice from the county sheriff indicating the number of registrations submitted.

WSR 90-15-022
PROPOSED RULES
INSURANCE COMMISSIONER

[Filed July 12, 1990, 11:27 a.m.]

Original Notice.

Title of Rule: Public documents and indexes.

Purpose: To formalize location of the Insurance Commissioner's indexes of reports and documents and to describe the indexes maintained.

Other Identifying Information: Insurance Commissioner Matter No. R 90-9.

Statutory Authority for Adoption: RCW 48.02.060, 48.02.160(3), 42.17.260 and 34.05.220.

Statute Being Implemented: RCW 48.02.060, 48.02.160(3), 42.17.260 and 34.05.220.

Summary: The amendment of WAC 284-03-060 formalizes existing procedures of the Insurance Commissioner to maintain indexes of records in his Olympia Office and lists the indexes maintained.

Reasons Supporting Proposal: This amendment is merely a formalization of existing procedures of the Insurance Commissioner.

Name of Agency Personnel Responsible for Drafting: Melodie Bankers, Insurance Building, Olympia, Washington, (206) 586-3574; Implementation and Enforcement: David H. Rodgers, Insurance Building, Olympia, Washington, (206) 753-7302.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment of WAC 284-03-060 formalizes existing procedures of the Insurance Commissioner to maintain indexes of records in his Olympia Office and lists the indexes maintained. This amendment is merely a formalization of existing procedures of the Insurance Commissioner.

Proposal does not change existing rules. This amendment merely formalizes existing procedures of the Insurance Commissioner.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

This amendment merely formalizes existing procedures of the Insurance Commissioner. No action by persons or businesses is triggered or required as a result of this amendment.

Hearing Location: Office of Insurance Commissioner, Insurance Building, Olympia, Washington, on August 22, 1990, at 10:00 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504-0321, by August 22, 1990.

Date of Intended Adoption: August 28, 1990.

July 12, 1990
Melodie Bankers
Assistant Deputy Commissioner
for Dick Marquardt
Insurance Commissioner

AMENDATORY SECTION (Amending Order R-75-1, filed 5/19/75)

WAC 284-03-060 RECORDS INDEX. The office has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the office shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

The indexes shall be kept current and maintained by the commissioner's designee, located in the Olympia office, and shall be updated no less frequently than annually. All indexes maintained by the commissioner shall be indexed by party, by calendar year, by topic, or a combination of these, as appropriate.

WSR 90-15-023**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Memorandum—July 12, 1990]

The board of trustees of Edmonds Community College will meet at a retreat at the Skagit Valley Inn in Mount Vernon on July 13 and 14, 1990. The purpose of the retreat is to discuss staff awards, the Drug Free Workplace Act, affirmative action, budget, the golf course, evaluation of the president and the board's own self-evaluation, and to establish goals for 1990-91.

WSR 90-15-024**WITHDRAWAL OF PROPOSED RULES
HUMAN RIGHTS COMMISSION**

[Filed July 13, 1990, 10:55 a.m.]

Please withdraw WSR 90-13-086, filed June 20, 1990, in its entirety.

Alan Momohara
Former Acting
Executive Director
Katherine Friedt
Executive Director

WSR 90-15-025**EMERGENCY RULES
DEPARTMENT OF ECOLOGY**

[Order 90-31—Filed July 13, 1990, 2:20 p.m.]

Date of Adoption: July 13, 1990.

Purpose: To authorize ecology to assess known and potential hazardous waste generators an annual hazardous waste fee.

Citation of Existing Rules Affected by this Order: Amending chapter 173-305 WAC.

Statutory Authority for Adoption: ESHB 2390 (chapter 114, Laws of 1990).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: ESHB 2390 (chapter 114, Laws of 1990), states that the fee shall be first due on July 31, 1990.

Effective Date of Rule: Immediately.

July 13, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-010 PURPOSE. This chapter implements the provisions of chapter ~~((70-105A RCW (chapter 65, Laws of 1983 1st ex. sess.)) 114, Laws of 1990, establishing a means for funding ((hazardous waste control activities)) technical assistance and compliance education assistance to hazardous substance users and waste generators in this state. The purpose of this chapter is to describe ((the methods by which the department of ecology will assess certain fees,)) to whom the base fee(s) will be assessed, the amount of ((such)) the base fee(s), provisions for exemption from and enforcement of base fee assessments, ((coordination between)) responsibilities of the departments of ecology and revenue, and procedures for adjusting the base fee(s). Copies of all rules, regulations, or statutes cited in this chapter are available for inspection at the Department of Ecology, Mailstop PV-11, Olympia, WA, 98504-8711.~~

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-015 APPLICABILITY. ~~((1) Generator)) The requirements of WAC 173-305-010 through ~~((173-305-020 and)) 173-305-080 ((through 173-305-090)) apply to all persons who ((generate, recycle, transfer, treat, store, or dispose of hazardous wastes in this state.~~~~

~~(2) Generators:~~

~~(a) The requirements of WAC 173-305-030 through 173-305-050 apply only to those persons utilizing or operating identified sites.~~

~~(b) The requirements of WAC 173-305-030 through 173-305-050 do not apply to:~~

~~(i) Any person who is exclusively a small quantity generator (as described in chapter 173-303 WAC) during a calendar year,~~

~~(ii) Any person who accepts hazardous waste only from small quantity generators (as described in chapter 173-303 WAC) and who then sends such hazardous waste off-site in accordance with chapter 173-303 WAC, provided that the person does not originate his own hazardous waste, and~~

~~(iii) Any hazardous waste generated by a facility which is operating, for such hazardous waste, as a transfer facility under a permit administered pursuant to chapter 173-303 WAC, if such hazardous waste does not originate at the facility and has not been stored at the facility for more than one year.~~

~~For the purposes of (b) of this subsection, a person or facility originates a hazardous waste if such hazardous waste occurs as a result of a physical, chemical or biological process performed by the person or at the facility. A hazardous waste is not originated if, when it leaves a site, it is the same as when it arrived.~~

~~(3) Facilities. The requirements of WAC 173-305-060 through 173-305-070 apply only to those persons who operate facilities which are subject to a permit administered pursuant to chapter 173-303 WAC.~~

~~(4) Exclusions. The requirements of this chapter do not apply to:~~

~~(a) Hazardous wastes which are not subject to regulations adopted pursuant to chapter 70.105 RCW;~~

~~(b) Radioactive wastes, or~~

~~(c) Wastes generated primarily from the combustion of coal or other fossil fuels)) are known or potential generators, including instrumentalities of the United States.~~

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/74)

WAC 173-305-020 DEFINITIONS. Any terms not specifically defined in this section shall, for the purposes of this chapter, have the same meaning as given in WAC 173-303-040. The following terms are defined for the purposes of this chapter:

~~(1) ("Annual gross income" of a business means the value proceeding or accruing during a calendar year by reason of the transaction of the business or service engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses)) "Base fee" means the annual thirty-five dollar fee imposed under chapter 114, Laws of 1990;~~

~~(2) "Business activities" means activities of any person subject to the generator fee of WAC 173-305-030 and who is "engaging in business" as this term is defined in chapters 82.04 and 82.16 RCW;~~

~~(3) ("Combined site" means any location which is both a facility and an identified site (as these terms are defined in this section);~~

~~(4)) "Dangerous waste" shall have the same definition as set forth in RCW 70.105.010(5) and shall specifically include those wastes designated as dangerous by rules adopted pursuant to chapter 70.105 RCW;~~

~~((5)) (4) "Department" means the department of ecology;~~

~~(5) "EPA/state identification number" means the number assigned by the environmental protection agency (EPA) or by the department of ecology to each generator and/or transporter and treatment, storage, and/or disposal facility;~~

~~(6) "Extremely hazardous waste" shall have the same definition as set forth in RCW 70.105.010(6) and shall~~

~~specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW;~~

~~(7) ("Facility" means all contiguous land, and structures, other appurtenances and improvements on the land used for recycling, transferring, treating, storing, or disposing of hazardous waste;~~

~~(8) "Fee" means the annual hazardous waste control and elimination assessment fee imposed under RCW 70-105A.030 and the fee for treatment, storage, and disposal facilities imposed under RCW 70.105A.040;~~

~~(9)) "Generate" means any act or process which produces hazardous waste or first causes a hazardous waste to become subject to regulation;~~

~~((10)) (8) "Hazardous waste" means and includes all dangerous and extremely hazardous wastes but for the purposes of this chapter excludes all radioactive wastes or substances composed of both radioactive and hazardous components;~~

~~((11) "Identified site" means the same or geographically contiguous property, which may be divided by a public or private right of way, provided that access between the properties occurs at an intersection and crosses, as opposed to goes along, the right of way. Noncontiguous properties owned by the same person but connected by a right of way will be considered a single identified site if the person controls the right of way and can prevent public access. For the purposes of this chapter, a property (or properties) will be an identified site only if it meets the conditions described above in this subsection, and only if hazardous waste is generated there during a calendar year;~~

~~((12)) (9) "Known generators" means persons that have notified the department, have received an EPA/state identification number and generate quantities of hazardous waste regulated under chapter 70.105 RCW.~~

~~(10) "Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government including any agency or officer thereof, and any Indian tribe or authorized tribal organization;~~

~~((13) "SIC" means standard industrial classification and refers to the four digit numbers assigned to business activities from the federal Office of Management and Budget's "Standard Industrial Classification Manual," revised 1983;~~

~~((14) "Ton" means two thousand pounds, and~~

~~((15) "Manufacturer," "retailer," "wholesaler," and "person engaging in service activities" shall have the meanings attributed to such terms in chapter 82.04 RCW and shall include all persons taxable for such activities under that chapter.)) (11) "Potential generators" means all persons whose primary business activities are identified by the department to be likely to generate any quantity of hazardous wastes.~~

~~(12) "Price deflator" means the United States Department of Commerce Bureau of Economic Analysis, "Implicit Price Deflator for Gross National Product" for "Government Purchases of Goods and Services," for "State and Local Government."~~

(13) "Primary business activity" means a business activity which accounts for more than fifty percent of a business' total gross receipts or in the case of more than two business activities, the activity which has the largest gross receipts.

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-030 ((GENERATOR)) FEES. ((This section describes the methods and criteria by which the department will determine the business activities that will be assessed generator fees (subsection (1) of this section), determine and apportion annual gross income (subsection (2) of this section), develop the generator fee schedule (subsection (3) of this section), assess fees (subsection (4) of this section), and provide for exemption from or reduction of a fee (subsection (5) of this section):

(1) Selection of businesses and generators. This subsection describes how the department will select those individuals and businesses who will be assessed a generator fee.

(a) List of business activities. The legislature provided the following list of business activities which may be assessed a generator fee:

(i) Exploring for, extracting, beneficiating, processing, or selling metallic or nonmetallic minerals;

(ii) Exploring for, extracting, processing, or selling coal;

(iii) Producing, distributing, or selling electricity;

(iv) Industrial or nonresidential contracting or heavy construction;

(v) Painting or sandblasting;

(vi) Producing, processing, or selling rubber or plastics;

(vii) Producing, processing, or selling glass, cement, or concrete;

(viii) Cutting, milling, producing, preparing, or selling lumber or wood products, including wooden furniture or fixtures;

(ix) Producing, preparing, or selling paper or allied products;

(x) Printing or publishing;

(xi) Synthesizing, producing, processing, preparing, or selling chemicals or allied products;

(xii) Exploring for, extracting, producing, processing, distributing, or selling petroleum or gas;

(xiii) Fabricating rubber or plastic products;

(xiv) Beneficiating, processing, or selling primary or secondary metals;

(xv) Fabricating metal products, including metal furniture or fixtures;

(xvi) Fabricating, constructing, preparing, installing, or selling machinery or supplies;

(xvii) Fabricating, constructing, installing, preparing, or selling electrical or electronic equipment, machinery, or supplies;

(xviii) Fabricating, producing, preparing, or selling transportation equipment;

(xix) Transporting by railroad, motor vehicle, or water vessel;

(xx) Telephone communication;

~~(xxi) Drycleaning, photofinishing, or furniture refinishing;~~

~~(xxii) Transferring, treating, storing, or disposing of solid, dangerous, or extremely hazardous wastes, and~~

~~(xxiii) Repairing or servicing motor vehicles, railroad equipment, or water vessels.~~

~~(b) Selecting businesses for assessment. The department will select businesses for assessing fees as described in this subsection. In general, two different mechanisms will be used to identify those persons who will be assessed a fee. For the purposes of this chapter, the groups selected by these two mechanisms will be named. Specific businesses (procedures for selection are described in (b)(i) of this subsection), and nonspecific businesses (procedures for selection are described in (b)(ii) of this subsection):~~

~~(i) Specific businesses. Any person who has notified pursuant to chapter 173-303 WAC as a generator of hazardous wastes and who utilizes or operates an identified site will be assessed a generator fee.~~

~~(ii) Nonspecific businesses. The department will develop a list of businesses by standard industrial classification (SIC) numbers. This list appears in WAC 173-305-040 and will be developed on the following bases:~~

~~(A) The businesses are included in the legislative list of subsection (1)(a) of this section; and~~

~~(B) The information on specific businesses that have notified and reported as hazardous waste generators supports the inclusion of SIC numbers on the list.~~

The department of revenue will provide the names and addresses of businesses which conduct activities specified in the SIC list as requested by the department of ecology. The department of ecology will notify these businesses in writing that they have been identified as possible generators of hazardous waste. They will be requested to submit to the department of ecology within thirty days either a written description of their wastes (including but not limited to type, source and quantity for each waste), or else a signed and dated certification that they do not generate hazardous waste. The certification will be as follows:

¹I certify that I am familiar with the requirements of chapter 173-303 WAC, Dangerous waste regulations, and with the waste designation procedures thereof, and that I do not believe any of my wastes to be hazardous wastes based on my own knowledge and on my inquiry of those individuals responsible for performing such hazardous waste designation procedures.¹

The department of ecology will use the information submitted by the nonspecific businesses, and any other pertinent information, to determine which of those businesses are subject to a generator fee. If a person certifies that his business does not generate hazardous waste, then he will not be assessed a fee. If a person submits information which shows that he generates a hazardous waste, then he will be assessed a generator fee calculated according to the procedures for specific businesses, with the information he has submitted being used in lieu of an annual report. If a person does not submit either a

~~certification or information on his wastes, then the department of ecology will conclude that he is utilizing or operating an identified site and he will be assessed a generator fee calculated according to the procedures for nonspecific businesses.~~

~~(c) Identified sites. For the purposes of this chapter, no property will be an identified site unless hazardous waste is generated there during a calendar year. Each identified site will be assessed one fee annually, the size of the fee to depend on the risk and quantity of the hazardous wastes generated there and the apportioned annual gross income of the site (see subsections (2) and (3) of this section). If one person utilizes or operates more than one identified site, he will be responsible for all fees assessed to his identified sites. To a reasonable extent, the department will attempt to determine all identified sites owned or operated by the same person. However, the department's inability to detect all identified sites owned or operated by the same person will not delay the issuance of assessments, nor will it form a just cause for refusal to pay an assessed fee.~~

~~(2) Annual gross income (AGI), apportionment.~~

~~(a) Annual gross income. AGI for each person's assessed business will be obtained from the department of revenue. The AGI obtained from the department of revenue for persons whose business activities earn income without as well as within the state will reflect the portion of total AGI attributable to activities within the state. Such attribution will be calculated pursuant to chapters 82.04 and 82.16 RCW. AGI reported to the department of ecology shall be used solely for the purpose of determining fee amounts. Confidentiality of AGI shall be maintained in accordance with department of revenue laws, regulations, and procedures.~~

~~(b) Apportionment. Except as otherwise provided in (b)(ii) and (iii) of this subsection, the department shall apportion AGI for specific businesses among identified sites utilized or operated by an assessed person as described in (b)(i) of this subsection. In the case of nonspecific businesses, the person's AGI will be apportioned as if he had only one identified site, except as provided in subsection (5) of this section. Whenever an apportioned AGI is calculated to a fraction of a cent, the figure will be rounded to the nearest whole cent (e.g., \$27,611.5235 would be rounded to \$27,611.52).~~

~~(i) The department will apportion AGI equally among a person's identified sites without regard to the amount or nature of business at the sites. This will be done by dividing the total AGI for the assessed person by the number of his identified sites. For example:~~

~~(A) AGI reported for a person's business is \$7,252,320.18. The person utilizes four identified sites to conduct his activities. Thus, the apportioned AGI for each identified site would be \$1,813,080.05;~~

~~(B) AGI reported for a person's business is \$58,112.45. His business is conducted at two locations, but only one is an identified site. Therefore, the apportioned AGI for his identified site would be \$58,112.45.~~

~~(ii) Any person who is subject to a fee may request, through the procedure described in subsection (5) of this section, that the department reapportion AGI among his~~

~~identified sites according to each identified site's share of AGI. His total AGI will still be apportioned only among his identified sites. The share of his total AGI reapportioned to an identified site will be determined by multiplying his total AGI by a factor derived from dividing the AGI contributed from the identified site to the total AGI by the AGI contributed from all of his identified sites. The following formula will be used:~~

$$\text{AGI(R)} = \text{AGI} \times \frac{\text{AGI(IS)}}{\text{AGI(TIS)}}$$

~~Where~~

~~AGI(R) = The share of AGI that will be reapportioned to an identified site~~

~~AGI = Total AGI attributable to the person's business in the state~~

~~AGI(IS) = The AGI contributed by the identified site to the total AGI~~

~~AGI(TIS) = The sum of the AGI contributed by all of the person's identified sites~~

~~The following example shows how this reapportionment will work:~~

~~A generator's AGI for a calendar year is \$35,254,378.12. During that calendar year, he operates three identified sites at which hazardous wastes are generated. For this example, these sites will be identified as SA, SB, and SC. Site SA contributes \$5,464,212.04 to the generator's total AGI, site SB contributes \$2,372,011.09, site SC contributes \$675,283.87, and the balance of his AGI comes from other properties which are not identified sites. The sum of the AGI contributed by his three identified sites, AGI(TIS), is \$8,511,507.00. The share of the generator's AGI that will be reapportioned to site SA is calculated as $(\$35,254,378.12) \times (\$5,464,212.04 \div \$8,511,507.00) = \$22,632,584.03$. For site SB the reapportionment is calculated as $(\$35,254,378.12) \times (\$2,372,011.09 \div \$8,511,507.00) = \$9,824,790.82$. For site SC, the reapportionment is calculated as $(\$35,254,378.12) \times (\$675,283.87 \div \$8,511,507.00) = \$2,797,003.27$. Thus, site SA would be in the greater than \$10,000,000 AGI category, and sites SB and SC would be in the \$1,000,000 to \$10,000,000 AGI category.~~

~~The department will review a generator's request for reapportionment submitted under subsection (5) of this section, and based on information provided by the person requesting reapportionment, will determine the extent and amount of AGI to be reapportioned among his identified sites. The department will not grant reapportionment until all information reasonably necessary to do so has been provided to the department. The information which a person requesting reapportionment must provide will be specified by the department in writing to the person after the department has received his request.~~

~~(iii) The department may, on its own, initiate the reapportionment of an assessed person's AGI according to the share of total AGI contributed by each of his identified sites. To determine his reapportionment, the department will specify in writing to the person the information necessary to perform such reapportionment. The~~

department may, if it chooses, waive payment of a generator fee, or of penalties or both until reapportionment is complete.

(3) ~~Criteria for generator fee amount.~~ This subsection describes the specific risk classes for generators, provisions for modifying risk classes in certain cases, and general parameters for fee amounts. The specific generator fee amounts are established in WAC 173-305-040 and are related to the risk classes and general fee parameters set forth in this subsection.

(a) ~~Generator fee parameters.~~ Except as provided in WAC 173-305-080 and 173-305-090, the generator fee assessed for an identified site during a calendar year will not exceed:

(i) ~~\$150.00~~ for each identified site with an apportioned annual gross income not in excess of one million dollars;

(ii) ~~\$750.00~~ for each identified site with an apportioned annual gross income in excess of one million dollars but not exceeding ten million dollars; and

(iii) ~~\$7,500.00~~ for each identified site with an apportioned annual gross income in excess of ten million dollars.

(b) ~~Generator risk class.~~ Seven generator risk classes are established. The risk classes shall be identified as G1, G2, G3, G4, G5, G6, and G7, and are graduated with G1 representing the lowest risk and G7 representing the highest risk. The classes depend on the type(s) of hazardous waste (extremely hazardous waste (EHW) or dangerous waste (DW)) and quantities generated at an identified site. The generator risk classes are defined as follows:

(i) ~~G1—less than 1.0 ton of DW in a calendar year,~~

(ii) ~~G2—less than 0.1 ton of EHW, or 1.0 ton or more but less than 2.0 tons of DW in a calendar year,~~

(iii) ~~G3—0.1 ton or more but less than 0.2 ton of EHW, or 2.0 tons or more but less than 3.5 tons of DW in a calendar year,~~

(iv) ~~G4—0.2 ton or more but less than 0.35 ton of EHW, or 3.5 tons or more but less than 5.5 tons of DW in a calendar year,~~

(v) ~~G5—0.35 ton or more but less than 0.55 ton of EHW, or 5.5 tons or more but less than 23.5 tons of DW in a calendar year,~~

(vi) ~~G6—0.55 ton or more but less than 2.35 tons of EHW, or 23.5 tons or more of DW in a calendar year, and~~

(vii) ~~G7—2.35 tons or more of EHW in a calendar year.~~

(c) ~~Assigning generator risk class.~~ The department will assign the highest applicable generator risk class to an identified site. For example, if a person generates in a calendar year 150 pounds of EHW (risk class G2) and 20 tons of DW (risk class G5), his identified site will be assigned the generator risk class G5. The department may, on a case-by-case basis, determine that an identified site poses a greater risk than is reflected by the types and annual quantities of hazardous waste generated at the site. The department may make such a determination after considering the nature of the wastes generated, the proximity of the identified site to population centers, potential for release of the hazardous waste to the air,

land, or surface or ground water, and the safety of the generating and handling practices at the identified site. If the department makes such a determination, then it will assign a risk class that is one level higher than the risk class that would be assigned solely on the basis of waste types and quantities generated at the identified site. However, no risk class higher than G7 will ever be assigned. For example, an identified site might generate 1.2 tons of EHW, and thus have a generator risk class of G5. However, the department may assign the site a risk class of G6 (one class higher) because the site generates nerve gas wastes and is located over a sole source aquifer in the core of a major city. Upon reassigning a generator risk class to an identified site, the department will notify the person who utilizes or operates the site of his site's new risk class. Such notification will be in writing and will be included as part of the generator fee statement.

(4) ~~Assessment of generator fees.~~ This subsection describes the procedures for assessing generator fees.

(a) ~~Generator fees will be assessed by the issuance of generator fee statements to persons whose businesses are selected for assessment pursuant to subsection (1) of this section.~~ The department of ecology will provide a list of the businesses to be assessed to the department of revenue. The department of revenue will then prepare and send out the statements of generator fees, and will keep records on who has paid, how much was paid, who is late and, upon notice from the department of ecology, who has been exempted or whose fee has been reduced. If a second generator fee statement is necessary, due to exemption, reduction, reapportionment, etc., the department of ecology will provide the new information to the department of revenue, which will prepare and send out the second statement. A generator fee will be considered paid only after a valid check or money order for the full fee and any accrued interest has been delivered to the department of revenue.

(b)(i) ~~A generator fee will be owed for each calendar year that a person utilizes or operates one or more identified sites. Generator fee statements will be issued by May 31 each year for fees owed for the preceding calendar year. The due date for payment of generator fees is June 30. This due date will be changed for the following reasons:~~

(A) ~~As provided in subsection (5)(d) of this section, for each person who submits a request for waiver of fee, or~~

(B) ~~In the event that generator fee statements are not issued by May 31 of a given year, or for fee statements issued pursuant to (b)(ii) of this subsection, the due date will be thirty days after those generator fee statements are issued for that year.~~

~~Any person who still owes a generator fee after the applicable due date may be subject to collection and enforcement actions.~~

(ii)(A) ~~If a generator submits his annual report (pursuant to WAC 173-303-220) to the department and his report is late, then his generator fee statement may be issued after May 31.~~

(B) ~~The department may discover that a person is a generator, but that he has not been complying with the applicable requirements of chapter 173-303 WAC and~~

has not been assessed a generator fee under this chapter 173-305 WAC. If the department determines this to be the case, then such person may be assessed a generator fee that is the total of the fees owed for each year, after December 31, 1982, in which he generated hazardous waste but did not pay a fee.

(c) For generator fees covering hazardous waste generation in calendar year 1983, the fees assessed shall be one-half of the full fees set forth in WAC 173-305-040. For every year thereafter, full generator fees will be assessed.

(d) The statement of generator fee provided by the department of revenue will be a form including, but not limited to, the following information:

(i) The name and address of the person responsible for paying the fee;

(ii) The amount of the generator fee assessed;

(iii) The number and class or classes of identified sites for which a fee is owed and the fee owed for each identified site (if more than one);

(iv) A copy of the fee schedule for generators (from WAC 173-305-040);

(v) A statement of the due date for payment of the fee and the interest and penalties that could be levied for nonpayment; and

(vi) The name, address, and telephone number of a department contact person for responding to questions about the fee.

(5) Exemption from and reduction of fees. This subsection describes who may be exempted from a fee, whose fees may be reduced, and how exemptions or reductions will be granted or denied. To initiate a request for exemption or reduction, the person subject to a fee who wishes to make such a request must complete, sign, date, and submit to the department the form titled request for waiver of fee (available from the department).

(a) The department will grant an exemption from the generator fee to any person for any site for which he has been assessed a fee but which is not an identified site. Before granting an exemption the department may request any information reasonably necessary to determine whether the exemption should be granted including, but not limited to, information on a person's waste streams, types, and quantities. Upon request by the department, a person must provide such information within thirty days of the department's request. The department may extend this time limit if it believes there is a reasonable basis for doing so. Failure to submit information on time may result in denial of the person's request for exemption, or in penalties for late payment of his fee.

(b) The department will reduce the generator fee for any person who can demonstrate to the department that:

(i) The annual gross income apportioned to his identified sites is incorrect based on the share of each identified site's annual gross income; or

(ii) The fee assessed for his hazardous wastes is too high based on the criteria described in subsection (3) of this section; or

(iii) The person generates hazardous waste only once a year, or less frequently, as described in WAC 173-305-040 (1)(b).

Before granting a reduction, the department may request any information reasonably necessary to determine whether or how much reduction is appropriate including, but not limited to: The share of each identified site's annual gross income, or, for adjustment based on the criteria, information on hazardous waste types, quantities, and generation rates. Upon request by the department, a person must provide such information within thirty days of the department's request. The department may extend this time limit if it believes there is a reasonable basis for doing so. Failure to submit information on time may result in denial of the person's request for reduction, or in penalties for late payment of his fee.

(c) A request for waiver of fee must be submitted to the department by June 30 of the year in which a fee was assessed for the preceding calendar year. Failure to submit a request on time may result in collection and enforcement proceedings for failure to pay or late payment of a fee.

(d)(i) Upon receiving a completed, signed, and dated request for waiver of fee from a person, the department of ecology will temporarily waive the person's fee and will notify the department of revenue to delay collection or enforcement proceedings until the person's request has been processed. Except as provided in (e) of this subsection, no person who submits a timely request for waiver of fee shall be subject to any collection or enforcement actions while the department of ecology is making a final decision on that person's request. The department of ecology shall notify the person and the department of revenue regarding a final decision on exemption, reduction, and/or new due date (if any).

(ii) Any person who is ultimately exempted from payment of the generator fee will not be subject to any collection or enforcement actions.

(iii) If a person's generator fee is ultimately reduced but still owing, the final due date for payment of the fee will be either June 30 of the calendar year in which the fee was assessed, or thirty days after the department's final decision, whichever is later.

(e) If the department determines that a person has knowingly submitted false information regarding a request for waiver of fee, then any temporary waiver or payment deadline extension granted to such person will be deemed ineffective. The department may take enforcement actions against such person if his fee is still owed after June 30, regardless of any temporary waiver or deadline extension that the department may initially have granted:)) (1) The fee imposed is a thirty-five dollar (or as adjusted by WAC 173-305-070) annual fee payable by known and potential generators of hazardous waste. The fee for the 1990 fee period shall be due on July 31, 1990, for any known or potential generator operating in Washington after March 22, 1990. The fee for the 1991 calendar year, and the 1990 fee period for any known or potential generator who began business after July 31, 1990, shall be due January 31, 1992. The annual fee for calendar year 1992 and each calendar year thereafter shall be due on January 31 of the next succeeding year.

(2) The department will determine known generators based on the most current verified information available to the department.

(3) The department has determined potential generators to be those persons engaged in any of the primary business activities listed in the following Table:

Table 1

Primary Business Activities of Potential Generators

<u>Primary business activities</u>	<u>Description</u>
<u>AGRICULTURAL PRODUCTION – CROPS:</u>	<u>Includes establishments primarily engaged in the production of crops, plants, vines, and trees (excluding forestry operations).</u>
<u>SOIL PREPARATION SERVICES:</u>	<u>Includes establishments primarily engaged in land breaking, plowing, application of fertilizer, seed bed preparation, and other services for improving the soil for crop planting.</u>
<u>CROP PLANTING, CULTIVATING, AND PROTECTING:</u>	<u>Includes establishments primarily engaged in performing crop planting, cultivating and protecting services.</u>
<u>CROP PREPARATION SERVICES FOR MARKET:</u>	<u>Includes establishments primarily engaged in performing services on crops, subsequent to their harvest, with the intent of preparing them for market for further processing.</u>
<u>LAWN AND GARDEN SERVICES:</u>	<u>Includes establishments primarily engaged in performing a variety of lawn and garden services.</u>
<u>ORNAMENTAL SHRUB AND TREE SERVICES:</u>	<u>Includes establishments primarily engaged in performing a variety of ornamental shrub and tree services.</u>
<u>TIMBER TRACTS:</u>	<u>Includes establishments primarily engaged in the operation of timber tracts or tree farms for the purpose of selling standing timber.</u>
<u>METAL MINING:</u>	<u>This includes establishments primarily engaged in mining, developing mines, or exploring for metallic minerals (ores). These ores are valued chiefly for the metals contained, to be recovered for use as such or as constituents of alloys, chemicals, pigments, or other products. Includes mills which crush, grind, wash, dry, sinter, calcine, or leach ore, or perform gravity separation or flotation operations.</u>
<u>GENERAL BUILDING CONTRACTORS:</u>	<u>Includes general contractors and operative builders primarily engaged in the construction of residential, farm, industrial, commercial, or other buildings.</u>
<u>HEAVY CONSTRUCTION, EXCLUDING BUILDINGS:</u>	<u>Includes general contractors primarily engaged in heavy construction other than building, such as highways and streets, bridges, sewers, railroads, irrigation products, flood control products and marine construction, and special trade contractors primarily engaged in activities of a type that are clearly specialized to such heavy construction and are not normally performed on buildings or building-related projects.</u>
<u>CONSTRUCTION—SPECIAL TRADE CONTRACTORS:</u>	<u>Includes special trade contractors who undertake activities of a type that are specialized either to building construction,</u>

including work on mobile homes, or to both building and nonbuilding projects and include painting (including bridge painting and traffic lane painting), electrical work (including work on bridges, power lines, and power plants), carpentry work, plumbing, heating, air-conditioning, roofing, and sheet metal work.

BEVERAGES: Includes establishments primarily engaged in manufacturing malt beverages or malt byproducts; manufacturing wines, brandy, and brandy spirits including the blending of wines; manufacturing alcoholic liquors by distillation or by mixing liquors and other ingredients; manufacturing soft drinks and carbonated waters; and manufacturing flavoring extracts, syrups, powders, and related products.

TEXTILE MILL PRODUCTS: Includes establishments primarily engaged in performing any of the following operations: (1) preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage; (2) manufacturing broadwoven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn; (3) dyeing and finishing fiber, yarn, fabrics, and knit apparel; (4) coating, waterproofing, or otherwise treating fabrics; (5) the integrated manufacture of knit apparel and other finished articles from yarn; and (6) the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles.

LUMBER AND WOOD PRODUCTS: Includes establishments primarily engaged in cutting timber and pulpwood; merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood mills and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in manufacturing finished articles made entirely or mainly of wood or related materials.

FURNITURE AND FIXTURES: Includes establishments primarily engaged in manufacturing household, office, public building, and restaurant furniture, and office and store fixtures.

PAPER AND ALLIED PRODUCTS: Includes establishments primarily engaged in the manufacture of pulps from wood and other cellulose fibers, and from rags; the manufacture of paper and paperboard; and the manufacture of paper and paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes, and envelopes. Also included are establishments primarily engaged in manufacturing bags of plastics film and sheet.

PRINTING AND PUBLISHING: Includes establishments primarily engaged in printing by one or more common processes, such as letterpress; lithography (including offset), gravure, or screen; and those establishments which perform services for the printing trade, such as bookbinding and platemaking and also includes establishments engaged in publishing newspapers, books, and periodicals, regardless of whether or not they do their own printing.

CHEMICALS AND ALLIED PRODUCTS: Includes establishments primarily engaged in producing basic chemicals, and establishments manufacturing products by predominantly chemical processes.

PETROLEUM REFINING AND RELATED INDUSTRIES: Includes establishments primarily engaged in petroleum refining, manufacturing paving and roofing materials, and compounding lubricating oils and greases from purchased materials.

RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS: Includes establishments primarily engaged in manufacturing products from plastics resins and from natural, synthetic, or reclaimed rubber, gutta percha, balata, or butta siak.

LEATHER TANNING AND FINISHING: Includes establishments primarily engaged in tanning, currying, and finishing hides and skins into leather, and includes those who buy hides and skins and have them processed into leather on a contract basis by others.

STONE, CLAY, AND GLASS PRODUCTS: Includes establishments primarily engaged in manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand.

PRIMARY METAL INDUSTRIES: Includes establishments primarily engaged in smelting and refining ferrous and nonferrous metals from ore, pig, or scrap; in rolling, drawing, and alloying metals; in manufacturing castings and other basic metal products; and in manufacturing nails, spikes, and insulated wire and cable. This group includes the production of coke.

FABRICATED METAL PRODUCTS: Includes establishments primarily engaged in fabricating ferrous and nonferrous metal products, such as metal cans, tinware, handtools, cutlery, general hardware, nonelectric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, ordnance (except vehicles and guided missiles), and a variety of metal and wire products, not elsewhere classified.

INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT: Includes establishments primarily engaged in manufacturing industrial and commercial machinery and equipment and computers.

ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS, EXCEPT COMPUTER EQUIPMENT: Includes establishments primarily engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and writing equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies.

TRANSPORTATION EQUIPMENT: Includes establishments primarily engaged in manufacturing equipment for transportation of passengers and cargo by land, air, and water. Important products produced by establishments classified in this major group include motor vehicles,

aircraft, guided missiles, and space vehicles, ships, boats, railroad equipment, and miscellaneous transportation equipment, such as motorcycles, bicycles, and snowmobiles.

INSTRUMENTS, MEASURING, ANALYZING, AND CONTROLLING PHOTOGRAPHIC, MEDICAL, AND OPTICAL GOODS, WATCHES AND CLOCKS: Includes establishments primarily engaged in manufacturing instruments (including professional and scientific) for measuring, testing, analyzing, and controlling, and their associated sensors and accessories; optical instruments and lenses; surveying and drafting instruments; hydrological, hydrographic, meteorological, and geophysical equipment; search, detection, navigation, and guidance systems and equipment; surgical, medical, and dental instruments, equipment, and supplies; ophthalmic goods; photographic equipment and supplies; and watches and clocks.

JEWELRY, SILVERWARE, AND PLATED WARE: Includes establishments primarily engaged in manufacturing jewelry and other articles made of precious metals with or without stones; and includes manufacturing flatware, hollowware, ecclesiastical ware, trophies, trays, and related products made of sterling silver, of metal plated with silver, gold, or other metal; of nickel silver, of pewter, or of stainless steel.

TOYS AND SPORTING GOODS: Includes establishments primarily engaged in manufacturing: dolls, doll parts, and doll clothing; games and game sets for adults and children; mechanical and nonmechanical toys; and the manufacturing of sporting and athletic goods such as fishing tackle, golf and tennis goods, skis and skiing equipment.

BROOMS AND BRUSHES: Includes establishments primarily engaged in manufacturing household, industrial, and street sweeping brooms; and brushes such as paint brushes, toothbrushes, toilet brushes, and household and industrial brushes.

SIGNS AND ADVERTISING SPECIALTIES: Includes establishments primarily engaged in manufacturing electrical, mechanical, cutout, or plate signs and advertising displays, including neon signs, and advertising specialties.

BURIAL CASKETS: Includes establishments primarily engaged in manufacturing burial caskets and cases, including shipping cases, of wood or other material except concrete.

RAILROAD TRANSPORTATION: Includes establishments furnishing transportation by line-haul railroad, and switching and terminal establishments.

LOCAL AND INTERURBAN PASSENGER TRANSIT: Includes establishments primarily engaged in furnishing local and suburban passenger transportation.

MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING: Includes establishments furnishing local or long-distance trucking or transfer services, or those engaged in the storage of farm products, furniture and other household goods, or commercial goods of any nature. The operation of terminal facilities for handling freight, with or without maintenance facilities, is also included.

WATER TRANSPORTATION: Includes establishments primarily engaged in freight and passenger transportation on the open seas or inland waters, and establishments furnishing such incidental services as lighterage, towing, and canal operation. This major group also includes excursion boats, sightseeing boats, and water taxis.

TRANSPORTATION BY AIR: Includes establishments primarily engaged in furnishing domestic and foreign transportation by air and also those operating airports and flying fields and furnishing terminal services.

ELECTRIC SERVICES: Includes establishments primarily engaged in the generation, transmission, and/or distribution of electric energy for sale.

COMBINATION ELECTRIC AND GAS, AND OTHER UTILITY SERVICES: Includes establishments providing electric or gas services in combination with other services.

WATER SUPPLY: Includes establishments primarily engaged in distributing water for sale for domestic, commercial, and industrial use.

SANITARY SERVICES: Includes establishments primarily engaged in the collection and disposal of wastes conducted through a sewer system; and includes establishments primarily engaged in the collection and disposal of refuse by processing or destruction or in the operation of incinerators, waste treatment plants, landfills, or other sites for disposal of such materials.

MOTOR VEHICLES, PARTS, AND SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of new and used passenger automobiles, trucks, trailers, and other motor vehicles, including motorcycles, motor homes, and snowmobiles; the wholesale distribution of motor vehicle supplies, accessories, tools and equipment; and new motor vehicle parts; the distribution at wholesale or retail of used motor vehicle parts engaged in dismantling motor vehicles for the purpose of selling parts.

LUMBER AND CONSTRUCTION MATERIALS: Includes establishments, with or without yards, primarily engaged in the wholesale distribution of rough, dressed, and finished lumber (but not timber); plywood; reconstituted wood fiber products; doors and windows and their frames (all materials); wood fencing; and other wood or metal millwork; the wholesale distribution of stone, cement, lime construction sand, and gravel; brick (except refractory); asphalt and concrete mixtures; and concrete, stone, and structural clay products (other than refractories); the wholesale distribution of roofing and siding (except wood) and insulation materials; the wholesale distribution of mobile homes and of construction materials, not elsewhere classified, including prefabricated buildings and glass.

PROFESSIONAL AND COMMERCIAL EQUIPMENT: Includes establishments primarily engaged in the wholesale distribution of photographic equipment and supplies; office machines and related equipment, including photocopy and microfilm equipment and safes and vaults; computers, computer peripheral equipment, and computer software, commercial and related machines and equipment,

such as commercial cooking and food services equipment; partitions, shelving, lockers, and store fixtures; electrical signs; and balances and scales, except laboratory; surgical and other medical instruments, apparatus, and equipment; dentist equipment; artificial limbs; operating room and hospital equipment; X-ray machines; and other electromedical equipment and apparatus used by physicians and in hospitals; professional equipment and goods used, prescribed, or sold by ophthalmologists, optometrists, and opticians, including ophthalmic frames, lenses, and sunglass lenses; professional equipment and supplies, such as drafting instruments, laboratory equipment, and scientific instruments.

METAL AND MINERALS, EXCEPT PETROLEUM: Includes establishments primarily engaged in marketing semifinished metal products, except precious metals.

ELECTRICAL APPARATUS AND EQUIPMENT, WIRING SUPPLIES, AND CONSTRUCTION MATERIALS: Includes establishments primarily engaged in the wholesale distribution of electrical power equipment for the generation, transmission, distribution, or control of electric energy; electrical construction materials for outside power transmission lines and for electrical systems; and electric light fixtures and bulbs.

MACHINERY, EQUIPMENT, AND SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of construction or mining cranes, excavating machinery and equipment, power shovels, road construction and maintenance machinery, tractor-mounting equipment and other specialized machinery and equipment used in the construction, mining, and logging industries; distribution of agricultural machinery and equipment for use in the preparation and maintenance of the soil, the planting and harvesting of crops, and other operations and processes pertaining to work on the farm or the lawn or garden; and dairy and other livestock equipment; wholesale distribution of industrial machinery and equipment; wholesale distribution of industrial supplies; wholesale distribution of equipment and supplies for barber shops, beauty parlors, power laundries, drycleaning plants, upholsterers, undertakers, and related personal service establishments; wholesale distribution of transportation equipment and supplies.

MISCELLANEOUS DURABLE GOODS: Includes establishments primarily engaged in the wholesale distribution of sporting goods and accessories; billiard and pool supplies; sporting firearms and ammunition; and marine pleasure craft, equipment, and supplies; wholesale distribution of games, toys, hobby goods and supplies, and related goods, such as fireworks and playing cards; assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials; wholesale distribution of jewelry, precious stones and metals, costume jewelry, watches, clocks, silverware, and jewelers' findings.

DRUGS, PROPRIETARIES, AND SUNDRIES: Includes establishments primarily engaged in the wholesale distribution of prescription drugs, proprietary drugs, druggists' sundries, and toiletries.

CHEMICALS AND ALLIED PRODUCTS: Includes establishments primarily engaged in the wholesale distribution of plastics materials, and of unsupported plastics film, sheets, sheeting, rods, tubes, and other basic forms and shapes, whole distribution of chemicals and allied products, such as acids, industrial and heavy chemicals, dye stuffs, industrial salts, rosin, and turpentine.

PETROLEUM AND PETROLEUM PRODUCTS: Includes establishments primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities; wholesale distribution of petroleum and petroleum products, except those with bulk liquid storage facilities. Included are packaged and bottled petroleum products distributors, truck jobbers, and others marketing petroleum and its products at wholesale, but without bulk liquid storage facilities.

FARM SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of animal feeds, fertilizers, agricultural chemicals, pesticides, seeds, and other farm supplies, except grains.

PAINTS, VARNISHES, AND SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of paints, varnishes, wallpaper, and supplies.

PAINT, GLASS, AND WALLPAPER STORES: Includes establishments engaged in selling primarily paint, glass, and wallpaper, or any combination of these lines, to the general public.

RETAIL NURSERIES, LAWN AND GARDEN SUPPLY STORES: Includes establishments primarily engaged in selling trees, shrubs, other plants, seeds, bulbs, mulches, soil conditioners, fertilizers, pesticides, garden tools, and other garden supplies to the general public.

NEW AND USED CAR DEALERS: Includes establishments primarily engaged in the retail sale of new automobiles or new and used automobiles. These establishments frequently maintain repair departments and carry stocks of replacement parts, tires, batteries, and automotive accessories.

USED CAR DEALERS: Includes establishments primarily engaged in the retail sale of used cars only, with no sales of new automobiles.

AUTO AND HOME SUPPLY STORES: Includes establishments primarily engaged in the retail sale of new automobile tires, batteries, and other automobile parts and accessories.

GASOLINE SERVICE STATIONS: Includes gasoline service stations primarily engaged in selling gasoline and lubricating oils.

BOAT DEALERS: Includes establishments primarily engaged in the retail sale of new and used motorboats and other watercraft, marine supplies, and outboard motors.

RECREATIONAL VEHICLE DEALERS: Includes establishments primarily engaged in the retail sale of new and used motor homes, recreational trailers, and campers (pickup coaches).

MOTORCYCLE DEALERS: Includes establishments primarily engaged in the retail sale of new and used motorcycles, including motor scooters and mopeds, and all-terrain vehicles.

SPORTING GOODS STORES AND BICYCLE SHOPS: Includes establishments primarily engaged in the retail sale of sporting goods, sporting equipment, and bicycles, bicycle parts, and accessories.

FUEL DEALERS: Includes establishments primarily engaged in the retail sale of fuel oil; or in the retail sale of bottled or bulk liquefied petroleum (LP) gas; or in the retail sale of coal, wood, or other fuels.

SUBDIVIDERS AND DEVELOPERS: Includes establishments primarily engaged in subdividing real property into lots, except cemetery lots, and in developing it for resale on their own account; or subdividing real property into cemetery lots, and developing it for resale on their own account.

LAUNDRY, CLEANING, AND GARMENT SERVICES: Includes establishments primarily engaged in operating mechanical laundries with steam or other power, garment pressing, and agents for laundries and drycleaners; linen supply; coin-operated laundries and drycleaning; drycleaning plants, except rug cleaning; carpet and upholstery cleaning; and industrial launderers.

DISINFECTING AND PEST CONTROL SERVICES: Includes establishments primarily engaged in disinfecting dwelling and other buildings, and in termite, insect, rodent, and other pest control, generally in dwellings or other buildings.

MISCELLANEOUS EQUIPMENT RENTAL AND LEASING: Includes establishments primarily engaged in renting or leasing medical equipment; or heavy construction equipment.

PHOTOFINISHING LABORATORIES: Includes establishments primarily engaged in developing film and in making photographic prints and enlargements for the trade or for the general public.

AUTOMOTIVE RENTAL AND LEASING, WITHOUT DRIVERS: Includes establishments primarily engaged in short-term rental or extended-term leasing of trucks, truck tractors, or semitrailers; short-term rental of passenger cars, extended-term leasing of passenger cars; and daily or extended-term rental of utility trailers and recreational vehicles.

AUTOMOTIVE REPAIR SHOPS: Includes establishments primarily engaged in the repair of automotive tops, bodies, and interiors, or automotive painting and refinishing; customizing automobiles, trucks, and vans except on a factor basis; the installation, repair, or sale and installation of automotive exhaust systems; the repairing and retreading of automotive tires; installation, repair, or sales and installation of automotive glass; installation, repair, or sales and installation of automotive transmission; general automotive repair, specialized automotive repair, such as fuel service (carburetor repair), brake relining, front end and wheel alignment, and radiator repair.

MISCELLANEOUS REPAIR SHOPS AND RELATED SERVICES:

Includes establishments primarily engaged in general repair work by welding, including automotive welding; rewinding armatures and rebuilding or repairing electric motors; specialized repair services, such as bicycle repair, leather goods repair, lock and gun repair, including the making of lock parts or gun parts to individual order; musical instrument repair; septic tank cleaning; farm machinery repair; furnace cleaning; motorcycle repair; tank truck cleaning; taxidermists; tractor repair; and typewriter repair.

HOSPITALS: Includes establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical services, and other hospital services, as well as continuous nursing services; providing general medical and surgical services and other hospital services; providing diagnostic medical services and inpatient treatment for the mentally ill; providing diagnostic services, treatment, and other hospital services for specialized categories of patients, except mental.

MEDICAL AND DENTAL LABORATORIES: Includes establishments primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient on prescription of a physician; making dentures, artificial teeth, and orthodontic appliances to order for the dental profession.

COLLEGES, UNIVERSITIES, PROFESSIONAL SCHOOLS, AND JUNIOR COLLEGES: Colleges, universities, and professional schools furnishing academic courses and granting academic degrees; or junior colleges and technical institutes furnishing academic, or academic and technical, courses, and granting associate academic degrees, certificates, or diplomas.

ENGINEERING AND ARCHITECTURAL SERVICES: Includes establishments primarily engaged in providing professional engineering; professional architectural; or professional land, water, and aerial surveying services.

RESEARCH AND TESTING SERVICES: Includes establishments primarily engaged in commercial physical and biological research and development on a contract or fee basis; or performing commercial business, marketing, opinion, and other economic, sociological, and educational research on a contract or fee basis; or performing noncommercial research into and dissemination of, information for public health, education, or general welfare; or providing testing services.

ENVIRONMENTAL QUALITY: Government establishments primarily engaged in regulation, planning, protection and conservation of air and water resources; solid waste management; water and air pollution control and prevention; flood control; drainage development, and consumption of water resources; coordination of these activities at intergovernmental levels; research necessary for air pollution abatement and control and conservation of water resources; and government establishments primarily engaged in regulation, supervision and control of land use, including recreational areas; conservation and preservation of natural resources; control of wind and water

erosion; and the administration and protection of publicly and privately owned forest lands, including pest control. Planning, management, regulation, and conservation of game, fish, and wildlife populations, including wildlife management areas and field stations; and other matters relating to the protection of fish, game, and wildlife.

NATIONAL SECURITY: Includes establishments of the armed forces, including the National Guard, primarily engaged in national security and related activities.

(4) A potential generator shall be exempt from the fee if the potential generator is entitled to the exemption in RCW 82.04.300 in the current calendar year.

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-040 ((SCHEDULE OF GENERATOR FEES)) RESERVED. ((This section sets forth the amount of the generator fee to be assessed. Subsection (1) of this section, describes the fees for specific businesses based on the criteria established in WAC 173-305-030(3) and annual gross income categories. Subsection (2) of this section, describes the fees for nonspecific businesses based on annual gross income categories.

(1) Schedule of generator fees for specific businesses:

(a) Matrix. The matrix at the end of this subsection sets the amount of the fees for generators in particular risk classes and annual gross income ranges. Based on the annual gross income and the apportionment of income among identified sites, and on the information obtained in hazardous waste annual reports, persons will be assessed generator fees from the matrix. By finding the risk class in the left column and reading over to the apportioned annual gross income, the department will determine the fee for each identified site. A person owning or controlling more than one identified site will be assessed for the sum of the fees for all of his identified sites.

Specific Business Generator Fee Matrix

Apportioned Annual Gross Income¹

Risk Class ²	\$ 1,000,000.01		
	\$1,000,000.00 and less	to \$10,000,000.00	More than \$10,000,000.00
G1	\$15.00	\$100.00	\$1,000.00
G2	\$40.00	\$300.00	\$3,000.00
G3	\$65.00	\$500.00	\$5,000.00
G4	\$90.00	\$600.00	\$6,000.00
G5	\$115.00	\$675.00	\$6,750.00
G6	\$140.00	\$725.00	\$7,250.00
G7	\$150.00	\$750.00	\$7,500.00

¹ For procedures for apportioning annual gross income, see WAC 173-305-030(2).

² For procedures for determining risk class, see WAC 173-305-030(3).

(b) Once a year generator fee reduction. Any person whose annual hazardous waste quantity does not exceed either 2.0 tons of dangerous waste (DW) or 0.5 tons of extremely hazardous waste (EHW), and who generates hazardous waste only once a year at an identified site will, for that identified site, owe only one-half of the full generator fee that would have been assessed solely on

~~the basis of waste type and quantity. A person generates hazardous waste only once a year if either. All of the person's hazardous wastes are generated during one month or less of a calendar year, or, in the case of a person who is usually a small quantity generator (as described in chapter 173-303 WAC), the person's hazardous wastes exceed the small quantity generator exclusion only once during a calendar year. To the extent practical, the department will try to make the above determinations when calculating a person's generator fee prior to assessment. Any person assessed a generator fee which does not include the above reduction and who believes that such reduction is applicable, may complete and submit the request for waiver of fee form as described in WAC 173-305-030(5).~~

~~(2) Schedule of generator fees for nonspecific businesses:~~

~~(a) SIC list. A list of SIC numbers appears at the end of this subsection. Any person whose business activity has an SIC number appearing on this list will be assessed a generator fee if the department has concluded, according to WAC 173-305-030 (1)(b)(ii), that his nonspecific business utilizes or operates an identified site. The amount of the fee is established in (b) of this subsection. Procedures for apportioning annual gross income for nonspecific businesses are described in WAC 173-305-030 (2)(b).~~

SIC List

1000	2865	3412	3662	4600
1081	2869	3423	3670	4610
1099	2870	3429	3674	4613
1721	2873	3433	3676	4811
2400	2874	3441	3679	4910
2411	2875	3451	3691	4911
2421	2879	3452	3694	4922
2430	2891	3462	3700	4953
2434	2893	3469	3710	4959
2435	2899	3470	3711	5013
2436	2900	3471	3713	5039
2490	2911	3479	3714	5063
2491	2951	3490	3715	5084
2500	2992	3496	3720	5085
2510	2999	3498	3721	5098
2511	3000	3499	3724	5100
2512	3024	3500	3728	5160
2531	3069	3530	3731	5161
2599	3079	3531	3732	5171
2600	3111	3533	3736	5172
2611	3170	3536	3749	5191
2621	3200	3540	3764	5210
2631	3211	3541	3769	5211
2640	3293	3542	3811	5231
2641	3295	3544	3823	5261
2643	3296	3549	3825	5541
2651	3300	3551	3829	5931
2653	3312	3552	3841	5983
2654	3313	3555	3842	7212
2711	3315	3559	3861	7216
2800	3325	3573	3911	7349
2812	3331	3579	3993	7379
2813	3334	3582	3999	7391
3816	3339	3589	4011	7399
2819	3341	3599	4200	7500
2821	3353	3600	4210	7530
2831	3355	3610	4214	7539
2834	3356	3612	4226	7542
2841	3361	3622	4266	7692
2842	3398	3624	4400	7694
2843	3399	3639	4411	7699

SIC List

2850	3400	3646	4463	8071
2851	3411	3661	4469	8911
				9511
				9621
				9641

~~(b) Schedule. The generator fees for nonspecific businesses are:~~

- ~~(i) \$150.00 for each person with an apportioned annual gross income not in excess of one million dollars;~~
- ~~(ii) \$750.00 for each person with an apportioned annual gross income in excess of one million dollars but not exceeding ten million dollars; and~~
- ~~(iii) \$7,500.00 for each person with an apportioned annual gross income in excess of ten million dollars.)~~

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-050 ((COORDINATION WITH)) RESPONSIBILITIES OF THE DEPARTMENTS OF ECOLOGY AND REVENUE. ((The departments of ecology and revenue will frequently be transferring information and working together in the collection of generator fees. This section briefly describes some of the key areas in which the two agencies will coordinate. For the sake of clarity, they will be referred to in this section as ecology and revenue.))

(1) The primary responsibilities of the department of ecology are to ((set fees,)) provide the department of revenue with a list of known generators and to determine ((which persons will be assessed, and establish procedures for adjusting assessments)) the primary business activities of potential generators.

(2) The primary responsibility of the department of revenue is to collect ((generator)) the fees ((but not facility fees)) from known and potential generators as identified in subsection (1) of this section.

(3) ((Figures on annual gross income for businesses will be obtained from revenue. Ecology will abide by whatever rules revenue may have regarding confidentiality of this information.

(4) Ecology will notify revenue promptly of any changes to generator fees for individuals or groups. Revenue will inform ecology of current amounts collected and placed in the hazardous waste control and elimination account, and of any generator fees that are overdue.

(5) Ecology will calculate any penalties or interest owed on overdue generator fees, will perform any adjustments to the generator fee owed by any individual, and will provide these figures to revenue for use in their collection proceedings.)) The department of ecology will periodically amend the list of primary business activities of potential generators by reviewing the most current verified information that is available to the department.

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-060 ((FACILITY FEES)) PENALTY FOR FAILURE TO PAY THE FEE. ((This section describes the methods by which the department will. Select persons subject to a fee for operating a

transfer, treatment, storage, or disposal (TSD) facility (subsection (1) of this section), determine the size of each facility fee based on the types of wastes, TSD activities, waste quantities, risks, etc. (subsection (2) of this section), and, assess the fees for each facility (subsection (3) of this section). The actual schedule of facility fees appears in WAC 173-305-070. Persons who operate a combined site (as defined in WAC 173-305-020) may be subject to two fees, however there is a maximum assessment not to be exceeded for each combined site operated by a person. The procedures for assuring this maximum is not exceeded are described in WAC 173-305-080. For the purposes of WAC 173-305-060 through 173-305-080, the term "operate" means own or control, the term "manage" means, in reference to hazardous waste, transfer, treat, store, or dispose (TSD), and recycling shall be considered a form of treatment.

(1) Selection of facilities. A facility fee will be assessed to any person who operates a facility which is subject to a permit administered pursuant to chapter 173-303 WAC. Any person who operates more than one facility subject to a fee shall be responsible for paying all fees assessed to his facilities.

(2) Criteria for facility fee amount. This subsection describes the specific risk classes for facilities and the general parameters for fee amounts. The specific facility fee amounts are established in WAC 173-305-070 and are related to the risk classes and general fee parameters set forth in this subsection.

(a) Facility fee parameters. Except as provided in WAC 173-305-090, the facility fee assessed for the management of hazardous waste during a calendar year will not exceed \$7,500.00 for a facility.

(b) Facility risk class. Seven facility risk classes are established. The risk classes shall be identified as F1, F2, F3, F4, F5, F6, and F7, and are graduated with F1 representing the lowest risk and F7 representing the highest risk. The classes depend on the type(s) of hazardous waste (extremely hazardous waste (EHW) or dangerous waste (DW)) and quantities managed at a facility, and the type(s) of management at the facility. The facility risk classes are defined as follows:

(i) F1—Storage or transfer of less than 140.0 tons of DW, or less than 14.0 tons of EHW in a calendar year;

(ii) F2—Storage or transfer of 140.0 tons or more but less than 340.0 tons of DW, or 14.0 tons or more but less than 34.0 tons of EHW in a calendar year;

(iii) F3—Storage or transfer of 340.0 tons or more but less than 580.0 tons of DW, or 34.0 tons or more but less than 58.0 tons of EHW in a calendar year, or, treatment or incineration of less than 15.0 tons of DW, or less than 1.5 tons of EHW in a calendar year;

(iv) F4—Storage or transfer of 580.0 tons or more of DW, or 58.0 tons or more of EHW in a calendar year, or, treatment or incineration of 15.0 tons or more but less than 30.0 tons of DW, or 1.5 tons or more but less than 3.0 tons of EHW in a calendar year;

(v) F5—Treatment or incineration of 30.0 tons or more but less than 260.0 tons of DW, or 3.0 tons or more but less than 26.0 tons of EHW in a calendar year;

(vi) F6—Treatment or incineration of 260.0 tons or more of DW, or 26.0 tons or more of EHW in a calendar year, or, disposal of less than 10.0 tons of DW in a calendar year;

(vii) F7—Disposal of 10.0 tons or more of DW in a calendar year.

(c) Assigning facility risk class. The department will assign the highest applicable risk class to a facility. For example, if a facility stores 50 tons of DW during a calendar year (Risk Class F1) and treats 2 tons of EHW during the same calendar year (Risk Class F4), then the facility will be assigned the facility Risk Class F4. In addition, the risk class assignable to a storage or treatment facility will be increased to the next highest risk class if fifty percent or more of the facility's hazardous wastes are managed in waste piles or surface impoundments. However, no risk class higher than F7 will ever be assigned. For example, if during a calendar year a facility stores 400 tons of DW in tanks (Risk Class F3) and treats this waste in a surface impoundment (Risk Class F6), then the higher risk class, F6, will be increased by one class. Thus, the facility risk class assigned by the department to the facility would be F7.

(d) Special provision for permit by rule facilities. A facility which is operating under a permit by rule pursuant to WAC 173-303-802 will be assigned a facility risk class as described in (c) of this subsection. However, the fee assessed to a permit by rule facility will be only ten percent of the full fee specified in WAC 173-305-070 for the risk class assigned to the permit by rule facility. For example, if a permit by rule facility treats 20 tons of EHW in tanks during a calendar year, the assigned facility risk class would be F5. However, the fee assessed to this facility would be \$650.00 (10 percent of \$6,500.00, the full fee that would otherwise be assessed to a Risk Class F5 facility). This provision is only applicable to those facilities which manage hazardous wastes solely under a permit by rule.

(3) Assessment of facility fees. This subsection describes the procedures for assessing facility fees.

(a) Facility fees will be assessed, for each facility subject to a fee, to the person who operates the facility. The department will depend on the information submitted in notifications, permit applications, and annual reports to determine the person responsible for a facility fee. A facility fee will be considered paid only after a valid check or money order for the full fee and any accrued interest and/or penalties has been delivered to the department of revenue.

(b)(i) A facility fee will be owed for each calendar year during which hazardous waste is managed at the facility. The department will provide a statement of facility fee to each person operating a facility by August 1, 1984, for facilities managing hazardous waste in calendar year 1983, and by April 15 of each year thereafter. The dates facility fees are due are September 1, 1984, for facilities managing hazardous waste in calendar year 1983, and May 15 each year thereafter for facilities managing hazardous waste in the preceding calendar year. These due dates will be changed for facility fee statements that are not issued by the applicable deadlines, or for facility fee statements issued pursuant to

(b)(ii) of this subsection. The final due date in these cases will be thirty days after the department issues the facility fee statements. Any person who still owes a facility fee after the applicable due date may be subject to collection and enforcement actions.

(ii)(A) If a person submits a facility annual report (pursuant to WAC 173-303-390) to the department and his report is late, then the department may issue his facility fee statement after the applicable deadline.

(B) The department may discover that a person operates a facility, but that he has not been complying with the applicable requirements of chapter 173-303 WAC and has not been assessed a facility fee under chapter 173-305 WAC. If the department determines this to be the case, then such person may be assessed a facility fee that is the total of the fees owed for each year, after December 31, 1982, in which his facility managed hazardous waste but for which he did not pay a fee.

(c) The statement of facility fee provided by the department will be a form including, but not limited to, the following information:

- (i) The name and address of the assessed facility;
- (ii) The amount of the facility fee assessed;
- (iii) The facility class based on the criteria described in subsection (2) of this section;
- (iv) A copy of the fee schedule for all facilities as shown in WAC 173-305-070;
- (v) For facilities also subject to a generator fee, the calculations made, pursuant to WAC 173-305-080, to assure that the maximum combined fee is not exceeded;
- (vi) A statement of the due date for payment of the fee and the interest and penalties that could be levied for nonpayment, and
- (vii) The name, address, and telephone number of a department contact person for responding to questions about the fee.) Chapter 114, Laws of 1990 grants the department of revenue the authority to assess a penalty of three times the amount of the unpaid fee if a known or potential generator fails to pay all or any part of a fee imposed under this chapter. See: WAC 458-20-228 for a discussion of the circumstances under which a penalty may be waived.

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-070 ((SCHEDULE)) ADJUSTMENT OF ((FACILITY)) FEES. ((The facility risk classes used here refer to the criteria established in WAC 173-305-060(2). The fees are:

- (1) \$750.00 for Risk Class F1 facilities;
- (2) \$1,500.00 for Risk Class F2 facilities;
- (3) \$4,000.00 for Risk Class F3 facilities;
- (4) \$5,000.00 for Risk Class F4 facilities;
- (5) \$6,500.00 for Risk Class F5 facilities;
- (6) \$7,250.00 for Risk Class F6 facilities; and
- (7) \$7,500.00 for Risk Class F7 facilities.)) On an annual basis, the department shall adjust the base fee by conducting the calculation in subsection (1) of this section and taking the actions set forth in subsection (2) of this section:

(1) In November of each year, the base fee, or the fee as subsequently adjusted by this section, shall be multiplied by a factor equal to the most current quarterly "price deflator" available, divided by the "price deflator" used in the numerator the previous year. However, the "price deflator" used in the denominator for the first adjustment shall be divided by the second quarter "price deflator" for 1990.

(2) Each year by March 1, the schedule, as adjusted in subsection (1) of this section, will be published. The department will round the published fees to the nearest dollar.

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

WAC 173-305-080 ((ASSESSMENTS FOR COMBINED SITES)) GENERAL ADMINISTRATIVE PROVISIONS. ((1) Maximum fee. Any person who operates a hazardous waste transfer treatment, storage or disposal (TSD) facility which is also an identified site will be subject to both the facility fee and the generator fee. At no time, however, will the sum of both fees exceed \$7,500.00 for a combined site in one year. Any person who operates more than one combined site will be responsible for the sum of the fees assessed to each combined site. The maximum fee (\$7,500.00) applies only to each combined site, and does not apply to the sum of the fees assessed to multiple combined sites operated by one person.

(2) Assessment. At the time that the department is calculating the fee for a combined site, it will determine the amount of the generator fee and the amount of the facility fee to be assessed. If the sum of the two fees exceeds \$7,500.00 for the combined site, then the department will recalculate the fees and provide the calculations with either the generator or facility fee statement. When required to recalculate the fees, the department will subtract either the generator or facility fee from \$7,500.00, and the difference will be the facility or generator fee. For example, if the department determines that the generator fee for a particular combined site is \$5,000.00, and that the facility fee is \$5,000.00, then the department will recalculate the generator or facility fee because the sum of the two fees (\$10,000.00) exceeds \$7,500.00. The recalculation would be $\$7,500.00 - \$5,000.00 = \$2,500.00$, thus the generator or facility fee assessed in the statement for the combined site would be \$2,500.00.

(3) Adjustments, supplemental fees. If at any time there is a reduction in the generator fee for a combined site (due to the department's granting of an exemption, reduction, or reapportionment under WAC 173-305-030 (5) or (2)(b)(ii) or (iii)) and the facility fee for the combined site has been recalculated in accordance with subsection (2) of this section prior to the generator fee reduction, then the department will adjust the facility fee to reflect the reduced generator fee and, if necessary, issue a supplemental facility fee statement. If a supplemental facility fee statement is issued, the due date for

~~the supplemental fee will be thirty days after the supplemental statement is issued, whichever is later. An example of when a supplemental facility fee would be issued is as follows. The department determines that a particular combined site owes a generator fee of \$6,000.00 and a facility fee of \$6,500.00. However, because of the limit for combined sites, the department issues a facility fee statement which assesses \$1,500.00 (\$7,500.00 - \$6,000.00 = \$1,500.00). The person who operates the combined site pays the \$1,500.00 facility fee, but he requests reapportionment of his annual gross income to reduce his generator fee. The department ultimately grants his request and his new generator fee is \$600.00, which he then pays. The person who operates the combined site is now liable for payment of the full \$6,500.00 facility fee, because his combined fees do not exceed \$7,500.00 (\$600.00 + \$6,500.00 = \$7,100.00). Therefore, the department issues a supplemental facility fee statement for \$5,000.00 (\$6,500.00 - \$1,500.00 (already paid) = \$5,000.00 (unpaid balance)) which the person who operates the combined site then pays.) The provisions of chapter 82.32 RCW, except RCW 82.32.050 and 82.32.090, apply to the administration of this fee. See: WAC 458-20-100 Appeal procedures, for appeal rights and petition procedures.~~

AMENDATORY SECTION (Amending Order DE 83-38, filed 2/7/84)

~~WAC 173-305-090 ((ADJUSTMENT OF FEES AND LIMITS)) RESERVED. ((The department will adjust, by rule amendment, the fee schedules of WAC 173-305-040 and 173-305-070, and the maximum fee limits of WAC 173-305-030(3), 173-305-060(2), and 173-305-080(1) by increasing or decreasing the amounts set forth therein by five percent on each occasion when the consumer price index of the United States Department of Labor increases or decreases by a five percent increment from the index figure as it existed on January 1, 1983.))~~

WSR 90-15-026

PERMANENT RULES

WESTERN WASHINGTON UNIVERSITY

[Filed July 13, 1990, 2:24 p.m., effective July 17, 1990]

Date of Adoption: April 6, 1990.

Purpose: Bring up-to-date references to "university" rather than "college."

Citation of Existing Rules Affected by this Order: Amending WAC 516-31-010.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Other Authority: Chapter 43.21C RCW.

Pursuant to notice filed as WSR 90-02-029 on December 29, 1989.

Effective Date of Rule: July 17, 1990.

The present amended rule was previously adopted on an emergency basis filed under WSR 90-02-029. It was

inadvertently omitted from the final set of rules submitted under WSR 90-10-042. The amended rule will expire on July 17, 1990, so this needs to become effective on that date.

July 11, 1990

Dennis A. Kole

Assistant Attorney General

AMENDATORY SECTION (Amending Order 76-8, filed 12/14/76)

WAC 516-31-010 IMPLEMENTATION OF STATE ENVIRONMENTAL POLICY ACT. (1) It shall be the policy of Western Washington ((State College)) University that all actions taken by the ((college)) university shall comply with the provisions of chapter 43.21C RCW (the State Environmental Policy Act) and chapter ((197-10)) 197-11 WAC, as presently enacted or hereafter amended.

(2) The president of Western Washington ((State College)) University shall be responsible for administering and implementing this policy. The president shall designate the ((college)) university personnel who will be responsible for carrying out the duties and functions of the ((college)) university as set forth or incorporated herein.

WSR 90-15-027

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Examining Board of Psychology)**

[Memorandum—July 13, 1990]

The location of the September meeting for the Examining Board of Psychology on September 14-15, 1990, has been changed. The new location is Ramada Inn - Airport, Spokane Airport, P.O. Box 19228, Spokane, WA 99219, Room 200.

The October meeting dates for the Examining Board of Psychology have been changed from October 12-13, 1990, to October 12, 13 and 14, 1990.

WSR 90-15-028

**PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3040—Filed July 13, 1990, 2:36 p.m.]

Date of Adoption: July 13, 1990.

Purpose: To implement a food stamp program income exclusion.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-470.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 90-12-005 on May 25, 1990.

Effective Date of Rule: Thirty-one days after filing.
 July 13, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2911, filed 12/1/89, effective 1/1/90)

WAC 388-49-470 INCOME-EXCLUSIONS.

- (1) The department shall exclude the following income:
 - (a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source;
 - (b) Income specifically excluded by any federal statute from consideration as income in the food stamp program;
 - (c) The earned income of children who are:
 - (i) Members of the household((:));
 - (ii) Seventeen years of age or under((:)); and
 - (iii) Attending school at least half time.
 - (d) Infrequent or irregular income received during a three-month period that:
 - (i) Cannot be reasonably anticipated as available((:)); and
 - (ii) Shall not exceed thirty dollars for all household members.
 - (e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;
 - (f) Nonrecurring lump sum payments;
 - (g) The cost of producing self-employment income;
 - (h) Financial aid received under Title IV of the Higher Education Act designated by the school for:
 - (i) Tuition((:));
 - (ii) Fees (((:)), including equipment and material((:));
 - (iii) Books((:));
 - (iv) Supplies((:));
 - (v) Transportation((:)); and
 - (vi) Miscellaneous personal expenses determined by the institution.
 - (i) Other federal financial aid designated by the school for:
 - (i) Tuition((:)); and
 - (ii) Mandatory fees.
 - (j) Nonfederal financial aid designated by the school for:
 - (i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and
 - (ii) Other earmarked educational expenses such as transportation, supplies, and textbooks.
 - (k) Reimbursements for past or future expenses to the extent the reimbursements do not:
 - (i) Exceed the actual expense((:)); and
 - (ii) Represent a gain or benefit to the household.
 - (l) Any gain or benefit not in money;
 - (m) Vendor payments as defined in WAC 388-49-020;
 - (n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;

- (o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;
- (p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

Number in Grant Assistance Unit	Energy Exclusion
1	\$ 36
2	47
3	56
4	67
5	77
6	87
7	101
8 or more	111

- (q) Support payments specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;
- (r) Support payments not required by the support court order or other legally binding written support or alimony agreement paid directly to a third party rather than to the household;
- (s) Payments from the individual and family grant program;
- (t) Public assistance payments;
- (i) Over and above the regular warrant amount; ((and))
 - (ii) Not normally a part of the regular warrant; and
 - (iii) Paid directly to a third party on behalf of the household.
- (u) ((Earnings)) From ((on-the-job training programs under the)) Jobs Training Partnership Act ((by household members)) programs:
 - (i) ((Eighteen years of age and under)) Allowances; and
 - (ii) Earnings from on-the-job training by household members under parental control and eighteen years of age and younger.
 - (v) Cash donations based on need:
 - (i) Received directly by the household;
 - (ii) From one or more private, nonprofit, charitable organizations; and
 - (iii) Not exceeding three hundred dollars in any federal fiscal year quarter.
 - (w) Earned income credit; and
 - (x) Federal census bureau wages earned:
 - (i) During the 1990 Federal Census Demonstration Project; and
 - (ii) By a temporary census worker eligible for this exclusion.
- (2) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:
 - (a) Prorate the earnings equally among the working members((:)); and
 - (b) Exclude the child's pro rata share.

(3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the department shall exclude:

(a) Any identifiable portion intended and used for the care and maintenance of the person out of the household(;;); or

(b) If the portions are not readily identified as:

(i) An even pro rata share; or

(ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

WSR 90-15-029
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3041—Filed July 13, 1990, 2:39 p.m.]

Date of Adoption: July 13, 1990.

Purpose: This amendment brings together all the changes which have recently occurred in the chore services program and are currently in effect.

Citation of Existing Rules Affected by this Order: Amending chapter 388-15 WAC.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-11-124 on May 23, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 13, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-207 CHORE SERVICES FOR ADULTS—LEGAL BASIS—PURPOSE—GOALS.

(1) The legal basis for the chore services program is RCW 74.08.530 through 74.08.570.

(2) The purpose of the program is to assist an eligible applicant at risk of being placed in a long-term care facility by providing allowable chore service tasks that may allow the eligible applicant to remain in or return to the eligible applicant's ((home whenever possible)) own residence.

(3) ((The department shall limit goals for)) Chore services ((for adults to those specified in WAC 388-15-010 (1)(b) and (d). Also see WAC 388-15-010(2))) may be provided through the contracted program or the individual provider program.

AMENDATORY SECTION (Amending Order 2815, filed 6/21/89)

WAC 388-15-208 DEFINITIONS. (1) ((“Chore services” means services in performing personal care and related tasks as provided in the department's medical assistance state plan provision addressing personal care.

~~(2) “Contracted program” means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore service provider.~~

~~(3) “Individual provider program” means that method of chore service delivery where the client employs and supervises the chore service provider. Payment is made to the client who, in turn, pays the provider.~~

~~(4) “Attendant care” means the service provided to eligible clients receiving attendant care services before April 1, 1988:~~

~~(a) Who need full-time care; and/or~~

~~(b) Require assistance that cannot be scheduled with personal care tasks, e.g., toileting, ambulation, transfer; and/or~~

~~(c) Need protective supervision when it is dangerous for a client to be left alone. Protective supervision does not include responsibilities a legal guardian should assume. The department authorizes a daily rate payment for attendant care in the individual provider program.~~

~~(5) “Hourly care” means the service the department provides to eligible applicants needing assistance that may be scheduled with household and/or personal care tasks:~~

~~(6) “Own home” means the client's present or intended place of residence whether in a building rented or owned by the client or in the home of another person. The department provides chore services within the confines of the home property except for essential shopping, errands, and transportation necessary for the completion of authorized tasks.~~

~~(7) “Client review questionnaire” means an assessment form the department uses to determine the amount and type of chore services to be provided. The department staff uses the assessment to identify, document, and score the allowable chore service needs of all eligible applicants/clients.~~

~~(8) “Service authorization ceiling chart” means the chart indicating the maximum number of hours the department may authorize for a client's score.~~

~~(9) “Personal care” means such tasks as meal preparation, eating, dressing, personal hygiene, specialized body care, transfer, positioning, ambulation, bathing, toileting, self-medication a client provides for himself or herself and is necessary to maintain a client in the client's own residence. The department shall not authorize sterile procedures and administering of medications by injection unless the provider of the individual provider program is a licensed health practitioner or a member of the client's immediate family.~~

~~(10) “Shared living arrangement” means a situation where two or more adults share expenses and live together in a home of one of the adults with common facilities, such as living, cooking, and eating areas.~~

~~(11) “At risk of institutionalization” or “at risk of residential placement” means the applicant/client meets the criteria as outlined under WAC 388-15-209 (1)(c).~~

~~(12) “High risk of residential care placement” means the applicant/client meets the criteria as outlined under WAC 388-15-209 (1)(b).~~

~~(13)) “Applicant” means a person applying for chore services.~~

~~((14))~~ (2) "Attendant care" means the service provided to a grandparented client needing full-time care because the client:

(a) Requires personal care task assistance that cannot be scheduled, e.g., toileting, ambulation, transfer, positioning, some medication assistance; or

(b) Needs protective supervision because of confusion, forgetfulness, or lack of judgment. Protective supervision does not include responsibilities a legal guardian should assume.

(3) "Chore services" means services in performing personal care and related household assistance tasks as provided in the department's medical assistance state plan provision addressing personal care.

(4) "Client" means a person receiving chore services.

~~((15))~~ (5) "Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry.

(6) "Contracted program" means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore services provider.

(7) "Grandparented client" means a person approved for hourly household tasks before December 14, 1987, or a person approved for attendant care ~~((or family care))~~ services before April 1, 1988 provided the person was receiving the same services as of June 30, 1989.

~~((16))~~ (8) "Hourly care" means the service provided to clients needing assistance with scheduled household or personal care tasks.

(9) "Household assistance" means assistance with travel to medical services, essential shopping, laundry, housework, or wood supply as defined under WAC 388-15-820.

(10) "Individual provider program" means a method of chore service delivery where the client employs and supervises the chore services provider. Payment is made to the client who, in turn, pays the provider.

(11) "Interim assessment" means the department's assessment form used to determine the amount and type of chore services to be provided.

(12) "Own home" means the client's present or intended place of residence, whether in a building the client rents or owns or in the home of another person.

(13) "Personal care" means assistance with personal hygiene, dressing, bathing, eating, toileting, ambulation, transfer, positioning, self-medication, body care, or meal preparation. The tasks are defined under WAC 388-15-820.

(14) "Property owned or available" means property over which the applicant/client has legal right of control.

(15) "Relative" means a client's spouse, father, mother, son, or daughter.

(16) "Resources" means real or personal property owned by or available to an applicant ~~((at the time of application))~~ or a client which the department may apply toward meeting the applicant/client's requirements, either directly or by conversion into money or its equivalent.

(17) ~~(("Property owned or available" means property over which the applicant/client has legal right of control))~~ "Service authorization ceiling chart" means the chart indicating the maximum number of hours the department may authorize for a client's score.

(18) ~~(("Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry:))~~

(19) ~~(("Activities essential to daily living" means the tasks listed in the assessment))~~ "Shared living arrangement" means a situation where two or more adults share expenses and reside together in one of the adult's residences with common facilities, such as living, cooking, and eating areas.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-209 ~~((CHORE SERVICES—ELIGIBLE INDIVIDUALS))~~ ELIGIBILITY. The department shall consider the following eligibility criteria when determining an applicant/client's eligibility for chore services:

(1) Service eligibility ~~((Adults eligible for chore services shall be))~~:

(a) Eighteen years of age and over;

(b) At risk of placement in a long-term care facility ~~((placement))~~ as evidenced by the need for assistance with one or more personal care ~~((or related))~~ tasks ~~((defined))~~ listed in WAC ~~((388-15-820 as determined by completion and scoring of the assessment form))~~ 388-15-208(13); and

(c) ~~((Authorized the amount of chore services as determined by the assessment;))~~

(d) ~~Authorized payment for a maximum of one hundred sixteen hours per month of task-related services listed in the assessment;~~

(e) ~~Authorized services and department payment only when relatives, friends, nonprofit organizations, or other persons are not available or willing to provide the service without charge;~~

(f) ~~Referred to the volunteer chore service program, prior to approval of services by department paid providers when eligible for five hours per month or less of service;~~

(g) ~~Referred to the volunteer chore service program, when not eligible for chore services because of income or need level or eligible for a reduced level of service because of income, where such program exists, for needed hours of service not authorized by the department)) Not eligible for Medicaid personal care or community options program entry system (COPES) services.~~

(2) Financial eligibility(~~:~~):

(a) ~~((To be eligible to receive chore services, an applicant shall))~~ meets the financial eligibility requirements established by the department(~~:~~);

~~((b))~~ (3) ~~((An adult determined to be at high risk or at risk of being placed in a long-term care facility is eligible to receive hourly chore services provided the applicant or client))~~ Resource eligibility:

~~((f)) (a)~~ Has resources at or below ten thousand dollars for a one-person family or fifteen thousand dollars for a two-person family. Allow another one thousand dollars for each additional family member:

~~(ii) Is not eligible for Medicaid personal care, community options program entry system services, or other duplicative payment services.~~

~~(c) Adult protective service clients determined to be at high risk or at risk of being placed in a long-term care facility are eligible to receive chore services without regard to income or resources, if these services are an integral but subordinate part of the adult protective services plan. These services shall be provided only until the situation necessitating the services has stabilized and are limited to a maximum of ninety days during any twelve-month period.~~

~~(d) An adult applicant or client with a gross income, adjusted for family size, at or below thirty percent of the state median income shall receive chore services with no reduction in hours.~~

~~(e) An adult applicant or client with a gross income over thirty percent of the state median income adjusted for family size, and determined to be at high risk or at risk of being placed in a residential care facility shall receive a reduced level of hours. The department shall determine the reduced level by:~~

~~(i) Deducting one hour of chore services for each percentage point by which the client's income exceeds thirty percent of the SMI; and~~

~~(ii) Deducting an additional hour of service for each percentage point by which the client's income exceeds fifty percent of the SMI.~~

~~(f) The department shall consider the following resources in determining the value of a client's or applicant's resources:);~~

~~((f)) (b) Resources considered. The department shall consider the following resources when determining the value of an applicant's or client's resources:~~

~~(i) Checking accounts;~~
~~(ii) Savings accounts;~~
~~(iii) Certificates of deposit;~~
~~(iv) Money markets;~~
~~(v) Negotiable stocks and bonds;~~
~~(vi) Latest assessed value of lots or property not attached to residence;~~

~~(vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;~~

~~(viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature;~~

~~(ix) Resources received in transfer or assignment from a spouse under WAC 388-92-043(5) are available to the applicant/client as a single-person household and subject to WAC 388-15-209 (2) ((b), (f)); and (3)(a) and ((g)) (b).~~

~~((g)) (c) Resources excluded. The department shall not consider the following resources, regardless of value, in determining the value of a client's or applicant's resources:~~

~~(i) A home and lot normal for the community where the client or applicant resides;~~

~~(ii) Used and useful household furnishings, personal clothing, and one automobile per client;~~

~~(iii) Personal property of great sentimental value;~~
~~(iv) Real or personal property used by the applicant or client to earn income or for rehabilitation;~~

~~(v) One cemetery plot for each member of the family unit;~~

~~(vi) Cash surrender value of life insurance; or~~

~~(vii) Payments received as restitution payments under the Civil Liberties Act of 1988 and the Aleutian and Pribiloff Island Restitution Act, P.L. 100-383.~~

~~(4) Adult protective services. Adult protective service clients at risk of being placed in a long-term care facility shall be eligible to receive chore services without regard to income or resources if these services are an integral but subordinate part of the adult protective services plan. These services shall be provided only until the situation necessitating the services has stabilized and are limited to a maximum of ninety days during any twelve-month period; and~~

~~(5) Volunteer chore services. An applicant for chore services shall be referred to the volunteer chore service program when the applicant:~~

~~(a) Does not meet the eligibility criteria for chore services;~~

~~(b) Is eligible for five hours or less per month of chore services;~~

~~(c) Is eligible for a reduced level of chore services because income exceeds thirty percent of the state median income; or~~

~~(d) Needs help with tasks that are not available in the chore services program.~~

AMENDATORY SECTION (Amending Order 2815, filed 6/21/89)

WAC 388-15-212 SERVICE DETERMINATIONS. (1) ~~((The department shall determine the need for and amount of chore services for all applicants and clients of chore services according to the score on the assessment form. The department shall perform a separate assessment for each adult))~~ Assessment.

~~(a) The purpose of assessment is to determine the applicant/client's need for chore services and the authorized hours of service.~~

~~((2)) (b) Department staff shall ((administer)) perform the assessment.~~

~~((3) The department shall not duplicate services nor payment in multiple-client households. In households with community options program entry system (COPES) and chore services, the department shall consider the chore services client as the secondary client))~~

~~(c) The department shall perform a separate assessment for each adult applying for chore services.~~

~~(d) The department shall document the assessment on a prescribed form.~~

~~((4)) (e) When administering the assessment, department staff shall take into account the applicant/client's:~~

~~((a)) (i) Risk of ((being placed in a residential)) long-term care facility placement;~~

~~((b)) (ii) Ability to perform ((activities of daily living)) personal care and related household tasks;~~

~~((c)) (iii) Living ((conditions)) situation; and~~

~~((d) Arrangements; and~~

(e)) (iv) Availability ((and use)) of alternative resources providing needed assistance, including ((immediate)) family, ((other relatives;)) neighbors, friends, community programs, and volunteers.

((5) The series of questions on the assessment shall document the client's need for assistance with the tasks available from the chore services program)) (f) The department shall consider the chore services client the secondary client in households where community options program entry system (COPES) services or Medicaid personal care services are also authorized.

(2) Scoring.

(a) For each task listed on the assessment form, the department staff shall ((base the scoring on the following to indicate the extent of assistance the client needs from the chore services program for each task)) determine the level of assistance:

- (i) The applicant/client requires;
- (ii) Available through alternative resources; and
- (iii) Needed from the chore services program.

(b) The applicant/client's assistance needed from the chore services program is the difference between assistance required and assistance available through alternative resources. This represents the applicant/client's unmet need.

(c) The level of the applicant/ client's assistance required is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = ((No service needed:)) The ((client)) applicant/client is ((either)) able to perform this task without help ((or is already receiving or could receive all the help needed from other sources:));

(ii) M = ((Minimal service needed:)) The applicant/client ((cannot)) requires a minimal amount of assistance to perform this task ((without help and needs a minimal amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources:));

(iii) S = ((Substantial service needed:)) The applicant/client ((cannot)) requires a substantial amount of assistance to perform this task ((without help and needs a substantial amount of assistance from the chore services program in addition to whatever help may or may not be received from other sources:));

(iv) T = ((Total service needed:)) The applicant/client ((is completely unable)) requires total assistance to perform this task((, is not now receiving any help, and needs total assistance from the chore services program)).

((b) The department shall award points for each task based on the degree of assistance needed from the chore services program. The number of points available for each task is set forth in subsection (6) of this section. The point total is converted into maximum allowable hours using the table set forth in subsection (7) of this section.

(6) The department shall score the allowable chore services program tasks, as defined by the department, according to the need and frequency of services as follows:

(a) Travel to medical services: O = 0, M = 1, S = 2, T = 3;

(b) Essential shopping with client: O = 0, M = 5, S = 10, T = 15. When the chore service provider must perform these tasks for the client because the client is unable to go along: O = 0, M = 1, S = 3, and T = 5;

(c) Laundry: O = 0, M = 1, S = 2, and T = 3. If laundry facilities are out of the client's own residence, the department shall award additional points: O = 0, M = 3, S = 5, and T = 7;

(d) Wood supply: O = 0, M = 3, S = 5, and T = 7. Service to perform splitting/stacking/carrying wood is available only to clients who use wood as their sole source of fuel for heat and/or cooking;

(e) Housework. Housework is limited to tasks necessary to protect the client's health and safety and to those areas of the home actually used by the client, i.e., kitchen, bathroom, bedroom, living room, and dining room: O = 0, M = 1, S = 2, and T = 3;

(f) Meal preparation. Scoring is based on the preparation of three meals, as follows:

(i) Breakfast O = 0, M = 4, S = 7, T = 10;

(ii) Light meal O = 0, M = 4, S = 7, T = 10;

(iii) Main meal O = 0, M = 5, S = 10, T = 15.

(g) Eating. Scoring is based on feeding three meals, as follows:

(i) Breakfast O = 0, M = 4, S = 7, T = 10;

(ii) Light meal O = 0, M = 4, S = 7, T = 10;

(iii) Main meal O = 0, M = 5, S = 10, T = 15.

(h) Dressing: O = 0, M = 4, S = 7, and T = 10;

(i) Personal hygiene: O = 0, M = 1, S = 3, and T = 5;

(j) Specialized body care: O = 0, M = 5, S = 10, and T = 15;

(k) Transfer: O = 0, M = 1, S = 3, and T = 5;

(l) Positioning: O = 0, M = 1, S = 3, and T = 5;

(m) Ambulation: O = 0, M = 4, S = 7, and T = 10;

(n) Bathing: O = 0, M = 4, S = 7, and T = 10;

(o) Toileting: O = 0, M = 5, S = 10, and T = 15;

(p) Self-medication: O = 0, M = 2, S = 4, and T = 6.

(7) The department shall determine the number of hours of chore services to be authorized per month by translating the total number of points awarded on the assessment into a monthly authorization, using the following service authorization ceiling chart:

ASSESSED SCORE	CEILING HOURS PER MONTH
1	4
5	9
10	14
15	19
20	24
25	29
30	34
35	39
40	44
45	49

ASSESSED SCORE	CEILING HOURS PER MONTH
50	37
55	41
60	44
65	47
70	51
75	54
80	57
85	60
90	64
95	67
100	70
105	74
110	77
115	80
120	83
125	87
130	90
135	93
140	97
145	100
150	103
155	106
160	110
165	113
170 and above	116

The department may authorize fewer hours according to the client's individual circumstances and the provisions under WAC 388-15-215(7).

(8) The client or applicant may request approval from the department to exceed the ceiling hours authorized per month, as determined in subsection (7) of this section. The department shall authorize the number of additional hours not to exceed one hundred sixteen hours per month per client in the hourly program when:

(a) There are circumstances of a demonstrated duration, frequency, or severity which require additional hours of allowable chore services to avoid adverse effects to the client's health or safety; and

(b) The need for additional hours is specific and clearly measurable; and

(c) Funds are available under provisions of WAC 388-15-214.

(9) The department shall inform all clients or applicants in writing of the process as defined in subsection (8) of this section. Clients or applicants shall have the right to request from the department approval to exceed the authorized hours as set forth in subsection (7) of this section.

(10) When the department denies a request for additional hours or approves fewer additional hours than requested, the department shall send the client or applicant a notice of the right to contest the decision pursuant to chapter 388-08 WAC. The department shall approve or deny requests within thirty days.

(11) The department may provide chore services through the individual provider program or through the contracted program, as deemed most appropriate by department policy established by the state office)) (d) The level of assistance available is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = Alternative resources are not available for assistance;

(ii) M = Alternative resources are available for minimal assistance;

(iii) S = Alternative resources are available for substantial assistance;

(iv) T = Alternative resources are available for total assistance.

(e) The level of unmet need is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = No unmet need; the applicant/client can perform this task without help or all assistance required is available from alternative resources;

(ii) M = Minimal unmet need; the applicant/client cannot perform this task without help and needs a minimal amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources;

(iii) S = Substantial unmet need; the applicant/client cannot perform this task without help and needs a substantial amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources;

(iv) T = Total unmet need; the applicant/client is totally unable to perform this task and no assistance from alternative resources is available. The total need of the applicant/client shall be met through the chore services program.

(f) Points are awarded for each task based on the level of unmet need. The number of points allowable for each task are listed below:

TASK	O	M	S	T
Eating				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
Toileting	0	5	10	15
Ambulation	0	4	7	10
Transfer	0	1	3	5
Positioning	0	1	3	5
Body care	0	5	10	15
Personal hygiene	0	1	3	5
Dressing	0	4	7	10
Bathing	0	4	7	10
Self-medication	0	2	4	6
Travel to medical services	0	1	2	3
Essential shopping				
With client	0	5	10	15
or				
For client	0	1	3	5

TASK	O	M	S	T
<u>Meal preparation</u>				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
<u>Laundry</u>				
Facilities in home	0	1	2	3
or				
Facilities out of home	0	3	5	7
Housework	0	1	2	3
Wood supply	0	3	5	7

(g) The points awarded for each task are added together to obtain the total score for the applicant/client.

(3) Ceiling hour computation.

(a) Convert the total score into maximum allowable hours per month (ceiling hours) which may be authorized.

(b) Use the service authorization ceiling chart to convert the score to ceiling hours per month:

SCORE	CEILING HOURS	SCORE	CEILING HOURS	SCORE	CEILING HOURS
1-4	5	60-64	44	120-124	83
5-9	8	65-69	47	125-129	87
10-14	11	70-74	51	130-134	90
15-19	14	75-79	54	135-139	93
20-24	18	80-84	57	140-144	97
25-29	21	85-89	60	145-149	100
30-34	24	90-94	64	150-154	103
35-39	28	95-99	67	155-159	106
40-44	31	100-104	70	160-164	110
45-49	34	105-109	74	165-169	113
50-54	37	110-114	77	170 and	
55-59	51	115-119	80	Above	116

(4) Authorization when no reduction in hours.

(a) The department may authorize the number of ceiling hours allowable for the applicant/client's score when the applicant/client has a gross income, adjusted for family size, at or below thirty percent of the state median income.

(b) The department may authorize fewer than the allowable ceiling hours when appropriate to the applicant/client's individual circumstances.

(c) The department shall inform all applicant/clients of their right to request the department to authorize more than the allowable ceiling hours based on the applicant/client's score. The department shall grant a waiver to authorize additional hours up to the maximum of one hundred sixteen hours per month when:

(i) Circumstances of a demonstrated duration, frequency, or severity require additional chore services hours to assure the client's health or safety;

(ii) Needed additional hours are specific and clearly measurable; and

(iii) Available funds are provided under WAC 388-15-214.

(d) The department shall approve or deny requests for a waiver to exceed ceiling hours within thirty days.

(e) When a request for a waiver is denied, the department shall send the applicant/client a notice of the right to contest the department's decision under chapter 388-08 WAC.

(5) Authorization when hours are reduced.

(a) An applicant/client with a gross income, adjusted for family size, over thirty percent of the state median income, shall receive fewer than the number of ceiling hours allowable for the applicant/client's score;

(b) The department shall determine the amount of reduction to allowable ceiling hours by:

(i) Deducting one hour for each percentage point when the applicant/client's income exceeds thirty percent of the state median income; and

(ii) Deducting an additional hour for each percentage point when the applicant/client's income exceeds fifty percent of the state median income.

(c) The reduction computed under subsection (5)(b) of this section shall be subtracted from the allowable ceiling hours to obtain the maximum number of hours per month the applicant/client may be authorized.

(6) Meal allowance—IPP hourly services only. When providing meals for the chore services provider is an extra client cost, the department may authorize a payment to partially reimburse the client for the meal cost. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service.

(7) Relative providers. The department may authorize a relative to provide chore services only when the relative:

(a) Gives up paid employment of thirty hours or more per week, to give the service;

(b) Needs to take paid employment of thirty hours or more per week to meet financial needs; or

(c) Is financially eligible to receive general assistance to meet their own need.

The above criteria apply to relatives providing service to clients, including grandparented clients, in either the contracted program or the individual provider hourly program.

(8) Re-assessment.

(a) The department shall re-assess the eligibility of all chore service clients, except grandparented clients, at least every eighteen months or more often when deemed necessary because of a change in the client's condition or situation.

(b) The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall notify the client of the right to contest denial or reduction of services.

(c) The eligibility rules as described under WAC 388-15-209 apply to re-assessment of all clients except grandparented clients.

(d) The department shall terminate chore services for an hourly personal care client when a re-assessment shows the client now needs assistance with household tasks only. This rule shall not pertain to grandparented clients receiving household tasks only.

AMENDATORY SECTION (Amending Order 2674, filed 8/17/88)

WAC 388-15-213 PAYMENT. (1) Contracted program. The department ((may)) shall pay ((for services performed by a relative, but payment to a spouse, father, mother, son, or daughter may be made only when the relative:

(a) Has to give up paid employment (more than thirty hours per week) to give the service; or

(b) Would otherwise need to take paid employment (more than thirty hours per week) to meet the relative's financial needs; or

(c) Would otherwise be financially eligible to receive general assistance to meet the relative's own need)) the contractor who pays the chore services provider.

(2) Individual provider program.

(a) The department shall pay the client who pays the chore services provider.

(b) The department shall pay an hourly wage of five dollars and fifteen cents for performance of authorized chore service tasks. Payment is contingent upon documentation that services were rendered.

(c) The department shall not pay a spouse providing chore services ((to an incapacitated, eligible client)) more than the amount of a one-person standard for a continuing general assistance grant plus increases required by the legislature. Refer to WAC 388-29-100 for grant standards.

~~((3) In the contracted program, the department pays the contractor who pays the chore service provider. Refer to WAC 388-15-208.~~

~~(4) In the individual provider program, the department pays the client who pays the chore service provider. Refer to WAC 388-15-208.~~

~~(a) The department pays an hourly wage for the actual number of hours worked on all chore service tasks. The hourly wage rate shall be four dollars and seventy-six cents per hour beginning September 1, 1987, and five dollars and fifteen cents per hour beginning September 1, 1988.~~

~~(b) When providing meals for the chore service provider is an additional cost to the client, the department may make a payment to partially reimburse the cost of this expense. The department shall not reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.~~

~~(c) The department shall pay only after the department verifies service delivery:))~~

AMENDATORY SECTION (Amending Order 2693, filed 9/12/88)

WAC 388-15-214 CHORE SERVICES ((MONTHLY DOLLAR LID)) BUDGET CONTROL. (1) The department shall establish a ((statewide)) monthly dollar lid ((based on the budget appropriation. The department shall impose this monthly dollar lid statewide, based on expenditure projections)) on chore service expenditures to maintain expenditures within the legislative appropriation.

(2) When expenditure projections reach the monthly dollar lid, the department shall place names of applicants for chore services on a waiting list in the order of their risk of ((residential)) placement(:

(3) The department shall admit all those at high risk, as defined in WAC 388-15-208(12), to the program before those at risk of residential care placement, as defined in WAC 388-15-208(11):

(4) When the projected chore service monthly expenditures fall below the monthly lid, the department shall contact applicants on the waiting list in the following priority order)) in a long-term care facility. Priorities shall be as follows:

(a) Level A. Applicant((s at high risk of residential care placement needing)) needs help with ((any)) one of the following personal care tasks:

(i) ((Feeding)) Eating,

(ii) Body care,

(iii) ((Bed)) Transfer,

(iv) ((Wheelchair transfer)) Positioning, or

(v) Toileting.

(b) Level B. Applicant((s at high risk of residential care placement needing)) needs help with four ((to six)) or more other personal care tasks listed under WAC 388-15-208(13);

(c) Level C. Applicant((s at high risk of residential care placement needing)) needs help with one to three other personal care tasks(;

(d) Level D. Applicants at risk of residential care placement needing help with five household tasks;

(e) Level E. Applicants at risk of residential care placement needing help with three or four household tasks; and

(f) Level F. Applicants at risk of residential care placement needing help with one or two household tasks)).

~~((5)) (3) ((In the event)) If the monthly dollar ((lid are)) lid is not sufficient to stay within the legislative appropriation ((for the chore services program)), the department may ((make further reductions using)) implement a ratable ((scale)) reduction of hours or payment for some or all chore service clients.~~

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-215 PROGRAM LIMITATION((S ON PROGRAM)). (1) The department shall not ((pay for)) authorize chore services for ((teaching or companionship purposes));

(a) Teaching and companionship;

(b) Child care for working parents;

(c) Providing nursing care; or

(d) Developing social, behavioral, recreational, communication, or other types of skills.

(2) ~~((Chore services shall not be used for the purpose of delivering skilled nursing care or developing social, behavioral, recreational, communication, or other types of skills.~~

~~(3)) The department shall not provide chore services to a resident ((or provider in)) of a:~~

(a) ~~((A)) Group home(;;);~~

(b) ~~Licensed boarding home(;;);~~

- (c) Congregate care facility((:));
- (d) ~~((ate))~~ Nursing care facility((:));
- (e) ~~((Skilled nursing facility,~~
- ~~(f))~~ Hospital((:));
- ~~((g))~~ (f) Institution((:));
- ~~((h))~~ (g) Adult family home((:)); or
- ~~((i))~~ (h) Child foster home.

Shared living arrangements are not considered group homes.

~~((4))~~ The department shall provide chore services for the person needing and authorized to receive the service, but not for other household members unless they also meet the eligibility criteria for the service.

~~(5)~~ The department shall not provide chore services when community resources or family, neighbors, friends, or volunteers are available and willing to provide the service without charge.

~~(6))~~ (3) Chore services shall be provided only in the client's home or surrounding property except for essential shopping, travel to medical services, and laundry when there are no laundry facilities in the client's home.

(4) The department shall not pay for chore services for hourly care clients when the clients are not residing at home, for example, because of hospitalization. In an emergency, however, the department may pay for limited services to enable the client to return home.

~~((7))~~ The department shall periodically re-evaluate all approvals for additional hours. The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall send the client a notice of the right to contest denials of service or approval of fewer service hours than previously approved.

~~(8)~~ The department shall not pay for chore services for child care for working parent.

~~(9)~~ The department shall terminate chore services for an hourly personal care client if, after periodic review, the client needs assistance with household tasks only.)

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-216 GRANDPARENTED CLIENTS. (1) Continuing eligibility for hourly care chore service clients:

(a) The department may continue providing hourly chore services for ~~((those))~~ clients ~~((who were))~~ receiving assistance ~~((only))~~ with household tasks only before December 14, 1987, provided ~~((those))~~ the clients were receiving ~~((this))~~ the same services as of June 30, 1989; and

(b) The department shall perform periodic reviews to determine continuing need ~~((for))~~ and~~((/or))~~ eligibility according to the rules in effect before December 14, 1987:

(i) If a review indicates a household tasks only client~~((s))~~ needs assistance with personal care, ~~((authorize))~~ Medicaid personal care may be authorized if eligible for Medicaid funding. If not eligible for Medicaid

personal care, ~~((authorize))~~ chore services shall be authorized according to the eligibility requirements for a new client~~((s))~~;

(ii) If more or less household task services are required, ~~((authorize services))~~ services may be authorized accordingly.

(2) Continuing eligibility for attendant care for adults ~~((and supervision of children))~~.

(a) The department may continue providing chore services to clients ~~((who were))~~ receiving attendant care ~~((and/or supervision of children prior to))~~ before April 1, 1988, provided ~~((those))~~ the clients were receiving the same services as of June 30, 1989.

(b) The department shall make periodic reviews to determine continuing need ~~((for))~~ and~~((/or))~~ eligibility according to the ~~((following))~~ rules ~~((which were))~~ in effect ~~((prior to))~~ before April 1, 1988:

(i) ~~((Authorize))~~ Attendant care service shall be authorized for clients receiving attendant care ~~((prior to))~~ before April 1, 1988, who continue to need assistance with such unscheduled tasks as toileting, ambulation, and transfer or who need protective supervision;

(ii) ~~((Authorize))~~ Attendant care protective supervision ((when persons)) shall be authorized for clients who may hurt themselves, others, or damage property if left alone, or are confused and may wander, or become easily disoriented;

(iii) ~~((Base))~~ The amount of service authorized shall be based on the total number of hours per day the chore services provider must be with ~~((a))~~ the client. The chore services provider performs necessary household or personal care tasks ~~((or assists with activities of daily living))~~ during the authorized attendant care hours;

(iv) ~~((Authorize supervision of children only when the client is temporarily absent from the home because of hospitalization and all possible resources have been explored to provide the necessary supervision. This absence shall not exceed two weeks during any six-month period. The number of days and the number of hours per day that the children need supervision is recorded. The chore service provider performs household and personal care tasks for the children during the hours of supervision;~~

~~((v))~~ The client shall provide verification of the need for attendant care by producing a statement from the client's physician.

(c) The department shall pay a daily rate for attendant care for adults ~~((and supervision of children))~~. The rate shall not exceed the lesser of the following~~((:));~~:

(i) A maximum of twenty-four dollars and fifty cents per day; or

(ii) The amount determined by the following table ((as follows)):

DAILY RATE DETERMINATION

HOURS OF SERVICE PER DAY	PAYMENT PER DAY
21 - 24	up to \$ 24.50
16 - 20	up to \$ 22.50
12 - 15	up to \$ 20.50
8 - 11	up to \$ 17.50

HOURS OF SERVICE PER DAY	PAYMENT PER DAY
4 - 7	up to \$ 12.50
1 - 3	up to \$ 8.50

The department shall add up to five dollars per day for each additional client ~~((authorized for service))~~ in the household~~((:)); and~~

~~((:))~~ (iii) The department shall reduce the amount of payment by the individual provider program hourly rate when the client's income exceeds thirty percent of the ~~((SMH))~~ state median income.

~~((:ii))~~ The department shall not pay for services when the client is not in the home, for example, because of hospitalization. If necessary, however, up to seven days during the service month may be provided to enable the client to return home.))

~~((:d))~~ The department shall not ((approve a waiver or exception to policy for a rate higher than the maximum base attendant care daily rate after)) increase the payment in effect on June 30, 1989. ((The department shall not increase payment for a client who has an approved waiver and/or exception to policy as of June 30, 1989, to exceed the maximum daily rate set by the department.)); and

~~((:e))~~ ((When providing board and room or meals for the chore service provider is an extra cost to the client, the department may make a payment to partially reimburse the cost of this expense. The department shall not reimburse such costs for a spouse provider. The payment shall not exceed an allowance established by the department and shall be prorated by days of service.

~~((:f))~~ The department shall pay only after the department verifies service delivery)) The department shall not pay for services when the client is not in the home, for example, because of hospitalization; except, up to seven days during the service month may be provided to enable the client to return home.

(3) Continuing eligibility for hourly family care services.

(a) Clients receiving hourly family care services before April 1, 1988, may continue to be eligible to receive services provided they were receiving the same services as of June 30, 1989.

(b) The department shall make periodic reviews to determine continuing need and((/or)) eligibility ((for family care services)) according to the ((following)) rules ((which were)) in effect ((prior to)) before April 1, 1988. Families may receive services when the client is the normal caretaker of the children, and:

(i) Is in the home but unable to physically care for the children; or

(ii) Is in the home and physically unable to perform the necessary household tasks; or

(iii) Is temporarily out of the home ((temporarily)), as defined by the department; and

(iv) The division of children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

~~((:c))~~ ((For families to receive services, the total family income shall be at or below the financial eligibility requirements established by the department. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit)) The chore services provider may not act as a parent substitute or make major decisions affecting the children.

~~((:d))~~ ((The family care questions take into consideration the ages, number, level of responsibility of the children, and the presence of a spouse when determining the need for chore services)) For families to receive services, the total family income shall be at or below the department-established financial eligibility requirement. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit.

(e) Determination of need for hourly care takes into consideration the ages, number and level of responsibility of the children and presence of a spouse. Allowable family care activities are:

(i) Family housework ((determines)). The need for additional help cleaning the ((household)) residence because of the presence of children((:));

(ii) Family tasks ((determines)). The child's need for ((escort and transportation)) travel to medical services, laundry services, meal preparation ((and)), essential shopping, ((and)) bathing and dressing ((for the client's children:)), or other allowable tasks;

(iii) Supervision of children ((determines)). The need for physical supervision of the children when the client is:

(A) In the home, but unable to ((supervise them)) provide supervision; or

(B) Temporarily out of the home.

~~((:iv))~~ (f) ((Score for subsection (3)(e)(i), (ii), and (iii) is)) Points are awarded for family care activities as follows:

(i) O = 0((:));

(ii) M = 14((:));

(iii) S = 27((:)); and

(iv) T = 40.

Enter ((the score)) the points awarded on the bottom of the assessment form and add to the client's total score ((from the scoring chart)).

~~((:e))~~ (5) ((The chore services provider may not act as a parent substitute or make major decisions affecting the children)) Board and room meal allowances. When providing board and room or meals for the chore services provider is an extra cost to the client, the department may authorize a payment to partially reimburse the client for this expense. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service. No client shall be authorized for both a board and room allowance and a meal allowance.

(6) Ninety-day rule. Grandparented clients terminated from chore services because of transfer to another program may be re-authorized for chore services when the:

(a) Transfer was in effect for less than ninety days; and

(b) Client becomes ineligible for the program the client is transferred to or the program the client is transferred to does not meet the client's needs.

(7) Priority levels. Priority levels for grandparented clients are:

(a) Level A: Client needs help with one of the following personal care tasks:

- (i) Eating;
- (ii) Body care;
- (iii) Bed transfer;
- (iv) Wheelchair transfer; or
- (v) Toileting.

(b) Level B: Client needs help with four or more other personal care tasks as described under WAC 388-15-208(13);

(c) Level C: Client needs help with one to three other personal care tasks;

(d) Level D: Client needs help with all five household tasks:

- (i) Travel to medical services;
- (ii) Essential shopping;
- (iii) Laundry;
- (iv) Housework; and
- (v) Wood supply.

(e) Level E: Client needs help with three or four household tasks; and

(f) Level F: Client needs help with one or two household tasks.

AMENDATORY SECTION (Amending Order 2852, filed 8/29/89, effective 9/29/89)

WAC 388-15-217 CHORE SERVICES FOR EMPLOYED DISABLED ADULTS. (1) The following definitions shall apply for purposes of this section:

(a) "Employed" means engaged on a regular basis in any work activity for which monetary compensation is obtained.

(b) "Total income" is the sum of an applicant's or client's unearned income plus gross earned income.

(2) Employed disabled adults shall be eligible for chore services if they are otherwise eligible under the provisions of WAC 388-15-207 through 388-15-216. The employed disabled adults shall participate in the cost of care as authorized by RCW 74.08.570.

(3) To be eligible for chore services under this section, ~~((a client))~~ an applicant or ~~((applicant))~~ client shall meet all of the following conditions:

(a) Be in need of chore services as determined by the department using an assessment form;

(b) Be eighteen years of age or older((-);

~~((b))~~ (c) Be a resident of the state of Washington((-);

~~((c))~~ (d) Be determined disabled by the department ((to be disabled)) as specified in subsection (4) of this section((-);

~~((d))~~ (e) Be willing to submit to ((such)) examinations as ((are)) deemed necessary by the department to establish the extent and nature of the disability((-

~~(e) Be employed(-);~~

(f) Have earned income which is less than forty percent of the state median income after subtracting work

expenses, the cost of chore services, and any medical expenses ~~((which are))~~ not covered through insurance or another source and ~~((such medical expenses))~~ are incurred to allow the disabled person to work((-);

~~(g) ((Be in need of chore services as determined by the department using an assessment form:~~

~~(h)) Have unearned income at or below forty percent of the state median income or be an adult supplemental security income ((and/)) or state supplementation recipient((-);~~

~~((h))~~ (h) Meet the resource limits specified for the chore services program in WAC 388-15-209 (2)((b)(i); (f);) and ((g);) (3);

~~((j))~~ (i) Promptly report to the department, in writing, any changes in income or resources which may effect ((affect)) eligibility((-);

~~((k))~~ (j) Agree to pay all chore service costs beyond the state's contribution as determined using a sliding fee schedule.

Percentage of State Median Income ((Income (After After Deductions((-))	Percentage of Rate Paid By (Paid By The)) The Department
Above 0 through 5	95
Above 5 through 10	90
Above 10 through 15	85
Above 15 through 20	80
Above 20 through 25	75
Above 25 through 30	70
Above 30 through 35	65
Above 35 through 40	60

~~((h))~~ (k) Meet all other requirements for the chore services program as defined in WAC 388-15-207 through 388-15-216.

(4) For purposes of this section, an applicant is disabled if either of the following conditions is satisfied:

(a) The department has previously determined the applicant is disabled for the purpose of receiving Social Security disability insurance (SSDI), supplemental security income (SSI) or, nongrant Medicaid, and there has been no appreciable improvement in the applicant's disabling condition(s) since that disability determination was made.

(b) ~~The department determined the applicant ((is determined by the department to have))~~ has a medically determinable physical or mental impairment ~~((which is))~~ comparable in severity to a disability ~~((which would qualify))~~ qualifying an applicant for medical assistance related to Title XVI under WAC 388-92-015 (3)(c).

(5) The department shall pay its share of chore service costs to the client following receipt of documentation that the services were provided. If the department verifies that less service is provided, in any month, than the maximum authorized, the department shall pay a prorated portion of its share of cost. The client shall employ the chore services provider and shall pay the provider the full amount due for services rendered. If the client receives services exceeding ~~((those authorized by the))~~ department-authorized services, or agrees to a rate

of pay exceeding ((that authorized by)) the department-authorized rate of pay, the client shall be responsible for paying the amount exceeding the department's authorized service cost.

(6) The department shall compute an applicant/client's work-related expenses as follows:

(a) The department shall deduct work-related expenses in accordance with the "percentage method" or the "actual method," whichever is chosen by the client;

(b) If the client chooses the "percentage method," the department shall deduct twenty percent of the gross earned income;

(c) If the client chooses the "actual method," the department shall deduct the actual cost of each work-related expense. The department shall use this method only when the client provides written verification of all work-related expenses claimed((-));

(d) When determined by the "actual method," allowable work expenses shall consist of:

(i) Child care;

(ii) Payroll deductions required by law or as a condition of employment, in amounts actually withheld;

(iii) The necessary cost of transportation to and from the place of employment by the most economical means, not to include rental cars; and((-))

(iv) Expenses of employment necessary for continued employment, such as:

(A) Tools;

(B) Materials;

(C) Union dues;

(D) Transportation to service customers if not furnished or reimbursed by the employer; and

(E) Uniforms and clothing needed on the job but not suitable for wear away from the job.

(e) Even if verified, the department shall not count work-related expenses in excess of the applicant's gross earned income((-)); and

(f) The client shall have the option to change methods when reporting income to the appropriate department staff.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Chapter 388-47 WAC, provides for implementation of new federal JOBS program; chapter 388-51 WAC, provides for required support services for JOBS program; and chapter 388-57 WAC, deletes programs repealed by federal law and/or subsumed under JOBS program.

Reasons Supporting Proposal: This rule is necessary to implement federal law and receive federal matching funds for AFDC employment and training programs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Anderson, Department of Income Assistance, 234-4920.

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

Rule is necessary because of federal law, Public Law 100-485, Family Support Act of 1988, Title II and III.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 21, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 21, 1990.

Date of Intended Adoption: August 31, 1990.

July 13, 1990

Leslie F. James, Director
Administrative Services

Chapter 388-47 WAC

JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM

NEW SECTION

WAC 388-47-010 JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM (JOBS)—AUTHORITY AND PURPOSE. (1) The job opportunities and basic skills training program (JOBS) is established under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for the JOBS program are described under Part 45, Code of Federal Regulations, Section 250.

(2) The purpose of the JOBS program is to:

(a) Encourage and assist needy children and parents, applying for or receiving assistance under the aid to families with dependent children (AFDC) program, to become economically independent through employment and training; and

(b) Obtain the education, training, and employment needed avoiding long-term welfare dependence.

NEW SECTION

WAC 388-47-020 JOBS PROGRAM—DEFINITIONS. Except as specified in this chapter, the terms used in chapter 388-47 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC.

(1) "Basic literacy level" means a literacy level allowing a person to function at a level equivalent to grade 8.9 or higher.

(2) "Component" means any of the services or activities available under the JOBS program.

(3) "CWEP" means the community work experience program.

WSR 90-15-030
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 13, 1990, 2:45 p.m.]

Original Notice.

Title of Rule: Chapters 388-47 and 388-51 WAC, Job opportunities and basic skills training program; and repealing chapter 388-57 WAC, Washington employment opportunities program (opportunities).

Purpose: Chapter 388-47 WAC, implements federally mandated job opportunities and basic skills training program pursuant to the Family Support Act of 1988, Public Law 100-485; chapter 388-51 WAC, is revised to add required support services for JOBS program; and chapter 388-57 WAC, repealed due to repeal of federal laws deleting old AFDC employment programs.

(4) "Department" means the department of social and health services.

(5) "Education and training" means an activity below the postsecondary level the department determines appropriate to a participant's employment goal. Education and training includes, but is not limited to:

(a) High school education or education designed preparing a person to qualify for a high school equivalency certificate;

(b) Basic and remedial education providing a person with a basic literacy level; and

(c) Education in English proficiency enabling a participant to understand, speak, read, or write the English language commensurate with the participant's employment goal.

(6) "Employability plan" means a written plan the department and a JOBS participant enters into and is designed to lead to economic self-sufficiency.

(7) "Intensive job search" means an active, directed, documented efforts to secure employment. This activity may be a group or an individual search.

(8) "Making good progress and making satisfactory progress" in an educational or training component means a participant meets a consistent standard of progress based on a written policy developed by an educational institution, and approved by the state or local education agency.

(9) "On-the-job training" means job training in partially subsidized employment intended to develop into a full-time unsubsidized job.

(10) "Participant" means an applicant or recipient of AFDC volunteering for or required to engage in, JOBS program activities and is so engaged.

(11) "Post-secondary education" means education and training beyond high school. Post-secondary education must be provided by:

(a) An institution of higher education defined under section 1210(a) or section 481 (a)(b) or (c) of the Higher Education Act of 1965, as amended; or

(b) A vocational school meeting the provisions of section 435 (b) or (c) of the Higher Education Act of 1965, as amended; or

(c) A public institution the state legally authorizes to provide such a program within the state.

(12) "Self-initiated training" means education and training or post-secondary education, defined under this section, a JOBS participant initiates before the individual's most recent application for AFDC.

(13) "Work supplementation program" means an on-the-job training program subsidized by AFDC grant funds leading to a full-time unsubsidized job.

NEW SECTION

WAC 388-47-030 JOBS PROGRAM—ADMINISTRATION AND CONTRACT AUTHORITY. (1) The department is the Title IV-A and Title IV-F agency, and has sole authority to carry out the JOBS program.

(2) The department may carry out the JOBS program directly, through arrangements, or under contracts with administrative entities under section 4(2) of the Job Training Partnership Act (JTPA) with state and local educational agencies, with other public agencies, or private organizations.

(a) Arrangements and contracts entered into to operate the JOBS program may cover a service or activity made available under JOBS to the extent the service or activity is not:

(i) Restricted to the Title IV-A and IV-F agency; or

(ii) Otherwise available on a nonreimbursable basis.

(b) In selecting service providers, the department shall take into account appropriate factors including performance in providing similar services, demonstrated effectiveness, fiscal accountability, ability to meet performance standards, and such other factors as the department determines appropriate.

NEW SECTION

WAC 388-47-040 JOBS PROGRAM—CONSULTATION AND COORDINATION. (1) For purposes of carrying out the JOBS program, the department shall consult and coordinate with the state:

(a) Agency responsible for the JTPA and the state employment service;

(b) Education agency; and

(c) Agency responsible for public housing.

(2) The department shall use the services of each private industry council identifying and providing advice on the types of jobs available

or likely to become available in the service delivery area, ensuring training under JOBS:

(a) Provides and prepares a JOBS participant for employment available, or likely to become available, in the service delivery area; and

(b) Education is coordinated with programs available to JOBS participants under the JTPA.

NEW SECTION

WAC 388-47-100 JOBS PROGRAM—PARTICIPATION REQUIREMENTS AND EXEMPTIONS. (1) Applicants for, and recipients of, AFDC shall participate in JOBS activities including orientation, assessment, and employability development planning as a condition of eligibility for receipt of AFDC benefits, provided:

(a) There is a JOBS program administered in the community services office in the area the applicant or recipient resides; and

(b) The department guarantees child care and other support services necessary for participation in JOBS activities in accordance with chapter 388-51 WAC.

(2) A person shall be considered exempt and shall not be required to participate in JOBS if the person is:

(a) A child fifteen years of age or younger or seventeen years of age and younger attending full time elementary, secondary, vocational, or technical school;

(b) Ill, when the department determines on the basis of medical evidence or other sound basis, the illness or injury is serious enough to temporarily prevent entry into employment or training;

(c) Incapacitated, when the department verifies a physical or mental impairment, a physician or licensed or certified psychologist determines the incapacitation prevents the individual from engaging in employment or training under JOBS. This may include a period of recuperation after childbirth if prescribed by a physician;

(d) Sixty years of age or older;

(e) Residing in a location remote from a JOBS services site.

(i) A location is remote when a person must spend two hours or more round trip by reasonably available public or private transportation, exclusive of time necessary to transport a child to and from a child care facility; however

(ii) When normal round-trip commuting time in the area is two hours or more, the round-trip commuting time shall not exceed the accepted community standards.

(f) Needed in the home to care for another ill or incapacitated household member, as a physician or a licensed or certified psychologist determines, and no other appropriate member of the household is available to provide the needed care;

(g) Working thirty or more hours a week;

(h) In the last six months of pregnancy, as medically verified;

(i) The parent or other caretaker relative of a child two years of age or younger and personally providing care for the child; or

(j) The parent or other caretaker relative personally providing care for a child five years of age or younger unless the department assures:

(i) Child care is guaranteed; and

(ii) Participation in JOBS is not required for twenty-one or more hours per week.

(A) Only one parent or other caretaker relative in a case may be exempt under WAC 388-47-100 (2)(i).

(B) When a family is eligible for AFDC by reason of the unemployment of the parent who is the principal earner, only one parent may be exempt under WAC 388-47-100 (2)(i).

(k) A full-time volunteer serving under the Volunteers In Service to America (VISTA), under Title I of the Domestic Volunteer Service Act of 1973.

(3) The department shall:

(a) Re-evaluate an exemption when the condition is expected to terminate, but no less frequently than at the redetermination of AFDC eligibility; and

(b) Promptly notify the recipient and appropriate service providers of a change in the recipient's exemption status.

(4) An applicant or recipient, claiming exemption from JOBS participation requirements, shall be considered exempt until the department determines the status.

NEW SECTION

WAC 388-47-110 JOBS PROGRAM—PARTICIPATION REQUIREMENTS FOR EDUCATION. (1) The department shall require a custodial parent to engage in an educational activity designed

to achieve a high school education or qualify for a high school equivalency certificate when the custodial parent is not yet twenty years of age, has not completed a high school education or its equivalent, and is not otherwise exempt from participation.

(a) For purposes of subsection (1) of this section, custodial parent means the parent living with the child, including custodial parents exempt because of the youngest child's age.

(b) The department may require the custodial parent's full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent. This includes a person who may be exempt because of the youngest child's age.

(c) The department may exclude a seventeen years of age or younger custodial parent from this requirement providing:

(i) The determination is based upon an individual assessment, and does not rely solely on grade completion; and

(ii) Provision is made for the individual to engage in another educational activity, or in skills training combined with education.

(d) The department may require a custodial parent eighteen or nineteen years of age, and required to participate under subsection (1) of this section, to participate in training or work activities, subject to the twenty-hour limit in WAC 388-47-100 (2)(j)(ii), instead of educational activities required in subsection (1) of this section if one of the following conditions is met:

(i) The parent fails to make good progress in the educational activity; or

(ii) The department determines, based on an educational assessment and the employment goal, participation in educational activities is inappropriate for the parent.

(2) The department may require full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent for a person twenty years of age or older, not having a high school diploma or the equivalent. This includes a person exempt because of the youngest child's age. The department shall require one of the following provisions be met before this subsection's requirement is imposed:

(a) Participant does not possess competitive job skills;

(b) Participant job skills do not match jobs in demand in the local labor market;

(c) The wages and working conditions of employment, for which the participant possess skills, are not such that the participant can reasonably be expected to become self-supporting;

(d) Participant does not demonstrate a basic literacy level; or

(e) The participant's long-term employment goal requires a high school diploma or equivalent.

NEW SECTION

WAC 388-47-120 JOBS PROGRAM—OTHER EDUCATION AND TRAINING. (1) The department may refer a JOBS participant to post-secondary education and training as part of an approved JOBS employability plan.

(2) A JOBS participant, in a course of self-initiated education or vocational or technical training at the time the participant would otherwise commence participation in JOBS, may continue to attend. The following conditions apply to the participant's self-initiated training:

(a) The participant shall attend half-time or more often as defined by the institution;

(b) The participant shall make satisfactory progress;

(c) The course of study shall be consistent with the individual's employment goals;

(d) If the department approves self-initiated education or training, other JOBS activities may not be permitted to interfere with the approved education or training;

(e) The JOBS program shall not pay the costs of self-initiated training including tuition, books, and fees; and

(f) Eligibility for child care, transportation, and other support services shall be in accordance with chapter 388-51 WAC.

NEW SECTION

WAC 388-47-125 JOBS PROGRAM—COMMUNITY WORK EXPERIENCE PROGRAM. An AFDC recipient shall, when assigned, participate in the community work experience program (CWEP) component unless the AFDC recipient is exempt as described under WAC 388-47-100.

(1) The department shall provide a recipient coordination among CWEP and other JOBS component activities ensuring job placement has priority over participation in CWEP.

(2) A recipient's CWEP assignment shall be limited to projects serving a useful public purpose in public or private nonprofit agencies.

(3) The maximum number of hours in a month a person is required to work in a CWEP position is the number of hours resulting from dividing the family's AFDC monthly grant by the greater of the federal or applicable state minimum wage provided the:

(a) Portion of a recipient's aid the state is reimbursed by a child support collection except for the fifty dollars pass-through shall be excluded in determining the maximum number of hours worked; and

(b) Maximum number of hours in a month a person may be required to participate in CWEP shall not exceed one hundred twenty-four hours.

(4) After a person is assigned to a position for a total of nine months, the person may not be required to continue in the assignment unless the maximum number of participation hours is no greater than the family's AFDC grant divided by the highest of the:

(a) Federal minimum wage;

(b) Applicable state minimum wage; or

(c) Pay rates for an individual employed in the same or similar occupations by the same employer at the same site.

(5) The department shall:

(a) Provide for a re-assessment and revision, as appropriate, of the participant's employability plan after each six months of CWEP participation;

(b) Ensure CWEP positions do not fill established, unfilled position vacancies in the work site;

(c) Require appropriate standards of health, safety, and other reasonable conditions applicable to the work performance;

(d) Ensure a participant is not required to perform tasks in a way related to political, electoral, or partisan activities, or which would result in displacement of a person currently employed;

(e) Ensure a position has not been developed in response to the existence of a strike, lockout, or other bona fide labor dispute or violate any existing labor agreement between an employee and an employer;

(f) Provide support services enabling a person's participation, according to provisions in chapter 388-51 WAC;

(g) Not require the use of the participant's assistance or income or resources to pay participation costs;

(h) Ensure assignments to CWEP positions take into consideration the participant's prior training, proficiency, experience, and skills;

(i) Ensure CWEP assignments shall not require a participant to travel unreasonable distances from home or to remain away from home overnight without the participant's consent; and

(j) Ensure agencies utilizing CWEP participants provide worker's compensation coverage through the department of labor and industries on the same basis as regular employees.

NEW SECTION

WAC 388-47-130 JOBS PROGRAM—INTENSIVE JOB SEARCH. An AFDC applicant and recipient shall, when assigned, participate in intensive job search unless exempt as required under WAC 388-47-100.

(1) For an initial period, a person assigned to this component shall participate in the program for fifty-six consecutive days from the date the person makes a written request for AFDC.

(2) A person shall, when assigned, be subject to a forty-day participation in any subsequent twelve-month period.

(3) The department may provide additional job search beyond that under subsections (1) and (2) of this section improving a person's employment prospects.

NEW SECTION

WAC 388-47-135 JOBS PROGRAM—ON THE JOB TRAINING. An AFDC applicant and recipient shall, when assigned, participate in on-the-job training (OJT) unless exempt as described under WAC 388-47-100.

(1) The employer shall compensate the OJT participant:

(a) At the same rates, including benefits and periodic increases, as similarly situated employees or trainees; and

(b) In accordance with applicable law, but in no event less than the higher of the federal minimum wage or applicable state or local minimum wage law.

(2) If an OJT participant becomes ineligible for AFDC due to earned income rules or, in the case of a principal earner in an unemployed parent case, the one hundred hour rule, such individual shall:

- (a) Remain a JOBS participant for the duration of the OJT; and
 - (b) Be eligible for support services as described under chapter 388-51 WAC.
- (3) The department shall ensure the participant's OJT assignments meet the following conditions:
- (a) Work conditions are reasonable and not in violation of applicable federal, state, or local safety and health standards;
 - (b) Assignments are not related to political, electoral, religious, or partisan activities;
 - (c) The employer shall provide industrial insurance coverage as required under Title 51 RCW;
 - (d) The employer shall provide a recipient unemployment compensation coverage as required under Title 50 RCW; and
 - (e) Positions are not the result of, nor result in:
 - (i) Displacement of a current employee or overtime the employee currently worked;
 - (ii) Filling positions that would otherwise be promotional opportunities for a current employee;
 - (iii) Filling a position, before compliance with applicable personnel procedures or provisions of collective bargaining agreements;
 - (iv) Filling a position created by termination, layoff, or reduction in work force;
 - (v) Filling a work assignment:
 - (A) Performed by a worker in a job classification within a recognized collective bargaining unit in that specific work site; or
 - (B) Within a bargaining unit in which funded positions are vacant, or in which regular employees are on layoff.
 - (vi) A strike, lockout, or other bona fide labor dispute, or violation of an existing collective bargaining agreement between employees and employers; or
 - (vii) Decertification of a collective bargaining unit.

NEW SECTION

WAC 388-47-140 JOBS PROGRAM—WORK SUPPLEMENTATION PROGRAM. The department may operate the work supplementation program (WSP) for JOBS participants. The department's WSP is a voluntary program.

- (1) An eligible employer shall certify to the department that the employee's employment complies with the following conditions:
- (a) Work conditions are reasonable and not in violation of applicable federal, state, or local safety and health standards;
 - (b) Assignments are not related to political, electoral, or partisan activities;
 - (c) The employer shall provide industrial insurance coverage as required under Title 51 RCW;
 - (d) The employer shall provide a participant unemployment compensation coverage as required under Title 50 RCW; and
 - (e) WSP positions are not the result of, nor result in the:
 - (i) Displacement of a current employee or overtime the employee currently worked;
 - (ii) Filling of positions that would otherwise be promotional opportunities for a current employee;
 - (iii) Filling of a position, before compliance with applicable personnel procedures or provisions of collective bargaining agreements;
 - (iv) Filling of a position created by termination, layoff, or reduction in work force;
 - (v) Filling of a work assignment:
 - (A) Customarily performed by a worker in a job classification within a recognized collective bargaining unit in a specific work site; or
 - (B) In a bargaining unit in which funded positions are vacant, or in which regular employees are on layoff.
 - (vi) A strike, lockout, or other bona fide labor dispute, or violation of an existing collective bargaining agreement between an employee and employer; or
 - (vii) Decertification of a collective bargaining unit.
- (2) The employer shall pay an employee wages at the usual and customary rate of comparable jobs, or five dollars per hour, whichever is greater.
- (3) When a job does not last six months following the subsidization period, the department shall recover state supplement wages from an employer from the beginning of the subsidization period unless the employee:
- (a) Voluntarily quits; or

(b) Is discharged for good cause due to misconduct, felony, or gross misdemeanor as determined under chapter 50.20 RCW.

(4) Jobs shall have promotional opportunities or reasonable opportunities for an employee's wage increase.

(5) Employers shall pay fifty percent or more of the employee's total wages.

(6) A participant shall be considered an AFDC recipient and remain eligible for Medicaid benefits even if the participant does not receive a residual cash grant. Program participants shall be eligible for the:

- (a) Thirty dollar plus one-third of earned income exclusion from income for up to nine months;
- (b) Work-related expense disregard; and
- (c) Child care expense disregard deemed available to recipients of AFDC in computing the grant, unless prohibited by federal law.

NEW SECTION

WAC 388-47-200 JOBS PROGRAM—GOOD CAUSE FOR REFUSAL OR FAILURE TO PARTICIPATE. A person's good cause for refusal or failure to participate in an assigned JOBS component or required activity, or to accept and retain employment includes, but is not limited to:

- (1) A person is the parent or other needy caretaker of a child five years of age or younger and the activity or employment requires such individual to work more than twenty hours per week. This subsection shall not apply to a person subject to provisions as required under WAC 388-47-110 (1) and (2);
- (2) A person's employment results in the family of the participant experiencing a net loss of income. A net loss of income results if the family's gross income, less necessary work-related expenses, is less than the cash assistance the person was receiving before employment. The participant's grant income includes, but is not limited to, earnings, unearned income, and cash assistance;
- (3) A person's physical, mental, or emotional inability to perform the required activity;
- (4) A person's court-ordered appearance or temporary incarceration;
- (5) A person's family or individual emergency or crisis;
- (6) A person's breakdown in transportation arrangements, with no readily accessible alternate transportation;
- (7) Inclement weather preventing a person, and others similarly situated, from traveling to or participating in the prescribed activity;
- (8) A person's breakdown in child care arrangements, or child care not available enabling participation;
- (9) The nature of the required activity is hazardous to the participant;
- (10) A person's required activity interrupt a program in process for permanent rehabilitation or self-support or conflicts with an imminent likelihood of re-employment in the person's regular occupation;
- (11) Nonreceipt of a notice of appointment with program staff;
- (12) A person's job is available because of a labor dispute; or
- (13) A person's refusal to accept major medical treatment, for example major surgery, needed for employability.

NEW SECTION

WAC 388-47-210 JOBS PROGRAM—SANCTIONS FOR REFUSAL OR FAILURE TO PARTICIPATE. (1) When an AFDC recipient required to participate in the JOBS program refuses or fails to participate in JOBS without good cause, the following sanctions shall apply during the following periods:

- (a) For the first failure to comply, until the failure to comply ceases;
 - (b) For the second such failure to comply, until the failure to comply ceases or three months, whichever is longer;
 - (c) For a subsequent failure to comply, until the failure to comply ceases, or six months, whichever is longer.
- (2) Failure to participate in JOBS includes, but is not limited to:
- (a) Failure to meet the requirements for orientation, assessment, and employability development planning;
 - (b) Not appearing for two appointments with JOBS staff within a three-consecutive-month period;
 - (c) Not appearing for one appointment with other than JOBS staff in a three-consecutive-month period when referred for employment-related activity, including social services; or
 - (d) Not accepting or continuing any assigned JOBS component activity.
- (3) During the sanction period, the department shall not take into account the:

(a) Person's needs in determining the family's need for assistance and the amount of the assistance payment; or

(b) If the individual is the qualifying parent in a family eligible for the AFDC due to an unemployed parent, needs of the second parent in determining the family's need for assistance and the amount of the assistance payment unless the second parent is participating in the JOBS program.

(4) If the individual is the only dependent child, the department shall not take into account the individual's needs in determining the family's need for assistance and the amount of the assistance payment.

(5) If a sanction is applied to the only caretaker relative in the family, the department may continue to make payments:

(a) For the remaining members of the assistance unit in the form of protective payments; or

(b) If a protective payee cannot be identified, on behalf of the remaining members of the assistance unit, to the sanctioned caretaker relative.

(6) The department shall notify, in writing, a person whose failure or refusal continues for three months of the person's option to end the sanction. The department's notice shall advise the sanctioned person may terminate:

(a) The first or second sanction by participating in the JOBS program or accepting employment; and

(b) A subsequent sanction after six months have elapsed by participating in the program or accepting employment.

NEW SECTION

WAC 388-47-215 JOBS PROGRAM—COMPLAINTS AND GRIEVANCES. (1) The department shall, at the time of assignment, inform a person volunteering for or participating in a JOBS activity or component of the person's right to file a complaint or grievance with the department regarding the person's participation.

(a) The department shall pursue the grievance in accordance with standard grievance procedures.

(b) The department shall further inform a person that filing such a complaint or grievance shall not preclude the person's rights to request a fair hearing by the department on the issue.

(2) An individual shall not be relieved of required JOBS activities pending the results of a filed grievance or request for a grievance hearing.

NEW SECTION

WAC 388-47-220 JOBS PROGRAM—CONCILIATION AND FAIR HEARINGS. (1) Before the imposition of sanction, conciliation is the department's and a person's effort of resolving noncooperation with the JOBS program.

(2) When the department requires a person's participation in the JOBS program and the person refuses or fails to participate without good cause, the person shall be offered conciliation. The department shall:

(a) Accomplish conciliation through a face-to-face meeting with the noncooperating person;

(b) Arrange a telephone interview with the person if a face-to-face meeting is not possible;

(c) Continue conciliation consisting of two or more attempts involving the person and may continue for thirty days from the date the first attempt is made; and

(d) Terminate conciliation before the expiration of the thirty-day period upon:

(i) Written request by the person to terminate conciliation; or

(ii) Documented reasons by JOBS staff indicating the dispute cannot be resolved by conciliation.

(e) Specify a person aggrieved or disadvantaged by the conciliation process, or a decision resulting from the conciliation process, may appeal through the department's standard grievance or fair hearing process.

(3) When conciliation ends and a notice of adverse action is issued, the affected person may contest the department's proposed sanction. If the person's adverse action is not contested within ten days of issuance, the department's sanction shall be imposed under WAC 388-47-210.

(4) If a dispute is not resolved through conciliation, the department shall provide the person with an opportunity for a fair hearing. If the affected person requests a fair hearing, assistance may not be suspended, reduced, discontinued, or terminated until the fair hearing is concluded.

NEW SECTION

WAC 388-47-300 INDIAN TRIBAL JOBS PROGRAMS. (1) A person on AFDC required to participate in JOBS, and a member of an Indian tribe operating a tribal JOBS program, shall be referred to their tribal JOBS program if the person resides in the geographic area served by the tribal JOBS program.

(2) The tribe shall be responsible for determining a person's good cause for nonparticipation.

(3) The department shall remove from the AFDC grant the needs of a person whom the tribe determines has not participated and who did not have good cause for nonparticipation.

(4) Within available funding and on a first-come-first-serve basis, the department shall provide child care, according to chapter 388-51 WAC, necessary for a tribal member to participate in the tribe's JOBS program. Under chapter 388-51 WAC, a participant in the tribal JOBS program shall be eligible for transitional child care.

(5) A participant in the tribal JOBS program shall receive all other supportive services from the tribal JOBS program.

(6) As a condition of eligibility for AFDC, the department may require an applicant and recipient living within the designated service area of a tribal JOBS program to provide the department their membership status in that tribe. The department shall explain to the person the reason for the request is to determine whether the person is to receive JOBS services from the department or the tribe.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-57-011 WASHINGTON EMPLOYMENT OPPORTUNITIES PROGRAM (OPPORTUNITIES).

WAC 388-57-040 WORK INCENTIVE PROGRAM (WIN)—AUTHORITY.

WAC 388-57-057 WORK INCENTIVE PROGRAM—CERTIFICATION AND SUPPORTIVE SERVICES.

WAC 388-57-059 WIN PROGRAM—GRIEVANCES.

WAC 388-57-063 WIN PROGRAM—FAILURE TO PARTICIPATE.

WAC 388-57-066 WIN PROGRAM—NOTICE OF INTENDED DEREGISTRATION.

WAC 388-57-067 WIN PROGRAM—SANCTION.

WAC 388-57-071 WORK INCENTIVE PROGRAM—GOOD CAUSE.

WAC 388-57-074 OPPORTUNITIES program—Exemption and hearings.

WAC 388-57-097 COMMUNITY WORK EXPERIENCE PROGRAM (CWEP).

WAC 388-57-100 EMPLOYMENT SEARCH PROGRAM (ESP).

WAC 388-57-105 TITLE IV—A EMPLOYMENT PROGRAMS—COMPLAINTS AND GRIEVANCES.

WAC 388-57-112 TITLE IV—A EMPLOYMENT PROGRAMS—FAILURE TO PARTICIPATE WITHOUT GOOD CAUSE.

WAC 388-57-115 TITLE IV—A EMPLOYMENT PROGRAMS—SANCTION.

WAC 388-57-117 OPPORTUNITIES program—Effect of sanction on AFDC.

WAC 388-57-120 EMPLOYMENT PARTNERSHIP PROGRAM (EPP)—AUTHORITY.

WAC 388-57-122 ELIGIBLE PARTICIPANTS.

WAC 388-57-123 EMPLOYMENT PARTNERSHIP PROGRAM—ELIGIBLE EMPLOYERS.

WAC 388-57-124 EMPLOYMENT PARTNERSHIP PROGRAM—CONDITIONS OF EMPLOYMENT.

WAC 388-57-125 EMPLOYMENT PARTNERSHIP PROGRAM—FUNDING AND PAYMENT.

Chapter 388-51 WAC
JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
PROGRAM
CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE
SERVICES
AND TRANSITIONAL CHILD CARE

NEW SECTION

WAC 388-51-010 CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE SERVICES—AUTHORITY AND PURPOSE. (1) Child care and other work-related supportive service for a participant in the JOBS program is authorized under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act, and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for support services are in Part 45, Code of Federal Regulations, Section 255.

(2) The purpose of this program is to provide child care and other support services for a family:

- (a) Receiving and, in some cases, applying for aid to families with dependent children (AFDC); and
- (b) Participating in the JOBS program according to chapter 388-47 WAC.

NEW SECTION

WAC 388-51-020 DEFINITIONS. Except as specified in this chapter, terms used under chapter 388-51 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC, and the JOBS program set forth under chapter 388-47 WAC.

(1) "Applicable standards" means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

(2) "Support services" means child care, and other services provided for under federal law, that may be required enabling an AFDC applicant or recipient to pursue employment, education, and training under chapter 388-47 WAC.

NEW SECTION

WAC 388-51-040 ASSURANCES. The department shall assure:

- (1) Supportive services needed enabling the person's participation in the JOBS program is provided, subject to the availability of federal and state funds for this purpose;
- (2) Child care services meet applicable standards of state or tribal law;
- (3) An entity providing child care allows parental access;
- (4) The child's individual needs are taken into account when the department provides or arranges for child care and other supportive services; and
- (5) Child care provided or claimed for payment is related to a person's JOBS program participation or employment hours.

NEW SECTION

WAC 388-51-100 CHILD CARE—PAYMENT. (1) The department's payment for child care may not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) The department's payment shall be made to the provider in the case of center care, or family day care.

(3) The department's payment to a participant shall be by reimbursement in the case of in-home care.

NEW SECTION

WAC 388-51-150 OTHER SUPPORTIVE SERVICES. The department may provide other supportive services, payment, or reimbursement for other supportive services enabling a person's participation in a JOBS program. The participant's supportive services shall be subject to maximum limits set by the department. The department's services include, but are not limited to:

- (1) Transportation costs;
- (2) Tools and equipment;
- (3) License fees including union initiation fees and driver licenses required by law, employer, or union; and
- (4) One-time work-related expenses necessary for a participant to accept or maintain employment. The participant's expenses shall be:
 - (a) Required for the type of work;
 - (b) Provided only when other funds are not available; and
 - (c) Allowed when the participant has a bona fide job expecting to last thirty days or more.

NEW SECTION

WAC 388-51-200 TRANSITIONAL SUPPORTIVE SERVICES. The department may provide ninety or more days of transitional supportive services to a JOBS participant entering employment.

WSR 90-15-031
RESCIND OF EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 13, 1990, 2:46 p.m.]

Please withdraw [rescind] WSR 90-14-062, WAC 388-28-480 Use of income and income potentials—Types of income—Effect on need. I have decided not to continue this in effect on an emergency basis.

Leslie F. James, Director
 Administrative Services

WSR 90-15-032
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed July 13, 1990, 3:45 p.m.]

Continuance of WSR 90-12-019.

Title of Rule: Amending WAC 356-30-320 Trial service—Reversion—Status.

Purpose: The rule describes the status of an employee who fails to perform satisfactorily and who is reverted voluntarily or involuntarily during their trial service period.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Currently an employee's name can be removed from the reversion register for failure to accept the first offer of employment. The proposed change would give the employee the option of refusing three offers of employment before their name is removed from the reversion register.

Reasons Supporting Proposal: The change will allow the employee to reject three offers of employment before their name is removed.

Name of Agency Personnel Responsible for Drafting: Jill Schwenke, 521 Capitol Way South, Olympia, 586-1769; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on September 13, 1990, at 10:00 a.m.

Submit Written Comments to: Jill Schwenke, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by September 11, 1990.

Date of Intended Adoption: September 13, 1990.
 July 13, 1990
 Doug Tanabe
 for Dee W. Henderson
 Secretary

WSR 90-15-033
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed July 13, 1990, 3:46 p.m.]

Continuance of WSR 90-12-018.

Title of Rule: Amending WAC 356-26-040 Registers—Name removal for cause—Grounds enumerated—Requirements.

Purpose: This rule establishes the circumstances for which candidates can be removed from registers.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Name of Agency Personnel Responsible for Drafting: Jill Schwenke, 521 Capitol Way South, Olympia, 586-1769; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on September 13, 1990, at 10:00 a.m.

Submit Written Comments to: Jill Schwenke, Department of Personnel, P.O. Box 1789, FE-11, Olympia, WA 98507, by September 11, 1990.

Date of Intended Adoption: September 13, 1990.
 July 13, 1990
 Doug Tanabe
 for Dee W. Henderson
 Secretary

WSR 90-15-034
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Order 356—Filed July 13, 1990, 3:48 p.m.]

Date of Adoption: July 12, 1990.

Purpose: The purpose of these three new rules is to establish an early return to work program for employees who are receiving compensation under RCW 51.32.060 for temporary disabilities.

Citation of Existing Rules Affected by this Order: New rules WAC 356-46-135, 356-46-140 and 356-46-145.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a

federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The State Personnel Board adopted these rules on emergency basis to comply with 1990 legislation which went into effect on July 8, 1990.

Effective Date of Rule: Immediately.

July 13, 1990
 Doug Tanabe
 for Dee W. Henderson
 Secretary

NEW SECTION

WAC 356-46-135 RETURN-TO-WORK PROGRAM—PURPOSE. *To establish a return-to-work program for permanent state employees who are receiving compensation under RCW 51.32.090 and who are, by reason of their temporary disability, unable to return to their previous work, but are capable of carrying out work of a lighter or modified nature.*

NEW SECTION

WAC 356-46-140 RETURN-TO-WORK PROGRAM—RESPONSIBILITIES—STATE AGENCIES. *It will be the responsibility of each state agency to:*

(1) *Adopt a written return-to-work policy and submit a copy to the Department of Personnel. Prior to submittal to the Department of Personnel, the agency shall send a copy of the proposed policy to employee organizations certified as the exclusive representative for a bargaining unit and allow reasonable time for their response and participation and/or compliance with appropriate articles of the collective bargaining agreement.*

(2) *Designate an agency representative to be responsible for coordinating the return-to-work program of the agency.*

(3) *Provide an explanation of the agency return-to-work policy to all classified employees.*

(4) *Provide training of appropriate supervisors on implementation of the agency return-to-work policy, including but not limited to assessment of the appropriateness of the return-to-work job for the employee; general knowledge of available return-to-work options, resources available; and awareness that the return-to-work program expects cooperation and participation by all state agencies and institutions of higher education.*

(5) *Coordinate participation of applicable employee assistance programs, as appropriate.*

(6) *Provide time limited opportunities to agency employees who are in the return-to-work program if possible.*

NEW SECTION

WAC 356-46-145 EMPLOYEE ELIGIBILITY IN THE RETURN-TO-WORK PROGRAM. *Employees are eligible to participate in the return-to-work program under the following conditions:*

(1) *The employee is a permanent state employee.*

(2) *The employee is receiving compensation under RCW 51.32.090.*

(3) *The employee has a temporary disability which makes him/her temporarily unable to return to his or her previous work, but who is capable of carrying out work of a lighter or modified nature as evidenced by a written statement from a physician or licensed mental health professional.*

WSR 90-15-035
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 357—Filed July 13, 1990, 3:55 p.m.]

Date of Adoption: July 12, 1990.

Purpose: The purpose of these three new rules is to establish an early return to work program for employees who are receiving compensation under RCW 51.32.060 for temporary disabilities.

Citation of Existing Rules Affected by this Order: New rules WAC 356-46-135, 356-46-140 and 356-46-145.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-13-067 on June 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 13, 1990

Doug Tanabe

for Dee W. Henderson
Secretary

NEW SECTION

WAC 356-46-135 RETURN-TO-WORK PROGRAM—PURPOSE. To establish a return-to-work program for permanent state employees who are receiving compensation under RCW 51.32.090 and who are, by reason of their temporary disability, unable to return to their previous work, but are capable of carrying out work of a lighter or modified nature.

NEW SECTION

WAC 356-46-140 RETURN-TO-WORK PROGRAM—RESPONSIBILITIES—STATE AGENCIES. It will be the responsibility of each state agency to:

(1) Adopt a written return-to-work policy and submit a copy to the Department of Personnel. Prior to submittal to the Department of Personnel, the agency shall send a copy of the proposed policy to employee organizations certified as the exclusive representative for a bargaining unit and allow reasonable time for their response and participation and/or compliance with appropriate articles of the collective bargaining agreement.

(2) Designate an agency representative to be responsible for coordinating the return-to-work program of the agency.

(3) Provide an explanation of the agency return-to-work policy to all classified employees.

(4) Provide training of appropriate supervisors on implementation of the agency return-to-work policy, including but not limited to assessment of the appropriateness of the return-to-work job for the employee; general knowledge of available return-to-work options, resources available; and awareness that the return-to-work program expects cooperation and participation by all state agencies and institutions of higher education.

(5) Coordinate participation of applicable employee assistance programs, as appropriate.

(6) Provide time limited opportunities to agency employees who are in the return-to-work program if possible.

NEW SECTION

WAC 356-46-145 EMPLOYEE ELIGIBILITY IN THE RETURN-TO-WORK PROGRAM. Employees are eligible to participate in the return-to-work program under the following conditions:

(1) The employee is a permanent state employee.

(2) The employee is receiving compensation under RCW 51.32.090.

(3) The employee has a temporary disability which makes him/her temporarily unable to return to his or her previous work, but who is capable of carrying out work of a lighter or modified nature as evidenced by a written statement from a physician or licensed mental health professional.

WSR 90-15-036
EMERGENCY RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 358—Filed July 13, 1990, 3:56 p.m.]

Date of Adoption: July 12, 1990.

Purpose: This rule specifies the conditions under which call-back pay is used.

Citation of Existing Rules Affected by this Order: Amending WAC 356-15-100 Call-back for work preceding or following a scheduled workshift.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The State Personnel Board adopted this WAC on an emergency basis due to the fact that the unexpected Kunkle Decision by the Personnel Appeals Board will create significant, unbudgeted call-back expenditures which have never before been required.

Effective Date of Rule: Immediately.

July 13, 1990
Doug Tanabe
for Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 248, filed 5/28/86, effective 7/1/86)

WAC 356-15-100 CALL-BACK FOR WORK PRECEDING OR FOLLOWING A SCHEDULED WORKSHIFT. (1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work (~~((after their workshift ends))~~) after departing the worksite or to change the starting time of their next scheduled workshift.

(a) Lack of such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the basic salary in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in this subsection.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled, exceptions, and law enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

WSR 90-15-037
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 359—Filed July 13, 1990, 3:59 p.m.]

Date of Adoption: July 12, 1990.

Purpose: This rule specifies the conditions under which call-back pay is used.

Citation of Existing Rules Affected by this Order: Amending WAC 356-15-100 Call-back for work preceding or following a scheduled workshift.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

Pursuant to notice filed as WSR 90-11-112 on May 22, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 13, 1990
Doug Tanabe
for Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 248, filed 5/28/86, effective 7/1/86)

WAC 356-15-100 CALL-BACK FOR WORK PRECEDING OR FOLLOWING A SCHEDULED

WORKSHIFT. (1) Scheduled work period employees shall be notified prior to their scheduled quitting time either to return to work (~~((after their workshift ends))~~) after departing the worksite or to change the starting time of their next scheduled workshift.

(a) Lack of such notice for such work shall be considered call-back and shall result in a penalty of three hours of pay at the basic salary in addition to all other compensation due. This penalty shall apply to each call.

(b) The appointing authority may cancel a call-back notification to work extra hours at any time but cancellation shall not waive the penalty cited in this subsection.

(c) These provisions shall not apply to the mid-shift interval in a split shift and an employee called back while in standby status.

(2) Nonscheduled, exceptions, and law enforcement work period employees are not normally paid for call-back. However, if the appointing authority deems it appropriate, those employees may receive compensation, not to exceed the penalty cited above, for call-back.

WSR 90-15-038
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed July 13, 1990, 4:02 p.m.]

We, the State Personnel Board, are withdrawing WAC 356-05-063 Call-back. The original notice filed on this proposal was WSR 90-11-112.

If you have any questions regarding the above withdrawal, please contact Lori Parker at 753-5624.

Doug Tanabe
for Dee Henderson
Director

WSR 90-15-039
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed July 13, 1990, 4:07 p.m.]

Date of Adoption: July 10, 1990.

Purpose: To set fees collected by the Department of Licensing for regrading performance problems of the landscape architect registration examination (Uniform National Examination).

Citation of Existing Rules Affected by this Order: Amending WAC 308-13-150 Landscape architect fees.

Statutory Authority for Adoption: RCW 43.24.086 and 18.96.080.

Pursuant to notice filed as WSR 90-11-061 on May 15, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 10, 1990
Marsha Tadano Long
Assistant Director

AMENDATORY SECTION (Amending WSR 90-03-031, filed 1/12/90, effective 2/12/90)

WAC 308-13-150 LANDSCAPE ARCHITECT FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application fee	\$150.00
Examination or reexamination (entire) fee	350.00
Reexamination fee	50.00
Section 1	20.00
Section 2	30.00
Section 3	100.00
Section 4	85.00
Section 5	65.00
Section 6	50.00
Exam proctor	100.00
Renewal (3 years)	450.00
Late renewal penalty	150.00
Duplicate license	25.00
Initial registration (3 years)	450.00
Reciprocity application fee	200.00
Certification	45.00
Proctoring program	125.00
Replacement certificate	20.00
<u>Examination regrading (per performance sheet)</u>	<u>25.00</u>

WSR 90-15-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 90-58—Filed July 16, 1990, 9:44 a.m.]

Date of Adoption: July 13, 1990.

Purpose: Commercial and personal use rules.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Interest in immediate harvest of moon snails, both commercially and for personal use, has been identified by the Washington Department of Fisheries. A harvestable abundance of this resource is available.

Effective Date of Rule: Immediately.

July 13, 1990
 Judith Merchant
 Deputy
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-12-02000A MOON SNAILS CLASSIFICATION Notwithstanding the provisions of WAC 220-12-020, effective immediately until further notice the following species is classified as a shellfish under RCW 75.08.080 and is subject to the provisions of this title: Moon snail – *Polinices lewisii*.

NEW SECTION

WAC 220-52-07400A MOON SNAIL – COMMERCIAL Effective immediately, until further notice it is unlawful to take or possess snails taken for commercial purposes without having first obtained a permit to do so issued by the director.

NEW SECTION

WAC 220-56-31000J SHELLFISH – DAILY BAG LIMIT Notwithstanding the provisions of WAC 220-56-310, effective immediately until further notice, it is unlawful to take or possess for personal use in any one day, more than 15 moon snails.

WSR 90-15-041
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
 [Memorandum—July 16, 1990]

The location of the August 13 and 14, 1990, regular meeting of the State Investment Board has been changed from the Frank Russell Company, 909 A Street, Tacoma, WA 98402, to the Silverdale on the Bay Resort Hotel, 3073 N.W. Bucklin Hill Road, Silverdale, WA 98383.

WSR 90-15-042
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Order 2049—Filed July 16, 1990, 1:32 p.m.]

Date of Adoption: July 16, 1990.

Purpose: To prevent Japanese beetle infestation in the state of Washington.

Citation of Existing Rules Affected by this Order: Amending chapter 16-470 WAC.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Pursuant to notice filed as WSR 90-11-100 on May 22, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 16, 1990
 by Michael V. Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

NEW SECTION

WAC 16-470-700 QUARANTINE—JAPANESE BEETLE. A quarantine is established under this chapter against the pest known as Japanese beetle (*Popillia japonica* Newman), a member of the family Scarabaeidae. The Japanese beetle is a persistent, serious and highly destructive pest, attacking the roots, leaves, and fruits of over three hundred kinds of plants including fruit trees, ornamentals, and field and vegetable crops.

NEW SECTION

WAC 16-470-705 AREAS UNDER QUARANTINE. (1) Except as provided in subsection (2) of this section, the entire states of Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, and the Provinces of Ontario and Quebec are declared to be under quarantine for Japanese beetle.

(2) The director may exempt individual counties of the states under quarantine from meeting the conditions in WAC 16-470-715 if the director determines that:

(a) The state has adopted and is enforcing restrictions on the interstate and intrastate movement of regulated articles that are equivalent to or exceed the restrictions placed on the movement of regulated articles as provided in this rule; and

(b) Annual surveys are conducted in such counties and the results of such surveys are negative for Japanese beetle.

(3) Any state may request exemption of one or more counties under subsection (2) of this section. Such request shall be in writing and signed by a duly authorized official stating the areas surveyed, the survey method, and the last date of Japanese beetle infestation in such county if previously infested. The director shall maintain a list of any county so exempted.

NEW SECTION

WAC 16-470-710 REGULATED ARTICLES. The following are hereby declared to be hosts or possible carriers of Japanese beetle and are prohibited entry into this state from an area under quarantine either directly, indirectly, diverted or reclassified, except as provided for in WAC 16-470-715:

(1) Soil, humus, compost, and manure (except when commercially packaged);

(2) All plants with roots (except bareroot plants free from soil);

(3) Grass sod;

(4) Plant crowns or roots for propagation (except when free from soil);

(5) Bulbs, corms, tubers, and rhizomes of ornamental plants (except when free of soil);

(6) Any other plant, plant part, article, or means of conveyance when it is determined by the director to present a hazard of spreading live Japanese beetle due to

either infestation, or exposure to infestation by Japanese beetle.

NEW SECTION

WAC 16-470-715 CONDITIONS GOVERNING THE MOVEMENT OF REGULATED ARTICLES INTO WASHINGTON STATE. (1) Persons shipping regulated articles into this state from areas under quarantine shall notify the department's plant protection branch of the nature and quantity of each shipment, its expected date of arrival at destination, the name of the intended receiver and the destination. The person to whom the commodities are shipped shall hold the same until they are inspected and released by the department.

(2) The commodities covered shall be accompanied by a certificate issued by an authorized state or federal regulatory official from the state of origin certifying that the commodity, soil, or means of conveyance is treated with methods and procedures approved and prescribed by the director.

(3) Privately owned houseplants grown indoors may be allowed entry into this state without meeting the requirements of subsection (2) of this section if a department official inspects such plants as prescribed in subsection (1) of this section and determines that they are free from Japanese beetle.

NEW SECTION

WAC 16-470-720 SPECIAL PERMITS. The director may issue special permits admitting regulated articles covered in WAC 16-470-710 not otherwise eligible for entry from the area under quarantine, subject to conditions and provisions which the director may prescribe to prevent the introduction, escape, or spread of the Japanese beetle.

WSR 90-15-043**EMERGENCY RULES****GAMBLING COMMISSION**

[Filed July 16, 1990, 3:17 p.m.]

Date of Adoption: July 13, 1990.

Purpose: To clarify the assembly, packaging and operation of pull tab series and to clarify the records index, these were required by the new APA ruling.

Citation of Existing Rules Affected by this Order: Amending WAC 230-30-050, 230-30-102, 230-30-104 and 230-60-065.

Statutory Authority for Adoption: RCW 9.46.070 (11)(14).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To comply with the new APA ruling.

Effective Date of Rule: Immediately.

July 16, 1990
Ronald O. Bailey
Director

AMENDATORY SECTION (Amending Order 173 [155], filed 11/23/87 [3/14/86])

WAC 230-30-050 PUNCHBOARD AND PULL TAB OPERATION. (1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any narcotic, shall be allowed to play or sell any punchboard or pull tab device. It shall be the responsibility of the licensee and the responsibility of the person physically operating the punchboard or pull tab device to determine that no unauthorized person is allowed to play or sell.

(2) No operator shall permit the display or operation of any punchboard or pull tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) All pull tabs must be dispensed from a coin-operated vending machine or a clear container which affords the player an opportunity to observe the complete series. If pull tabs are not sold out of a coin-operated vending machine, the complete series must be placed in a clear container and mixed prior to being offered for sale. Failure to mix will result in a minimum five day suspension of license for each series not mixed. Bingo licenses may bundle pull tabs into stacks of \$5 or \$10, provided the bundles are thoroughly mixed prior to sale to the public. This section of the rule shall be reviewed for its applicability at the Commission meeting in July 1991.

(4) All records, reports and receipts relating to a punchboard or pull tab series in play must be retained on the licensed premises so long as the series or punchboard is in play and be made available on demand to law enforcement officers and representatives of the commission.

~~((4))~~5) When operators purchase merchandise to be used as prizes on punchboards or pull tab series from other than a licensed distributor, the following information must be on the invoice provided by the seller:

- (a) The date of purchase;
 - (b) The company's name and adequate business address;
 - (c) A full description of each item purchased;
 - (d) The quantity of items purchased;
 - (e) The cost per individual items purchased; and
 - (f) The sales invoice or receipt must be maintained by the operator for at least three years.
- (Order 155), filed 3/14/86.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 142, filed 1/9/85)

WAC 230-30-102 PULL TAB SERIES ASSEMBLY AND PACKAGING. (1) Manufacturers of pull tabs shall manufacture, assemble, and package each pull tab series in one container and in such a manner that none of the winning pull tabs, nor the location or approximate location of any of the winning pull tabs can be determined, in advance of opening the pull tabs in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by the use of a light.

(2) ~~((W))~~ Effective April 1, 1991, winning pull tabs shall be ((evently)) distributed and mixed among all other pull tabs in ((the)) a series((-The series shall be assembled and packaged with special care)) so as to eliminate any pattern as between series, or portions of series, from which the location or approximate location of any of the winning tabs may be determined. The pull tab series must be assembled so that no placement of winners or losers exist that allows the possibility of prize manipulation or "pick out." Effective April 1, 1991, manufacturers shall not offer for sale in Washington any pull tab series in which the winning pull tabs are not distributed and mixed among all other pull tabs in that series. The director may authorize manufacturers up to sixty additional days to sell existing inventory when justified. Manufacturers shall assemble pull tab series so that general locations, such as the ends of rows, center of rows or complete rows are NOT void of winning pull tabs. For the purpose of this rule, it shall be prima facie evidence that a pattern exists between series or portions of series as to the winning pull tabs if tests of ten or more pull tab series by this agency reveal any of the following:

- (a) One high tier winner located in the same general location in at least seventy percent of the series examined;
- (b) Two high tier winners located in the same general location in at least fifty percent of the series examined;
- (c) Three or more high tier winners located in the same general location in at least thirty percent of the series examined; or equal numbers of high tier winners in each row of a series in at least thirty percent of the series examined;
- (d) No winning pull tab in a specific row in at least seventy percent of the series examined;
- (e) No winning pull tab in a general location at the end of each row in at least seventy percent of the series examined;
- (f) No winning pull tab in a section of a row containing 150 pull tabs in one hundred percent of the series examined.

High tier winning pull tabs shall be \$25.00 or more and general location shall mean a range of 50 pull tabs or less.

If there are no winning pull tabs of \$25.00 or higher in the series, then the two highest tier winning pull tabs in that series must comply with paragraphs (a) through (f).

(3) ~~((When the series is packaged in more than one package, box or other container, the entire series of individual pull tabs shall be mixed in such a manner that no person can determine the position or approximate location of any of the winning pull tabs or determine whether any one package or portion of a series contains a larger or smaller percentage of winning pull tabs than the balance of the series. The packages, boxes or other containers shall not be numbered as to distinguish one from the other.))~~ Pull tabs packaged in bags rather than boxes shall be subject to the above requirements. In order to test for compliance bagged pull tabs will be divided into horizontal or vertical rows and then measured against the above criteria.

(4) Each series of pull tabs shall contain a packing slip placed inside the package containing the name of manufacturer, series number, date the series was packaged, and the name or identification of the person who packaged the series: Provided, That this information may be printed on the back of the flare or the outside ~~((of at least one))~~ of the package~~((s))~~, box~~((es))~~ or container~~((s))~~ in which the pull tabs are packed.

(5) Effective October 1, 1990, manufacturers of pull tabs shall print on the outside of the die cut box, package or other container of pull tabs the following message "Washington State law requires that pull tabs NOT sold through a mechanical pull tab dispensing device must be removed from the packaging container and mixed before selling to the public. Failure to remove and mix pull tabs from a packaging container may result in a minimum five day suspension of a license for each series not mixed." Provided, the above information may be printed on a crack and peel sticker and placed on the outside of the die cut box, package or other container of pull tabs. The above information may be printed on a colored packing slip and placed inside the package of pull tabs.

AMENDATORY SECTION (Amending Order 142, filed 1/9/85)

WAC 230-30-104 POSSESSION OR SALE OF PULL TAB SERIES IN WHICH WINNERS OR LOCATION OF WINNERS MAY BE DETERMINED IN ADVANCE—PROHIBITED. (1) No operator, distributor or manufacturer, or representative thereof, with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell or otherwise furnish to any person any pull tab series or pull tab from any series:

(a) In which the winning tabs have not been ~~((evenly))~~ distributed and mixed among all other tabs in the series, or

(b) In which the location, or approximate location, of any of the winning tabs can be determined in advance of opening the tabs in any manner or by any device, including but not limited to, any pattern in the manufacture, assembly or packaging of the tabs by the manufacturer, by any markings on the tabs or container, or by the use of a light, or

(c) Which does not conform in any other respect to the requirements of these rules as to manufacture, assembly, or packaging of pull tabs.

(2) No manufacturer or distributor or representative thereof shall use as a sales promotion any statement, demonstration, or implication that any certain portion of a series of pull tabs contains more winners than other portions of the series or that any series of pull tabs may be sold by the operator in a particular manner that would give the operator any advantage in selling more of the pull tabs before having to pay out winners.

AMENDATORY SECTION (Amending Order 75, filed 9/16/77)

WAC 230-60-065 RECORDS INDEX. (1) ~~((Index. The commission has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since its inception:))~~ Pursuant to RCW 42.17.260 the Commission shall maintain a system of indexing for the dissemination of public records. The system shall be updated on a quarterly basis and be available at the Commission headquarters. The system will allow for the identification and location of the following records:

(a) ~~((Final opinions, including concurring and dissenting opinions, declaratory rulings, as well as orders, made in the adjudication of cases.))~~

All records issued before July 1, 1990, for which the agency has maintained an index;

(b) ~~((Those statements of policy and interpretations of policy, statute, and constitution which have been adopted by the agency.))~~

Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010(1) and that contain an analysis or decision of substantial importance to the agency in carrying out of its duties;

(c) ~~((Administrative staff manuals and instructions to staff that affect a member of the public.))~~

Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) ~~((Planning policies and goals, and interim and final planning decisions.))~~

Interpretive statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990, and

(e) ~~((Factual staff reports and studies.))~~

Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

~~((f)) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.~~

~~((2) Availability. The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.))~~

WSR 90-15-044
PERMANENT RULES
GAMBLING COMMISSION
 [Filed July 16, 1990, 3:21 p.m.]

Date of Adoption: July 13, 1990.

Purpose: WAC 230-02-030 Clarifies business hours, agency location and identifies commission services.

Citation of Existing Rules Affected by this Order: Amending WAC 230-02-030.

Statutory Authority for Adoption: RCW 9.46.070(18).

Pursuant to notice filed as WSR 90-11-057 on May 15, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 16, 1990

Ronald O. Bailey
 Director

AMENDATORY SECTION (Amending Order 193, filed 6/20/89)

WAC 230-02-030 ((ADDRESS OF COMMISSION)) NORMAL COMMISSION OPERATIONS - ADMINISTRATIVE OFFICE ADDRESS AND BUSINESS HOURS. (1) The administrative office of the Commission is located in Lacey, Washington. Services available are administration, information, licensing, investigation, activity report processing, and public records. Unless specifically provided elsewhere in these rules, applications for licenses, submission of materials or requests for notices or information of any kind, may be made by addressing correspondence to:

Washington State Gambling Commission
 4511 Woodview Drive S.E.
 Lacey, Washington 98504-8121.

(2) Normal business hours for the administrative office, unless specifically provided elsewhere in these rules, shall be 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

WSR 90-15-045
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 90-59—Filed July 17, 1990, 9:53 a.m.]

Date of Adoption: July 16, 1990.

Purpose: Person [personal] use salmon regulation.

Citation of Existing Rules Affected by this Order: Amending WAC 220-57-160.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: In order to promote an orderly fishery, and to dispel public confusion, this regulation is being promulgated.

Effective Date of Rule: Immediately.

July 16, 1990
 Joseph R. Blum
 Director

NEW SECTION

WAC 220-57-16000F COLUMBIA RIVER - FRESH WATER ANGLING *Notwithstanding the provisions of WAC 220-57-160, effective immediately until further notice, it is lawful to use barbed hook while angling for personal use salmon from the North Jetty of the Columbia River.*

WSR 90-15-046
PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
 [Filed July 17, 1990, 10:42 a.m.]

Original Notice.

Title of Rule: Amending WAC 196-24-030 Reciprocity; 196-24-095 Seals; and 196-24-110 Land surveying standards.

Purpose: Regulate the practice of engineering and land surveying in the state of Washington.

Statutory Authority for Adoption: RCW 18.43.035.

Statute Being Implemented: Chapter 18.43 RCW.

Summary: WAC 196-24-030 is amended to clarify the basis for reciprocity and define terminology within the section; WAC 196-24-095 is amended by adopting a new seal design and clarifying a definition within the section; and WAC 196-24-110 is amended to clarify the sections intent, which is compliance with existing standards.

Reasons Supporting Proposal: Review of existing rules illustrated unclear language necessitating revision.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Alan E. Rathbun, 2424 Bristol Court S.W., Olympia, 753-3634.

Name of Proponent: Board of Registration for Professional Engineers and Land Surveyors, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 196-24-030, amend by defining basis for reciprocal registration and defining in "good standing" allowing applicants to better understand basis for application evaluation; WAC 196-24-095, this amendment illustrates a new seal/stamp design which will require all licensed engineers and land surveyors to purchase a new seal by September 1, 1991; and WAC 196-24-110, amendment to clarify intent of this section. This section now defines misconduct and malpractice as a violation of statute, rule or local ordinance pertaining to filing of survey documents.

Proposal Changes the Following Existing Rules: This proposal adds an approved seal/stamp design to the administrative code. Furthermore it clarifies existing language relative to reciprocity and compliance with land surveying standards and recording statutes. The proposal also clarifies the definition of "under direct supervision" which is critical in the supervision of work performed by unlicensed persons.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Seattle Marriott – Sea-Tac, City Suite Area, 3201 South 176th Street, Seattle, WA, on September 28, 1990, at 10:00 a.m.

Submit Written Comments to: Alan E. Rathbun, P.O. Box 9649, Olympia, WA 98504, by September 26, 1990.

Date of Intended Adoption: September 28, 1990.

July 11, 1990

Alan E. Rathbun, P.E.

Registrar

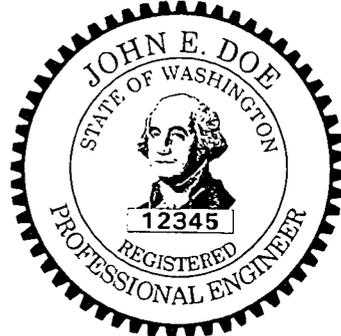
AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-24-030 RECIPROCITY. Reciprocal registration is considered as being applied towards an applicant's original jurisdiction of registration by examination. The ((Professional Engineers Registration Act provides that the)) board for professional engineers and land surveyors may, upon application, and payment of a fee, issue a certificate without further examination as a professional engineer to any person who holds a certificate of qualification of registration issued to ((him)) the applicant following examination by proper authority, of any state, territory or possession of the United States, the District of Columbia, or of any foreign country, provided the following conditions are met:

- (1) That the applicant's qualifications meet the requirements of the chapter and the rules established by the board;
- (2) That the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration;
- (3) That the said state, territory, possession, district, or foreign country gives like consideration on a reciprocal basis to those persons who have been registered by examination in this state; and
- (4) That the license has been granted on the basis of an examination equivalent to that given by the state of Washington.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-095 SEALS. The design and format of the seal and or stamp authorized by the board will conform to the following examples:



Embossing seals or rubber stamps are equally acceptable. The impression or image of the seal/stamp shall be no smaller than one and three quarter inches and no larger than two inches. The seal/stamp shall contain the following minimum information: State of Washington, Registered Professional Engineer or Registered Professional Land Surveyor, registrant's name as shown on wall certificate and certificate number. Other than described and illustrated herein, no other form or format for professional seals/stamps is authorized by the board. All seals/stamps shall conform to this design and format by no later than September 1, 1991. Engineers or land surveyors shall not affix their signature and seal to any engineering or land surveying plan or document dealing with subject matter outside their field of competence nor to any plan or document not prepared under their direct supervision.

"Under direct supervision" shall be construed to mean that the registrant ((providing)) who provide(s) such supervision ((shall have made the decisions on technical matters of policy and design. Furthermore, the registrant)), and who intends to affix his or her signature and seal, shall have exercised his or her professional judgment ((in att)) by way of regular participation in developing the engineering and/or land surveying matters that are embodied in the plans, designs, specifications or other documents involved in the work.

AMENDATORY SECTION (Amending Order PM 606, filed 6/4/87)

WAC 196-24-110 COMPLIANCE WITH LAND SURVEYING STANDARDS AND RECORDING STATUTES. Failure by any registrant to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the survey standards, chapter 332-130 WAC shall be considered misconduct or malpractice as defined by RCW 18.43.105(11).

Additionally, the failure to comply with any statute, administrative code, or local regulation requiring the filing or recording of survey maps, plans, plats, short plats, boundary line adjustments, condominium plat, or binding site plan shall be considered a violation of RCW 18.43.105(11). The destruction or removal of any survey monument in violation of chapter 332-120 WAC by any registrant shall also be considered misconduct or malpractice.

The following standards shall also apply:

- (1) The monumentation, posting, and/or the marking of a boundary line ((between two existing corner monuments constitutes)) involves a determination of the accuracy and validity of the existing monuments by the use of standard survey methods and professional judgment therefore constituting the "practice of land surveying" as defined in chapter 18.43 RCW and chapter 196-16 WAC((-and)). Consequently

((requires)), said work ((to)) shall be performed under the direct supervision of a registered professional land surveyor.

(2) The field survey work performed to accomplish the monumentation, posting, and marking of a boundary line ((between two existing corner monuments)) shall meet the minimum standards imposed by chapter 58.09 RCW and chapter 332-130 WAC.

(3) ((The monumentation, posting, and/or marking of a boundary line between two existing corner monuments involves a determination of the accuracy and validity of the existing monuments by the use of standard survey methods and professional judgment.

(4)) The monumentation, posting, and marking of a boundary line between two existing corner monuments shall require the filing of a record of survey according to chapter 58.09 RCW unless both corners satisfy one or both of the following requirements:

(a) The corner(s) are shown as being established on a recorded or filed survey ((according to chapter 58.09 RCW)) in the county recording office and such corner(s) are accurately and correctly shown thereon.

(b) The corner(s) are described correctly, accurately, and properly on a land corner record according to chapter 58.09 RCW if their establishment was by a method not requiring the filing of a record of survey.

WSR 90-15-047

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Memorandum—July 17, 1990]

Thursday, July 19, 1990
Lynnwood Hall, Room 424
4:30 - 6:15

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 90-15-048

**NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY**

[Memorandum—July 12, 1990]

In compliance with RCW 42.30.075, please publish the following information in the Washington State Register: University board of trustees [meetings] will be held in Room 143, Bouillon Hall, on the Central Washington University campus in Ellensburg at 11:00 a.m. on the following dates: September 14, 1990, October 12, 1990, November 30, 1990, January 25, 1991, March 8, 1991, April 12, 1991, and June 14, 1991.

WSR 90-15-049

**RULES COORDINATOR
ENERGY FACILITY
SITE EVALUATION COUNCIL**

[Filed July 17, 1990, 10:45 a.m.]

The rules coordinator for the Energy Facility Site Evaluation Council is David W. Sjoding, Assistant Director, Administration and Finance, Washington State Energy Office, Mailstop FA-11, Olympia, Washington 98504.

Mr. Sjoding's phone number is (206) 956-2004, 494-2004 scan.

Bob Wallis
Acting Chairman

WSR 90-15-050

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF FISHERIES**

(By the Code Reviser's Office)

[Filed July 17, 1990, 10:46 a.m.]

WAC 220-57-242, 220-57-315, 220-57-328, 220-57-515 and 220-57-530, proposed by the Department of Fisheries in WSR 90-02-112, appearing in issue 90-02 of the State Register, which was distributed on January 17, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 90-15-051

**WITHDRAWAL OF PROPOSED RULES
UTILITIES AND
TRANSPORTATION COMMISSION**

(By the Code Reviser's Office)

[Filed July 17, 1990, 10:47 a.m.]

WAC 480-70-520, proposed by the Utilities and Transportation Commission in WSR 90-02-008, appearing in issue 90-02 of the State Register, which was distributed on January 17, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 90-15-052

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF ECOLOGY**

(By the Code Reviser's Office)

[Filed July 17, 1990, 10:48 a.m.]

WAC 173-166-010, 173-166-020, 173-166-030, 173-166-040, 173-166-050, 173-166-060, 173-166-070, 173-166-080, 173-166-090, 173-166-100, 173-166-110, 173-166-120 and 173-166-130, proposed by the Department of Ecology in WSR 90-02-096, appearing in issue 90-02 of the State Register, which was distributed on January 17, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 90-15-053
PREPROPOSAL COMMENTS
DEPARTMENT OF REVENUE
 [Filed July 17, 1990, 2:46 p.m.]

Subject of Possible Rule Making: Chapter 458-14 WAC, Revised County Board of Equalization rules.

Persons may comment on this subject in writing or by attending the public meeting.

Written comments should be addressed to: James Winterstein, A.L.J., Department of Revenue, Interpretation and Appeals, Olympia, Washington 98504, Mailstop AX-02.

Public hearing scheduled in: General Administration Building, 1st Floor Conference Room, Capitol Building Grounds, Olympia, Washington, on August 13, 1990, at 9:30 a.m. (Written comments will be accepted to this date.)

Other Information or Comments by Agency at this Time, if any: These rules have been in the process of revision for a considerable length of time and the new rules are intended to simplify and clarify the equalization boards' functions. In addition, the new rules were necessary to comply with recent statutory changes.

July 17, 1990

Will Rice

Assistant Director
 by Linda Lethlean

WSR 90-15-054
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed July 17, 1990, 4:07 p.m.]

Original Notice.

Title of Rule: Chapter 388-24 WAC, Aid to families with dependent children—Eligibility.

Purpose: WAC 388-24-074 incorporates proposed changes exempting census employment from the 100 hour rule for AFDC-E qualifying parent and changes references from OPPORTUNITIES to JOBS; WAC 388-24-090 brings the chapter into compliance with federal JOBS regulations; and WAC 388-24-107 brings the chapter into compliance with JOBS regulations.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: WAC 388-24-074 exempts 1990 census employment from the 100 hour disqualification of the qualifying parents in the AFDC-E program and changes references to WIN and OPPORTUNITIES to JOBS; WAC 388-24-090 deletes references to OPPORTUNITIES and WIN and adds references to JOBS. Changes removing the entire family from AFDC when the qualifying parent in an AFDC-E household does not cooperate with the JOBS program to only removing the individual from the AFDC grant. Removes references to WIN registration and certification; and WAC 388-24-107 changes the exemption age for mandatory participation from 65-60 years old. Changes the exemption of

a parent of needy caretaker relative caring for a child under the age of six to exempting the parent or needy caretaker relative caring for a child under the age of three. Adds exemption of a woman in her second trimester of pregnancy. Changes references to WIN and OPPORTUNITIES to JOBS.

Reasons Supporting Proposal: This rule is necessary to implement the federal JOBS program and obtain federal matching funds.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Countryman, Division of Income Assistance, 753-4041.

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

Rule is necessary because of federal law, Social Security Act 402 (a)(19).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on August 21, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by August 21, 1990.

Date of Intended Adoption: August 31, 1990.

July 17, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2808, filed 6/7/89)

WAC 388-24-074 AID TO FAMILIES WITH DEPENDENT CHILDREN—EMPLOYABLE—DEPRIVATION DUE TO UNEMPLOYMENT OF A PARENT. (1) The department shall consider a child (~~to be~~) deprived of parental care and support due to the unemployment of a parent when the child lives with two parents, one of which meets all the requirements in this section.

(2) The department shall designate the qualifying parent as that parent (~~who earned~~) earning the greater amount of income in the twenty-four-calendar-month period immediately preceding the month the application for assistance is filed. The department shall:

(a) Designate the qualifying parent using the best evidence available; (~~and~~)

(b) Consider the earnings of both parents regardless of when the relationship began;

(c) Continue the designation for each consecutive month the family remains on assistance based on the current application; and

(d) Designate the qualifying parent if both parents earned an identical amount of income.

(3) The department shall consider (~~(a)~~) the qualifying parent (~~to be~~) unemployed when the qualifying parent:

(a) Is employed less than one hundred hours a month;

(b) Exceeds this standard for a particular month if the excess is of a temporary nature evidenced by being under the one hundred hour standard for the two prior months and is expected to be under the standard during the next month; (~~or~~)

(c) Participates in institutional and work experience training (~~or in public service employment~~) under the (~~OPPORTUNITIES~~) JOBS program and is not otherwise employed over one hundred hours; or

(d) Works temporarily for the 1990 federal census demonstration project in a position exempted by the project waiver and is not otherwise employed over one hundred hours.

(4) The qualifying parent shall be unemployed as defined in subsection (3) of this section for (~~at least~~) thirty days (~~prior to~~) or more before the date AFDC-E is authorized except when:

(a) AFDC-E is terminated due to employment of the qualifying parent; ~~((and))~~

(b) The full-time employment ends within thirty days of termination; and

(c) The qualifying parent reapplies and is found otherwise eligible for AFDC-E.

(5) During the same thirty-day period, or subsequently, the qualifying parent shall not have:

(a) Refused a bona fide offer of employment; ~~((or))~~

(b) Refused training for employment; ~~((or))~~

(c) Voluntarily left a job without good cause; or

(d) If eligible, refused to apply for or accept unemployment compensation.

(6) The qualifying parent shall(~~(:~~

~~(a) Register for the WIN program; and~~

~~(b)) participate, as required in the ((OPPORTUNITIES)) JOBS program.~~

(7) The qualifying parent shall have one of the following:

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

(i) A "quarter of work" means a calendar quarter in which the parent earned income of ~~((at least))~~ fifty dollars or more, or participated in the OPPORTUNITIES or JOBS program.

(ii) A "calendar quarter" means three consecutive months ending March 31st, June 30th, September 30th, or December 31st; ~~((or))~~

(b) Within one year ~~((prior to))~~ before the application, received, or had such a work history to be eligible to receive, unemployment compensation.

AMENDATORY SECTION (Amending Orders 2601 and 2601A, filed 3/2/88 and 3/14/88)

WAC 388-24-090 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-EMPLOYMENT OR TRAINING. (1) All AFDC applicants and recipients shall be subject to ~~((WIN registration and OPPORTUNITIES))~~ JOB OPPORTUNITIES AND BASIC SKILLS PROGRAM (JOBS) participation as provided in WAC 388-24-107.

(2) A ~~((WIN registrant))~~ mandatory JOBS participant failing to cooperate in appraisal ~~((prior to certification))~~ shall be subject to ~~((the))~~ provisions of chapter ~~((388-57))~~ 388-47 WAC, unless the participant:

(a) ~~((He or she))~~ Is exempt from ~~((OPPORTUNITIES))~~ JOBS participation(~~;~~);

(b) ~~((He or she))~~ Has not been notified of nonexempt status for ~~((OPPORTUNITIES))~~ JOBS participation(~~;~~); or

(c) ~~((An OPPORTUNITIES))~~ Is a JOBS program volunteer participant.

(3) ~~((a) An AFDC recipient certified for the work incentive (WIN) program and determined by DES to have refused employment or training or participation in the WIN program without good cause shall be subject to provisions of chapter 388-57 WAC, unless:~~

~~(i) He or she is exempt from OPPORTUNITIES participation;~~

~~(ii) He or she has not yet been notified of nonexempt status for OPPORTUNITIES participation;~~

~~(iii) An OPPORTUNITIES program volunteer participant.~~

~~(b) An AFDC applicant or recipient determined by DSHS to have refused employment or participation in the ESP or CWEP programs without good cause shall be subject to provisions of chapter 388-57 WAC, unless:~~

~~(i) He or she is exempt from OPPORTUNITIES participation;~~

~~(ii) He or she has not yet been notified of nonexempt status for OPPORTUNITIES participation;~~

~~(iii) An OPPORTUNITIES program volunteer participant.~~

~~((4)) A child's eligibility shall not be affected by the ((OPPORTUNITIES)) JOBS program participation requirement for the parent or needy caretaker relative ((in the AFDC-R program. A child's eligibility shall be affected by the OPPORTUNITIES program participation requirement for the unemployed qualifying parent in the AFDC-E program)).~~

(4) The eligibility of a non qualifying parent not participating in JOBS shall be affected by the program participation requirement of the qualifying parent in the AFDC-E program.

(5) An individual determined exempt from participation in ~~((OPPORTUNITIES))~~ JOBS on the basis of documented incapacity shall be referred to DVR ~~((See also))~~ as described under WAC 388-52-150 through 388-52-155.

AMENDATORY SECTION (Amending Orders 2601 and 2601A, filed 3/2/88 and 3/14/88)

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E-~~((REGISTRATION AND))~~ PARTICIPATION IN EMPLOYMENT PROGRAMS. (1) All AFDC applicants/recipients shall, as a condition of eligibility(~~:~~

~~(a) Register for the work incentive (WIN) program. A person who requests or receives AFDC shall be considered registered in WIN for every person 16 through 64 years of age in the assistance unit. This shall include everyone who becomes 16 years of age while on AFDC; and~~

~~(b)), except as exempted in subsection (2) of this section, participate as required in ((the following programs under)) the ((OPPORTUNITIES)) JOBS program(~~:~~~~

~~(i) Work incentive program (WIN); and/or~~

~~(ii) Employment search program (ESP); and/or~~

~~(iii) Community work experience program (CWEP)).~~

(2) The following AFDC applicants/recipients shall be exempt from requirements in subsection ~~((b))~~ (1) of this section:

(a) A dependent child ~~((16))~~ fifteen years of age ~~((and))~~ or under or ~~((16))~~ sixteen years of age or older but not yet ~~((19))~~ nineteen years of age and is attending full time, or has been accepted for enrollment as a full-time student for the next school term, in an elementary or secondary school, or the equivalent level of vocational or technical training, and reasonably expected to complete such course ~~((prior to))~~ before the end of the month ~~((he or she))~~ the dependent child reaches ~~((19))~~ nineteen years of age;

(b) A person who is ill, incapacitated, or ~~((sixty-five))~~ sixty years of age or older;

(i) Temporary illness or incapacity provides exemption only for the period of a documented condition of unemployability. Exemption terminates when the condition ceases.

(ii) Persons determined to be exempt on the basis of permanent incapacity shall be referred for services under the vocational rehabilitation program.

(c) A person residing outside ~~((an OPPORTUNITIES))~~ a JOBS area or at a location so remote from ~~((an OPPORTUNITIES))~~ a JOBS office or service unit that ~~((his or her))~~ the person's effective participation is precluded. A person's location is considered remote when a round trip of more than two hours would be required for a normal work or training day, unless normal round trip commuting time in the area is more than two hours. The round trip commuting time shall not exceed the generally accepted community standards. Available public or private transportation is used to compute transportation time. The time necessary to transport ~~((children))~~ a child to and from a child care facility is not counted;

(d) A person whose presence in the home is required because of illness or incapacity of another member of the household;

(e) A parent or other needy caretaker relative of a child ~~((under the age of six who is:~~

~~(i)) two years of age or younger personally providing full-time care for the child(;~~

~~(ii) Absent from the child only very briefly and infrequently, i.e., averaging less than thirty hours per week; and~~

~~(iii) Not a full-time day student in a college, vocational school, or other post-secondary school;)) subject to chapter 388-47 WAC.~~

(f) A person employed ~~((at least))~~ thirty hours or more per week;

(g) A woman in the second and third trimester of pregnancy;

(h) The parent of a child when the other parent or stepparent is in the home and is not exempted by subsection (2)(a), (b), (c), (d), (e), (f), or (g) of this section; or

(i) A full-time ~~((VISTA-))~~volunteers in service to America ~~((VISTA))~~ participant ~~((who was determined eligible for AFDC prior to becoming a VISTA volunteer)).~~

(3) Any applicant or recipient shall have a right to a fair hearing to contest a determination of nonexempt status and shall be considered as exempt until ~~((his or her))~~ the applicant's or recipient's status is finally determined ~~((See))~~ as described under chapter ~~((388-57))~~ 388-47 WAC. ~~((3))~~

(4) The requirements of ~~((any))~~ an individual ~~((, other than the parent qualifying the assistance unit for AFDC-E;))~~ failing to participate as required under subsection (1) ~~((b))~~ of this section shall not be taken into account in determining the requirements of the assistance unit and the amount of assistance. Assistance shall be granted to the eligible members of the assistance unit.

(5) An exempt parent caretaker of a child shall be advised of (~~his or her~~) the caretaker's option to participate if (~~he or she~~) the caretaker so desires, and of the fact child care shall be provided if needed subject to available funding. Other exempted individuals may volunteer to participate, subject to acceptance of such participation by the (~~OPPORTUNITIES~~) JOBS program.

(6) The department's financial service unit shall determine which AFDC applicants or recipients are exempt from (~~OPPORTUNITIES~~) JOBS program participation and which are required to participate as a condition of eligibility (~~The department shall notify each applicant or recipient of the determination giving the reason for the determination~~), except Indian tribes operating a JOBS program shall determine exemption and participation requirements of their tribal members applying for or receiving AFDC. (~~No~~) An applicant or recipient shall not be required to participate in the (~~OPPORTUNITIES~~) JOBS program until notified by the department or the tribal entity operating a tribal JOBS program.

WSR 90-15-055
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 17, 1990, 4:08 p.m.]

Continuance of WSR 90-09-079.

Title of Rule: WAC 388-24-050 Aid to families with dependent children—Assistance unit.

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

Date of Intended Adoption: July 31, 1990.

July 17, 1990

Leslie F. James, Director
 Administrative Services

WSR 90-15-056
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 17, 1990, 4:09 p.m.]

Continuance of WSR 90-09-054.

Title of Rule: Chapter 388-24 WAC, Aid to families with dependent children—Eligibility.

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

Date of Intended Adoption: July 31, 1990.

July 17, 1990

Leslie F. James, Director
 Administrative Services

WSR 90-15-057
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 90-33—Filed July 17, 1990, 4:35 p.m.]

Original Notice.

Title of Rule: WAC 173-19-4205 Tumwater, city of.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for the city of Tumwater.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Peter Skowlund, Department of Ecology, Mailstop PV-11, Olympia, 98504, 438-7430; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment will realign the shoreline rural and conservancy environment designations on city-owned property on the north bank of the Deschutes River west of Henderson Boulevard for the purpose of establishing a community park.

Proposal Changes the Following Existing Rules: Amends WAC 173-19-4205.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Council Chambers, 555 Israel Road S.W., Tumwater, WA, on Wednesday, August 22, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 29, 1990.

Date of Intended Adoption: October 2, 1990.

July 16, 1990

Fred Olson
 Deputy Director

AMENDATORY SECTION (Amending Order AO 90-07, filed 5/16/90)

WAC 173-19-4205 TUMWATER, CITY OF. City of Tumwater master program approved May 21, 1976. Revision approved August 30, 1984. Revision approved September 29, 1987. Revision approved May 15, 1990. Revision approved October 2, 1990.

WSR 90-15-058
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 90-34—Filed July 17, 1990, 4:36 p.m.]

Original Notice.

Title of Rule: WAC 173-19-3910 Monroe, city of.

Purpose: Adoption of revised shoreline program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1970.

Summary: The amendment revises the shoreline master program for the city of Monroe.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal will change the shoreline environment designation from conservancy to urban and suburban for a portion of the west bank of Woods Creek, and will reduce shoreline jurisdiction on all shorelines in the city from the floodplain to the floodway plus 200 feet.

Proposal changes the following existing rules: Amends WAC 173-19-3910.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Council Chambers, 806 West Main, Monroe, WA on August 27, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by September 4, 1990.

Date of Intended Adoption: October 2, 1990.

July 16, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 89-23 [and 89-23A], filed 7/5/89 [and 3/14/90])

WAC 173-19-3910 MONROE, CITY OF. City of Monroe master program approved December 27, 1974. Revision approved February 18, 1982. Revision approved July 5, 1989. Revision approved October 2, 1990.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 90-15-059

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-35—Filed July 17, 1990, 4:37 p.m.]

Original Notice.

Title of Rule: WAC 173-19-2521 Seattle, city of.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for the city of Seattle.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment will allow, as a conditional use, a broader range of uses for landmark structures in the urban maritime shoreline environment. This proposal would increase opportunities for reuse of the Lake Union steam plant which has limited redevelopment potential because of its unique over-water, upland situation.

Proposal Changes the Following Existing Rules: Amends WAC 173-19-2521.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Basement Conference Room A, Municipal Building, 600 4th Avenue, use 5th Avenue entrance, Seattle, WA, on Thursday, August 23, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by August 30, 1990.

Date of Intended Adoption: October 2, 1990.

July 16, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 87-24, filed 12/1/87)

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. Revision approved September 10, 1980. Revision approved February 24, 1981. Revision approved May 14, 1981. Revision approved October 1, 1981. Revision approved January 5, 1982. Revision approved February 24, 1983. Revision approved June 7, 1983. Revision approved July 12, 1983. Revision approved October 13, 1983. Revision approved October 1, 1985. Revision approved October 20, 1986. Revision approved February 11, 1987. Revision approved November 10, 1987. Revision approved October 2, 1990.

WSR 90-15-060**PROPOSED RULES****DEPARTMENT OF ECOLOGY**

[Order 90-32—Filed July 18, 1990, 8:45 a.m.]

Original Notice.

Title of Rule: Chapter 173-360 WAC, Underground storage tank regulations.

Purpose: To address the serious threat posed to human health and the environment by leaking underground storage tank systems containing petroleum and other regulated substances.

Statutory Authority for Adoption: Chapter 90.76 RCW.

Statute Being Implemented: Chapter 90.76 RCW.

Summary: The department is directed to establish an underground storage tank program designed, operated and enforced in a manner that, at a minimum, meets the requirements for delegation of the federal UST program.

Name of Agency Personnel Responsible for Drafting and Implementation: Thom Lufkin, Department of Ecology, Section Head, Rowsix, Lacey, 459-6272; and **Enforcement:** Tom Eaton, Program Manager, Rowsix, Lacey, 459-6272.

Name of Proponent: Washington State Department of Ecology, Solid and Hazardous Waste Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to protect human health and the environment from leaking underground storage tank systems containing petroleum and other regulated substances. Tank owners must comply with the requirements for new tanks and tank upgrading, as well as establishing a source of funds for financial responsibility. In some cases these costs will involve substantial economic impacts. Product distributors will be prohibited from delivering product to tanks which are out of compliance. Persons providing tank services will have to pass a qualifying exam and be licensed by ecology.

Proposal Changes the Following Existing Rules: Part six of this proposed rule has been adopted by emergency rule. This proposed rule changes the format of the emergency rule, and extends the requirements for qualified persons to those who conduct site assessments.

Small Business Economic Impact Statement: Washington is currently developing its own state UST regulations. The regulatory development process requires Washington to abide by the provisions of the Economic Policy Act and the Regulatory Fairness Act. Chapter 43.21H RCW of the Economic Policy Act requires appropriate consideration of economic values along with environmental considerations in the promulgation of rules by state and local government. RCW 19.85.030 of the Washington Regulatory Fairness Act requires that an agency adopting any rule pursuant to RCW 34.05-.320 that will have an economic impact on more than twenty percent of all industries, or more than ten percent of any one industry, shall develop a small business economic impact statement. The small business economic impact statement must include a brief description of the

reporting, recordkeeping, and other compliance requirements of the rule, and a list of the kinds of professional services that a small business is likely to need in order to comply with such requirements. It must also analyze the compliance costs for small businesses and compare these costs to the compliance costs for the largest 10 percent of all firms required to comply with the rule.

Both the Washington and federal regulations require state UST owners and operators to undertake activities and incur costs that they would not otherwise undertake. These activities and costs fall into the following categories: Reporting and recordkeeping; use of additional professional services; use of additional equipment; and payment of tank fees. The Washington UST statute imposes an annual per tank fee on all owners or operators of UST systems. The fee is currently \$60 per tank, but will be raised to \$75 per tank beginning in fiscal year 1992. While the tank fees are specific to the Washington state regulations, the state regulations increase the costs in the other three categories as well. The Washington UST regulations have the potential to have an impact on more than ten percent of the retail petroleum industry, and therefore meet the criteria of the Regulatory Fairness Act.

This summary presents the results of an analysis of the economic impacts of the Washington UST regulations on owners and operators in the state, and examines the impacts on small businesses.

Incremental Cost of Washington State Regulations

Using the per-tank costs for activities that owners or operators will have to undertake to comply with the requirements of the Washington regulations, the incremental compliance cost for a typical facility due to the differences between the Washington state and the federal regulations is \$4,363. This cost, which is equal to \$463 on an annual basis, comprises the tank fees of \$2,724 per facility and the average cost of the closure site assessment at \$1,639 (since only Washington state requires the site assessment where external release detection is in use). (At facilities using tightness testing rather than external release detection, the incremental cost of the state regulations would be only \$2,724 per facility.)

Cost of Federal Regulations

Costs of those provisions that are the same in both the federal and state regulations are estimated to total \$23,401, or \$2,482 on an annual basis for the facility in this scenario.

Economic Impacts on Small Businesses

The costs of compliance for small businesses are virtually identical to the costs of compliance for large businesses, because most of the costs are incurred by purchasing equipment and contractor services. However, because the financial profiles of large and small firms are different, the same compliance costs result in different economic impacts on smaller firms.

Approximately 90 percent of all UST-owning firms own a single UST facility. Only the 10 percent of all firms own multiple UST facilities. The median revenue

per firm for single facility owners and operators is only \$638,000 per year. This is less than half of the median revenue per firm (\$1,411,250) for firms owning multiple facilities (the largest 10 percent of firms).

A comparison of annual compliance costs and annual revenues for both small and large firms reveals that the total economic impacts on small firms are \$0.43 per \$100 of revenue and \$0.21 per \$100 of revenue for large firms. The incremental impacts due to the Washington regulations are very small (only seven cents per \$100 of revenue for small firms and three cents per \$100 of revenue for large firms). The impacts of the federal regulations alone are about 38 cents per \$100 of revenue for small firms and 17 cents per \$100 of revenue for large firms.

A copy of the small business impact statement can be obtained from Thom Lufkin, Department of Ecology, Mailstop PV-11, Rowesix, Building 2, Olympia, Washington 98504-8711.

Hearing Location: Spokane County Health Department Auditorium, West 1101 College, Spokane, WA, on August 22, 1990, at 7:00-9:00 p.m.; at Big Bend Community College, 28th and Chanute Street, Student Center Building 1400, Moses Lake, Washington, on August 23, 1990, at 7:00-9:00 p.m.; at the Large Auditorium, Mezzanine Level (behind the Hawaiian Ticket Counter), Sea-Tac Building, Seattle, Washington, on September 5, 1990, at 7:00-9:00 p.m.; and at the Ferryman's Inn, 7901 N.E. 6th Avenue (exit 4, 78th Street off I-5), Conference Rooms 1 and 2, on September 6, 1990, at 7:00-9:00 p.m.

Submit Written Comments to: Thom Lufkin, Department of Ecology, PV-11, UST Section, Olympia, Washington 98504, by September 18, 1990.

Date of Intended Adoption: November 20, 1990.

July 17, 1990
Fred A. Olson
Deputy Director

Chapter 173-360 WAC
UNDERGROUND STORAGE TANK REGULATIONS

PART I
PROGRAM SCOPE, ADMINISTRATION, AND
ENFORCEMENT

NEW SECTION

WAC 173-360-100 PURPOSE AND AUTHORITY. (1) The purpose of this chapter is to address the serious threat posed to human health and the environment by leaking underground storage systems containing petroleum and other regulated substances.

(2) The department of ecology is directed by chapter 90.76 RCW to establish an underground storage tank program designed, operated and enforced in a manner that, at a minimum, meets the requirements for delegation of the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.). The legislative intent is that state-wide requirements for underground storage tanks adopted by the department be consistent with and no less stringent than the objectives outlined in the federal regulations. Because certain areas of the state possess physical characteristics that make them especially vulnerable to threats from leaking underground storage tanks, local requirements more stringent than the state-wide requirements may apply in these environmentally sensitive areas.

(Note: All codes, standards, rules, or regulations cited in this chapter are available for inspection at the Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711)

NEW SECTION

WAC 173-360-105 INTERGOVERNMENTAL AGREEMENTS. In order to fully implement this chapter, and to protect surface and ground water resources that may cross jurisdictional boundaries, the department and delegated agencies may negotiate and enter into cooperative agreements with Indian tribal governments, adjacent states, and Canadian governmental agencies when agencies are delegated responsibility for carrying out all or a portion of the UST program contiguous with or affecting lands under tribal, state, or Canadian government jurisdiction. Such cooperative agreements shall not affect the regulatory jurisdiction of any party thereto with regard to any civil or criminal matters otherwise exercised by any party. Intergovernmental agreements shall further the purpose of this chapter, and shall serve to establish a framework for intergovernmental coordination and cooperation, and shall serve to minimize duplication and efficiently utilize program resources to manage underground storage tanks and protect surface and ground water resources.

NEW SECTION

WAC 173-360-110 APPLICABILITY, EXEMPTIONS, AND DEFERRALS. (1) The requirements of this chapter apply to all owners and operators of an underground storage tank (UST) system as defined in WAC 173-360-120 except as otherwise provided in subsections (2) and (3) of this section. It is the responsibility of owners and operators to ensure that any UST system service providers and supervisors they employ are properly licensed in accordance with WAC 173-360-600 through 173-360-680.

(2) Exemptions. The following UST systems, including any piping connected thereto, are exempt from the requirements of this chapter:

(a) Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act or any dangerous waste subject to the state dangerous waste regulations (chapter 173-303 WAC), or a mixture of such hazardous and/or dangerous waste as defined in chapter 173-303 WAC and other regulated substances.

(b) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act.

(c) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.

(d) Any UST system whose capacity is one hundred ten gallons or less.

(e) Any UST system that contains a de minimis concentration of regulated substances.

(f) Any emergency spill or overflow containment UST system that is expeditiously emptied after use.

(g) Farm or residential tanks of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale), except tanks installed after August 1, 1990, if all of the following conditions are met:

(i) There is more than one tank storing the same grade of motor fuel (such as two tanks both storing unleaded gasoline or both storing No. 1 diesel fuel) at a single farm or residential site; and

(ii) The aggregate volume of the tanks is greater than one thousand one hundred gallons.

(h) Tanks of one thousand one hundred gallons or less capacity used for storing heating oil for consumptive use on the premises where stored;

(i) Septic tanks;

(j) Any pipeline facility (including gathering lines) regulated under:

(i) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.); or

(ii) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.); or

(iii) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in (j)(i) or (ii) of this subsection;

(k) Surface impoundments, pits, ponds, or lagoons;

(l) Storm water or wastewater collection systems;

(m) Flow-through process tanks;

(n) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or

(o) Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

(3) Deferrals. The following UST systems are subject only to the requirements of WAC 173-360-130, 173-360-140, 173-360-160, 173-360-170, 173-360-190, 173-360-200, 173-360-372 and 173-360-385, except that any UST system included in (f) of this subsection shall only be subject to the requirements of WAC 173-360-372, and any new deferred UST systems shall also be subject to the requirements of WAC 173-360-300:

- (a) Wastewater treatment tank systems not regulated under section 307(b) or 402 of the Clean Water Act;
- (b) Any UST systems containing radioactive material that are regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);
- (c) Any UST system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50 Appendix A;
- (d) Airport hydrant fuel distribution systems;
- (e) UST systems with field-constructed tanks; and
- (f) Tanks in excess of one thousand one hundred gallons used for storing heating oil for consumptive use on the premises where stored.

NEW SECTION

WAC 173-360-120 DEFINITIONS. For the purposes of this chapter, the following definitions shall apply:

"Aboveground release" means any release to the surface of the land or to surface water. This includes, but is not limited to, releases from the above-ground portion of an UST system and aboveground releases associated with overfills and transfer operations as the regulated substance moves to or from an UST system.

"Accidental release" means any sudden or nonsudden release of petroleum from an underground storage tank that results in a need for corrective action and/or compensation for bodily injury or property damage neither expected nor intended by the tank owner or operator.

"Ancillary equipment" means any devices including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps used to distribute, meter, or control the flow of regulated substances to and from an UST.

"Belowground release" means any release to the subsurface of the land and to ground water. This includes, but is not limited to, releases from the belowground portions of an underground storage tank system and belowground releases associated with overfills and transfer operations as the regulated substance moves to or from an underground storage tank.

"Beneath the surface of the ground" means beneath the ground surface or otherwise covered with earthen materials.

"Bodily injury" shall have the meaning given to this term by applicable state law; however, this term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for bodily injury.

"Cathodic protection" means a technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. For example, a tank system can be cathodically protected through the application of either galvanic anodes or impressed current.

"Cathodic protection tester" means a person who can demonstrate an understanding of the principles and measurements of all common types of cathodic protection systems as applied to buried or submerged metal piping and tank systems by passing an examination and obtaining a license for supervision of cathodic protection installation and testing in compliance with WAC 173-360-600 through 173-360-680. At a minimum, such persons shall have education and experience in soil resistivity, stray current, structure-to-soil potential, and component electrical isolation measurements of buried metal piping and tank systems.

"CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.

"Compatible" means the ability of two or more substances to maintain their respective physical and chemical properties upon contact with one another for the design life of the tank system under conditions likely to be encountered in the UST.

"Connected piping" means all underground piping including valves, elbows, joints, flanges, and flexible connectors attached to a tank system through which regulated substances flow. For the purpose of determining how much piping is connected to any individual UST system, the piping that joins two UST systems should be allocated equally between them.

"Consumptive use" with respect to heating oil means consumed on the premises.

"Controlling interest" means direct ownership of at least fifty percent of the voting stock of another entity.

"Corrosion expert" means a person who possesses a thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, and is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person shall be accredited or certified as being qualified by the National Association of Corrosion Engineers or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control of buried or submerged metal piping systems and metal tanks.

"Decommissioning" or "closure" means to remove an underground storage tank from operation, either temporarily or permanently, by abandonment in place or by removal from the ground.

"Deferral" means a category of UST systems which are subject to certain, but not all, of the requirements of this chapter as specified in WAC 173-360-110(3).

"Delegated agency" means the local government agency which has been delegated responsibility by the department for administering any portion of an UST program approved in accordance with WAC 173-360-500.

"Department" means the department of ecology.

"Dielectric material" means a material that does not conduct direct electrical current. Dielectric coatings are used to electrically isolate UST systems from the surrounding soils. Dielectric bushings are used to electrically isolate portions of the UST system (e.g., tank from piping).

"Director" means the director of the department of ecology.

"Electrical equipment" means underground equipment that contains dielectric fluid that is necessary for the operation of equipment such as transformers and buried electrical cable.

"Excavation zone" means the volume containing the UST system and backfill material bounded by the ground surface, walls, and floor of the pit and trenches into which the UST system is placed at the time of installation.

"Existing UST system" means an UST system used to contain an accumulation of regulated substances or for which installation had commenced on or before December 22, 1988. Installation is considered to have commenced if: The owner or operator had obtained all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system; and if

Either a continuous on-site physical construction or installation program had begun; or

The owner or operator had entered into contractual obligations—which cannot be cancelled or modified without substantial loss—for physical construction at the site or installation of the tank system to be completed within a reasonable time.

"False alarm" means indicating that an UST system is leaking when in fact it is tight.

"Farm tank" is a tank located on a tract of land devoted to the production of crops or raising animals, including fish, and associated residences and improvements. A farm tank must be located on the farm property. "Farm" includes fish hatcheries, rangeland, and nurseries with growing operations. It does not include laboratories where animals are raised, land used to grow timber, pesticide aviation operations, retail stores or garden centers where nursery products are marketed but not grown, cemeteries, golf courses, or other facilities dedicated primarily to recreation or aesthetics, or other non-agricultural activities.

"Field-constructed tank" means an underground storage tank that is constructed in the field rather than factory built because of its large size.

"Financial reporting year" means the latest consecutive twelve-month period for which any of the following reports used to support a financial test is prepared: A 10-K report submitted to the SEC; an annual report of tangible net worth submitted to Dun and Bradstreet; or annual reports submitted to the Energy Information Administration or the Rural Electrification Administration. "Financial reporting year" may thus comprise a fiscal or a calendar year period.

"Firm" means any business, including but not limited to corporations, limited partnerships, and sole proprietorships, engaged in performing tank services.

"Flow-through process tank" is a tank that forms an integral part of a production process through which there is a steady, variable, recurring, or intermittent flow of materials during the operation of the process. Flow-through process tanks do not include tanks used for the

storage of materials prior to their introduction into the production process or for the storage of finished products or by-products from the production process.

"Free product" refers to a regulated substance that is present as a nonaqueous phase liquid (e.g., liquid not dissolved in water).

"Gathering lines" means any pipeline, equipment, facility, or building used in the transportation of oil or gas during oil or gas production or gathering operations.

"Ground water" means water in a saturated zone or stratum beneath the surface of land or water.

"Hazardous substance UST system" means an underground storage tank system that contains a hazardous substance defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C) or any mixture of such substances and petroleum, and which is not a petroleum UST system.

"Heating oil" means petroleum that is No. 1, No. 2, No. 4—light, No. 4—heavy, No. 5—light, No. 5—heavy, and No. 6 technical grades of fuel oil; other residual fuel oils (including Navy Special Fuel Oil and Bunker C); and other fuels when used as substitutes for one of these fuel oils. Heating oil is typically used in the operation of heating equipment, boilers, or furnaces.

"Hydraulic lift tank" means a tank holding hydraulic fluid for a closed-loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators, and other similar devices.

"Installation" means the activity of placing an underground storage tank system or any part thereof in the ground and preparing it to be placed in service.

"Legal defense cost" is any expense that an owner or operator or provider of financial assurance incurs in defending against claims or actions brought: By EPA or a state to require corrective action or to recover the costs of corrective action; by or on behalf of a third party for bodily injury or property damage caused by an accidental release; or by any person to enforce the terms of a financial assurance mechanism.

"Licensed" means a firm or a person which has been issued a license by the department under this chapter.

"Liquid trap" means sumps, well cellars, and other traps used in association with oil and gas production, gathering, and extraction operations (including gas production plants), for the purpose of collecting oil, water, and other liquids. These liquid traps may temporarily collect liquids for subsequent disposition or reinjection into a production or pipeline stream, or may collect and separate liquids from a gas stream.

"Maintenance" means the normal operational upkeep to prevent an underground storage tank system from releasing product.

"Motor fuel" means petroleum or a petroleum-based substance that is motor gasoline, aviation gasoline, No. 1 or No. 2 diesel fuel, or any grade of gasohol, and is typically used in the operation of a motor engine.

"New UST system" means a tank system that will be used to contain an accumulation of regulated substances and for which installation commenced after December 22, 1988. (See also "existing tank system.")

"Noncommercial purposes" with respect to motor fuel means not for resale.

"Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in a release from an underground storage tank.

Note: This definition is intended to assist in the understanding of WAC 173-360-400 through 173-360-499 and is not intended either to limit the meaning of "occurrence" in a way that conflicts with standard insurance usage or to prevent the use of other standard insurance terms in place of "occurrence."

"On the premises where stored" with respect to heating oil means UST systems located on the same property where the stored heating oil is used.

"Operational life" refers to the period beginning when installation of the tank system has commenced until the time the tank system is properly closed under WAC 173-360-380 through 173-360-398.

"Operator" means any person in control of, or having responsibility for, the daily operation of the UST system.

"Overfill release" is a release that occurs when a tank is filled beyond its capacity, resulting in a discharge of the regulated substance to the environment.

"Owner" means: In the case of an UST system in use on November 8, 1984, or brought into use after that date, any person who owns an

UST system used for storage, use, or dispensing of regulated substances; and in the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use. In the event that the owner of an UST system cannot be physically located, the owner shall be the person who owns the property where the UST system is located, except any lien holder.

"Owner or operator," means, for the purposes of WAC 173-360-400 through 173-360-499, when the owner or operator are separate parties, the party that is obtaining or has obtained financial assurances.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, municipality, commission, political subdivision of a state, or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity, and the United States government.

"Petroleum marketing facilities" include all facilities at which petroleum is produced or refined and all facilities from which petroleum is sold or transferred to other petroleum marketers or to the public.

"Petroleum marketing firms" are all firms owning petroleum marketing facilities. Firms owning other types of facilities with USTs as well as petroleum marketing facilities are considered to be petroleum marketing firms.

"Petroleum UST system" means an underground storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils.

"Pipe" or "piping" means a hollow cylinder or tubular conduit that is constructed of nonearthen materials.

"Pipeline facilities (including gathering lines)" are new and existing pipe rights-of-way and any associated equipment, facilities, or buildings.

"Property damage" shall have the meaning given this term by applicable state law. This term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for property damage. However, such exclusions for property damage shall not include corrective action associated with releases from tanks which are covered by the policy.

"Provider of financial assurance" means an entity that provides financial assurance to an owner or operator of an underground storage tank through one of the mechanisms listed in WAC 173-360-430 through 173-360-465, including a guarantor, insurer, risk retention group, surety, issuer of a letter of credit, issuer of a state-required mechanism, or a state.

"Regulated substance" means:

Any substance defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C of the Federal Solid Waste Disposal Act or any dangerous waste subject to the state dangerous waste regulations (chapter 173-303 WAC), or a mixture of such hazardous and/or dangerous waste (as defined in chapter 173-303 WAC) and any other regulated substances); and

Petroleum, including crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (sixty degrees Fahrenheit and 14.7 pounds per square inch absolute). The term "regulated substance" includes but is not limited to petroleum and petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading and finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. The term "regulated substance" does not include propane or asphalt or any other petroleum product which is not liquid at standard conditions of temperature and pressure.

"Release" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing from an UST into ground water, surface water or soils.

"Release detection" means determining whether a release of a regulated substance has occurred from the UST system into the environment or into the interstitial space between the UST system and its secondary barrier or secondary containment around it.

"Repair" means to restore a tank or UST system component that has caused a release of product from the UST system.

"Residential tank" is a tank located on property used primarily for dwelling purposes; such properties do not include dormitories, convents, mobile parks, apartments, hotels and similar facilities, unless the

tank is used by the owner solely to maintain his or her own residence, rather than the overall facility.

"Retrofitting" means the modification of an existing underground storage tank including, but not limited to, installation of splash, spill and overflow protection, installing or replacing monitoring systems, adding cathodic protective systems, tank repair, replacement of piping, valves, fill pipes or vents and installing tank liners.

"Septic tank" is a water-tight covered receptacle designed to receive or process, through liquid separation or biological digestion, the sewage discharged from a building sewer. The effluent from such receptacle is distributed for disposal through the soil and settled solids and scum from the tank are pumped out periodically and hauled to a treatment facility.

"Site assessment" means investigating an UST site for the presence of a release at the time of closure or change-in-service.

"Site check" means investigating an UST site for the Presence of a release when evidence indicates that a release may have occurred.

"Stormwater or wastewater collection system" means piping, pumps, conduits, and any other equipment necessary to collect and transport the flow of surface water run-off resulting from precipitation, or domestic, commercial, or industrial wastewater to and from retention areas or any areas where treatment is designated to occur. The collection of storm water and wastewater does not include treatment except where incidental to conveyance.

"Substantial business relationship" means the extent of a business relationship necessary under applicable state law to make a guarantee contract issued incident to that relationship valid and enforceable. A guarantee contract is issued "incident to that relationship" if it arises from and depends on existing economic transactions between the guarantor and the owner or operator.

"Supervisor" means a licensed person operating independently or employed by a contractor, who is responsible for directing and overseeing the performance of tank services at a facility.

"Surface impoundment" is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials) that is not an injection well.

"Tangible net worth" means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties. For purposes of this definition, "assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity as a result of past transactions.

"Tank" is a stationary device designed to contain an accumulation of regulated substances and constructed of nonearthen materials (e.g., concrete, steel, plastic) that provide structural support.

"Tank permit" means a tank tag, as required by RCW 90.76.010(4).

"Tank services" include underground storage tank installation, de-commissioning, retrofitting, and testing.

"Tank services provider" is a person or firm, licensed to perform tank services on regulated underground storage tanks in Washington.

"Termination" under WAC 173-360-420 (2)(a) and (b) means only those changes that could result in a gap in coverage as where the insured has not obtained substitute coverage or has obtained substitute coverage with a different retroactive date than the retroactive date of the original policy.

"Testing" means applying a method to determine the integrity of an underground storage tank.

"Tightness testing" means a procedure for testing the ability of a tank system to prevent an inadvertent release of any stored substance into the environment or, in the case of an underground storage tank system, intrusion of ground water into a tank system.

"Underground area" means an underground room, such as a basement, cellar, shaft or vault, providing enough space for physical inspection of the exterior of the tank situated on or above the surface of the floor.

"Underground release" means any below ground release.

"Underground storage tank" or "UST" means any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is ten percent or more beneath the surface of the ground. This term does not include any of the exempt UST systems specified in WAC 173-360-110(2), or any piping connected thereto.

"Upgrade" means the addition or retrofit of some systems such as cathodic protection, lining, or spill and overflow controls to improve the

ability of an underground storage tank system to prevent the release of product.

"UST site" or "site" means the location at which underground storage tanks are in place or will be placed. An UST site encompasses the entire property contiguous to the underground storage tanks that is associated with the use of the tanks.

"UST system" or "tank system" means an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any.

"Wastewater treatment tank" means a tank that is designed to receive and treat an influent wastewater through physical, chemical, or biological methods.

NEW SECTION

WAC 173-360-130 TANK PERMITS AND DELIVERY OF REGULATED SUBSTANCES. (1) After July 1, 1991, no underground storage tank, as defined in this chapter, shall be operated without a valid permit from the department. However, possession of a valid permit does not preclude enforcement against the owner or operator of the underground storage tank under this or other laws.

(2) To apply for a permit for a tank which is not in the department's underground storage tank data base the owner or operator must complete a Washington state underground storage tank notification form, as described in WAC 173-360-200, and submit it to the department with a payment of the fee for each tank as specified in WAC 173-360-190, including any fees which should have been paid for earlier fiscal years if the tank had properly registered, but which were not paid. Tanks which are in the department's data base will receive permits by July 1 of each year upon the owner or operator submitting adequate documentation of compliance with the requirements of this chapter to the department or delegated agency when requested to do so by the department or delegated agency.

(3) Underground storage tanks are not eligible for a permit unless:

(a) The owner or operator is in compliance with all requirements of this chapter, including the financial responsibility requirements, and chapter 70.105D RCW, if applicable;

(b) The storage tank system is not known by the owner or operator to be leaking; and

(c) All annual state tank fees and local environmentally sensitive area tank fees have been remitted.

(4) Regulated substances shall not be delivered to any underground storage tank requiring a permit under this section unless a valid permit is displayed on such tank itself or the dispensing or measuring device connected thereto or, where appropriate, in the office or kiosk of the facility where the tank is located. This subsection applies only to suppliers who directly transfer regulated substances into underground storage tank systems.

(5) Tanks used to collect and store used or waste oil regulated under this chapter shall not be pumped by a used or waste oil collector unless a valid permit is displayed on such tank itself or a device connected thereto or, where appropriate, in the office or kiosk of the facility where the tank is located. This prohibition does not apply to a one-time removal of substances from tanks which will not be used again for the storage of used or waste oil once the substances are removed; such tanks must be properly closed or undergo the procedures for a change-in-service in accordance with WAC 173-360-385. This subsection applies only to used or waste oil collectors who directly transfer regulated substances from underground storage tanks.

(6) Except as specified in subsection (9) of this section, suppliers shall not deliver regulated substances to any underground storage tank which is known by the supplier to be leaking, or to have leaked and not been properly repaired, regardless of the permit status of the tank.

(7) If a confirmed release occurs from a permitted tank, in addition to meeting the reporting requirements of WAC 173-360-372, within twenty-four hours of having knowledge of the release the owner or operator shall lock the fill pipe and remove from display the permit for the tank from which the release has occurred. At no time can the owner or operator receive product, except as specified in subsection (9) of this section, until all the applicable requirements of this chapter and chapter 70.105D RCW have been met. If the department determines that reasonable progress is not being made in meeting these requirements it may request that the owner or operator surrender the permit, as specified in subsection (8) of this section, for the tank from which the release occurred.

(8) The department may request the surrender of a permit for any tank which does not remain in compliance with the requirements of

this chapter, including financial responsibility requirements and payment of fees, or for any violation of the chapter by an underground storage tank owner or operator, including refusal of access to property under WAC 173-360-140. Upon request of a representative of the department or delegated agency or upon receipt of a letter from the department or delegated agency requesting surrender of the permit, the owner or operator must return the permit to the department or delegated agency within seven days.

(9) A permit which has been removed from display in accordance with subsection (7) of this section may be redisplayed for the purpose of receiving product in order to conduct a volumetric tightness test on the storage system. If a leak is determined to exist in the uppermost level of the system, the product will be immediately removed to a point below the source of the leak. If a leak is determined to exist below the uppermost level of the system, all product shall be immediately removed from the system. The requirements of subsection (7) of this section and the requirement for reporting of confirmed releases specified in WAC 173-360-372 shall be followed, regardless of the location of the source of the release in the storage tank system.

NEW SECTION

WAC 173-360-140 INVESTIGATION AND ACCESS. (1) If necessary to determine compliance with the requirements of this chapter, an authorized representative of the state engaged in compliance inspections, monitoring and testing may, by request, require an owner or operator to submit relevant information or documents. The department may subpoena witnesses, documents, and other relevant information that the department deems necessary. In the case of any refusal to obey the subpoena, the superior court for any county in which the person is found, resides, or transacts business has jurisdiction to issue an order requiring the person to appear before the department and give testimony or produce documents. Any failure to obey the order of the court may be punished by the court as contempt.

(2) Any authorized representative of the state may require an owner or operator to conduct monitoring or testing.

(3) Upon reasonable notice, an authorized representative of the state may enter a premises or site subject to regulation under this chapter or in which records relevant to the operation of an underground storage tank system are kept. In the event of an emergency or in circumstances where notice would undermine the effectiveness of an inspection, notice is not required. The authorized representative may copy records, obtain samples of regulated substances, and inspect or conduct monitoring or testing of an underground storage tank system.

(4) For purposes of this section, the term "authorized representative" or "authorized representative of the state" means an enforcement officer, employee, or representative of the department or a local government that has obtained authority under RCW 90.76.030.

NEW SECTION

WAC 173-360-150 COMPLIANCE MONITORING. The department's compliance monitoring procedures, including procedures for recordkeeping and a program for systematic inspections, shall be consistent with and no less stringent than those required by 40 CFR 281.40 and amendments thereto.

NEW SECTION

WAC 173-360-160 ENFORCEMENT. (1) The director may seek appropriate injunctive or other judicial relief by filing an action in Thurston County superior court or issuing such order as the director deems appropriate to:

- (a) Enjoin any threatened or continuing violation of this chapter;
- (b) Restrain immediately and effectively a person from engaging in unauthorized activity that results in a violation of any requirement of this chapter and is endangering or causing damage to public health or the environment;
- (c) Require compliance with requests for information, access, testing, or monitoring under WAC 173-360-140; or
- (d) Assess and recover civil penalties authorized under RCW 90.76.080.

(2) The department's enforcement procedures shall be consistent with and no less stringent than those required by 40 CFR 281.41 and amendments thereto.

NEW SECTION

WAC 173-360-170 PENALTIES. (1) Any person who fails to notify the department pursuant to the notification requirements of this chapter, or who submits false information, is subject to a civil penalty not to exceed five thousand dollars per violation.

(2) Any person who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation.

NEW SECTION

WAC 173-360-180 PUBLIC PARTICIPATION AND INFORMATION SHARING. The department's procedures for public participation and information sharing shall be consistent with and no less stringent than those required by 40 CFR 281.42 and 281.43 and amendments thereto.

NEW SECTION

WAC 173-360-190 ANNUAL TANK FEES. An annual state tank fee of seventy-five dollars per tank for the fiscal year ending June 30, 1992, and each fiscal year thereafter shall be paid within thirty days of billing and no later than the December 31st of each fiscal year by every person who owns an underground storage tank which:

- (1) Is located in this state;
- (2) Was required to be reported to the department under the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.);
- (3) Is not permanently closed according to the requirements of this chapter on June 30 of the fiscal year for which the fee is assessed; and
- (4) If required, for which corrective action has not been completed in accordance with this chapter.

PART II NOTIFICATION, REPORTING, AND RECORDKEEPING REQUIREMENTS

NEW SECTION

WAC 173-360-200 NOTIFICATION REQUIREMENTS. (1) Except in the circumstances defined in subsection (2) of this section, any owner who intends to install a new UST system or bring an existing UST system into use, shall submit a notice of such intent to the department or delegated agency at least sixty days prior to installing or bringing such a system into use. Such notice shall meet the following requirements:

- (a) The notice shall be provided on the appropriate Washington state underground storage tank notification form, which is available from the department;
- (b) Each tank regulated under this chapter shall be reported;
- (c) Owners may provide notice for more than one tank using a single notification form, but owners who own tanks located at more than one site shall file a separate notification form for each site;
- (d) Notification required under this section shall include all of the information in Sections I through VI of the prescribed form for each tank for which notice must be given; and
- (e) Notification for tanks installed after December 22, 1988, shall also certify compliance with the following requirements:
 - (i) Corrosion protection of steel tanks and piping under WAC 173-360-305 (1) and (2);
 - (ii) Financial responsibility under WAC 173-360-400 through 173-360-495; and
 - (iii) Release detection under WAC 173-360-335 and 173-360-340.

Note: Owners and operators of UST systems that were in the ground on or after May 8, 1986, unless taken out of operation on or before January 1, 1974, were required to notify the department in accordance with the Hazardous and Solid Waste Amendments of 1984, Public Law 98-616, on a form published by Washington state in December 1985 (Form ECY 020-32) unless notice was given pursuant to section 103(c) of CERCLA. Owners and operators who have not complied with the notification requirements may use Sections I through VI of the notification form.

(2) Replacement systems.

(a) An exception to the sixty-day notice requirement for new installations in subsection (1) of this section is allowed when an UST system is being replaced on an emergency basis due to a release from the system being replaced. An emergency shall be regarded as a release from an UST system which is:

- (i) In operation at the time of the release;
- (ii) Located at an operating facility; and
- (iii) Necessary for the normal operation of the facility.

(b) Under the circumstances described in (a) of this subsection, the notification may be provided after the installation of the new system but no more than seven days after the installation is completed. The information which must be included in the notification form is the same as in subsection (1) of this section. A permit for the new UST system will only be issued upon receipt by the department of a properly completed installation checklist as described in subsection (4) of this section. A site assessment meeting the requirements of WAC 173-360-390 shall be completed prior to installing a tank in the excavation pit of a tank being replaced and prior to installing new piping in the piping trench of piping being replaced.

(3) Changes to storage systems. Any changes in the information initially reported in Sections I through VII of the notification form submitted under subsection (1) or (2) of this section shall be reported to the department or delegated agency by submitting a new notification form within thirty days after such changes occur.

(4) Installation checklist. All owners and operators of new UST systems shall ensure that a licensed installation supervisor certifies that the methods used to install the tanks and piping comply with the requirements in WAC 173-360-305(4) by completing an installation checklist, which is available from the department, as specified in WAC 173-360-305(5).

(5) Beginning December 22, 1988, any person who sells a new tank or an existing UST system or property including an existing UST system which is intended to be used as an underground storage tank or UST system shall notify the purchaser of such tank or UST system of the owner's notification obligations under subsection (1) of this section.

NEW SECTION

WAC 173-360-210 REPORTING AND RECORDKEEPING REQUIREMENTS. Owners and operators of UST systems shall cooperate fully with inspections, monitoring, and testing conducted by the department or delegated agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to RCW 90.76.060.

(1) Reporting. Owners and operators shall submit the following information to the department or delegated agency:

(a) Notification for all UST systems (WAC 173-360-200), which includes certification of installation for new UST systems (WAC 173-360-305(5));

(b) Reports of all releases including suspected releases (WAC 173-360-360), spills and overfills (WAC 173-360-375), and confirmed releases (WAC 173-360-399);

(c) Reports required for corrective actions under chapter 70.105D RCW; and

(d) A notification before permanent closure or change-in-service (WAC 173-360-385).

(2) Recordkeeping. Owners and operators shall maintain the following information:

(a) Documentation of operation of corrosion protection equipment (WAC 173-360-320);

(b) Documentation of UST system repairs (WAC 173-360-325(6));

(c) Recent compliance with release detection requirements (WAC 173-360-355);

(d) Results of the site assessment conducted at permanent closure (WAC 173-360-398); and

(e) Corrective action records in accordance with chapter 70.105D RCW.

(3) Availability and maintenance of records. Owners and operators shall keep the records required either:

(a) At the UST site and immediately available for inspection by the department or delegated agency; or

(b) At a readily available alternative site and be provided for inspection to the department or delegated agency upon request.

In the case of permanent closure records required under WAC 173-360-398, owners and operators are also provided with the additional alternative of mailing closure records to the department or delegated agency if they cannot be kept at the site or an alternative site as indicated above.

NEW SECTION

WAC 173-360-220 REPORTING OF RELEASES. Owners and operators of UST systems shall report all suspected and confirmed releases, and any spills and overfills, to the department or delegated agency in accordance with WAC 173-360-360, 173-360-372 and 173-360-375, respectively.

NEW SECTION

WAC 173-360-230 FINANCIAL RESPONSIBILITY REPORTING AND RECORDKEEPING. Owners and operators of UST systems shall maintain evidence of financial assurance mechanisms used to demonstrate financial responsibility under WAC 173-360-400 through 173-360-499 in accordance with WAC 173-360-483, and shall meet the reporting requirements of WAC 173-360-480, including but not limited to submitting the appropriate forms listed in WAC 173-360-483(2) documenting current evidence of financial responsibility.

PART III

PERFORMANCE STANDARDS AND OPERATING AND CLOSURE REQUIREMENTS

NEW SECTION

WAC 173-360-300 PERFORMANCE STANDARDS FOR DEFERRED UST SYSTEMS. In order to prevent releases due to structural failure, corrosion, or spills and overfills for as long as the UST system is used to store regulated substances, no person may install a deferred UST system listed in WAC 173-360-110(3) for the purpose of storing regulated substances unless the UST system (whether of single-wall or double-wall construction):

(1) Will prevent releases due to corrosion or structural failure for the operational life of the UST system;

(2) Is cathodically protected against corrosion, constructed of non-corrodible material, steel clad with a noncorrodible material, or designed in a manner to prevent the release or threatened release of any stored substance; and

(3) Is constructed or lined with material that is compatible with the stored substance.

NEW SECTION

WAC 173-360-305 PERFORMANCE STANDARDS FOR NEW UST SYSTEMS. In order to prevent releases due to structural failure, corrosion, or spills and overfills for as long as the UST system is used to store regulated substances, all owners and operators of new UST systems shall meet the following requirements:

(1) Tanks. Each tank shall be properly designed and constructed, and any portion underground that routinely contains product shall be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified under (a) through (d) below:

(a) The tank is constructed of fiberglass-reinforced plastic; or

Note: The following industry codes may be used to comply with subsection (1)(a) of this section: Underwriters Laboratories Standard 1316, "Standard for Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products"; Underwriter's Laboratories of Canada CAN4-S615-M83, "Standard for Reinforced Plastic Underground Tanks for Petroleum Products"; or American Society of Testing and Materials Standard D4021-86, "Standard Specification for Glass-Fiber-Reinforced Polyester Underground Petroleum Storage Tanks."

(b) The tank is constructed of steel and cathodically protected in the following manner:

(i) The tank is coated with a suitable dielectric material;

(ii) The tank is equipped with a factory installed or field-installed cathodic protection system designed by a corrosion expert;

(iii) Cathodic protection systems are designed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the department or delegated agency in accordance with WAC 173-360-210. Those provisions shall include, if the ground surface is covered with either concrete or asphalt, a permanent penetration of that ground cover, where physical contact may be made with the soil; and

(iv) Cathodic protection systems are operated and maintained in accordance with WAC 173-360-320 or according to guidelines established by the department or delegated agency.

Note: The following codes and standards may be used to comply with subsection (1)(b) of this section:

(A) Steel Tank Institute "Specification for STI-P3 System of External Corrosion Protection of Underground Steel Storage Tanks";

(B) Underwriters Laboratories Standard 1746, "Corrosion Protection Systems for Underground Storage Tanks";

(C) Underwriters Laboratories of Canada CAN4-S603-M85, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids," and CAN4-G03.1-M85, "Standard for Galvanic Corrosion Protection Systems for Underground Tanks for Flammable and Combustible Liquids," and CAN4-S631-M84, "Isolating Bushings for Steel Underground Tanks Protected with Coatings and Galvanic Systems"; or

(D) National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," and Underwriters Laboratories Standard 58, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids."

(c) The tank is constructed of a steel-fiberglass-reinforced-plastic composite; or

Note: The following industry codes may be used to comply with subsection (1)(c) of this section: Underwriters Laboratories Standard 1746, "Corrosion Protection Systems for Underground Storage Tanks," or the Association for Composite Tanks ACT-100, "Specification for the Fabrication of FRP Clad Underground Storage Tanks."

(d) The tank construction and corrosion protection are determined by the department or delegated agency to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than subsection (1)(a) through (c) of this section.

(2) Piping. The piping that routinely contains regulated substances and is in contact with the ground shall be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

(a) The piping is constructed of fiberglass-reinforced plastic; or

Note: The following codes and standards may be used to comply with subsection (2)(a) of this section:

(i) Underwriters Laboratories Subject 971, "UL Listed Non-Metal Pipe";

(ii) Underwriters Laboratories Standard 567, "Pipe Connectors for Flammable and Combustible and LP Gas";

(iii) Underwriters Laboratories of Canada Guide ULC-107, "Glass Fiber Reinforced Plastic Pipe and Fittings for Flammable Liquids"; and

(iv) Underwriters Laboratories of Canada Standard CAN 4-S633-M81, "Flexible Underground Hose Connectors."

(b) The piping is constructed of steel and cathodically protected in the following manner:

(i) The piping is coated with a suitable dielectric material;

(ii) Field-installed cathodic protection systems are designed by a corrosion expert;

(iii) Cathodic protection systems are designed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the department or delegated agency in accordance with WAC 173-360-210. Those provisions shall include:

(A) If the ground surface is covered with either concrete or asphalt, a permanent penetration of that ground cover, where physical contact may be made with the soil; and

(B) If any section of the piping is electrically isolated (e.g., metal flex connectors or other metal piping separated on both ends by isolation bushings, etc.), and cannot be physically contacted from the ground surface, a wire shall be attached to that section, with access to the wire permanently provided at the ground surface; and

(iv) Cathodic protection systems are operated and maintained in accordance with WAC 173-360-320 or guidelines established by the department or delegated agency.

Note: The following codes and standards may be used to comply with subsection (2)(b) of this section:

(A) National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code";

(B) American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage Systems";

(C) American Petroleum Institute Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems"; and

(D) National Association of Corrosion Engineers Standard RP-01-69, "Control of External Corrosion on Submerged Metallic Piping Systems."

(c) Metal flexible underground hose connectors are cathodically protected or are covered with sleeves or jackets that will provide corrosion protection over the operating life of the UST system.

(d) The piping construction and corrosion protection are determined by the department or delegated agency to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than the requirements in subsection (2)(a) through (c) of this section.

(3) Spill and overflow prevention equipment.

(a) Except as provided in subsection (3)(b) of this section, to prevent spilling and overflowing associated with product transfer to the UST system, owners and operators shall use the following spill and overflow prevention equipment:

(i) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin); and

(ii) Overflow prevention equipment that will:

(A) Automatically shut off flow into the tank when the tank is no more than ninety-five percent full; or

(B) Alert the transfer operator when the tank is no more than ninety percent full by restricting the flow into the tank or triggering a high-level alarm.

Note: Overflow prevention equipment that will automatically shut off or restrict flow into the tank should only be used on gravity piping to preclude backflows which may occur with pressurized piping.

(b) Owners and operators are not required to use the spill and overflow prevention equipment specified in subsection (3)(a) of this section if:

(i) Alternative equipment is used that is determined by the department or delegated agency to be no less protective of human health and the environment than the equipment specified in subsection (3)(a)(i) or (ii) of this section; or

(ii) The UST system is filled by transfers of no more than twenty-five gallons at one time.

(4) Installation. All tanks and piping shall be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions.

Note: Tank and piping system installation practices and procedures described in the following codes may be used to comply with the requirements of subsection (4) of this section:

(a) American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage System"; or

(b) Petroleum Equipment Institute Publication RP100-87, "Recommended Practices for Installation of Underground Liquid Storage Systems"; or

(c) American National Standards Institute Standard B31.3, "Petroleum Refinery Piping," and American National Standards Institute Standard B31.4 "Liquid Petroleum Transportation Piping System."

(5) Certification of installation. All owners and operators shall ensure that a licensed tank services provider certifies compliance with subsection (4) of this section by submitting a checklist to the department on a form provided by the department as required in WAC 173-360-630(13).

NEW SECTION

WAC 173-360-310 UPGRADING REQUIREMENTS FOR EXISTING UST SYSTEMS. (1) Alternatives allowed. Not later than December 22, 1998, all existing UST systems shall comply with one of the following requirements:

(a) New UST system performance standards under WAC 173-360-305;

(b) The upgrading requirements in subsections (2) through (4) of this section; or

(c) Closure requirements under WAC 173-360-380 through 173-360-398, including applicable requirements for corrective action under WAC 173-360-399.

(2) Tank upgrading requirements. Steel tanks shall be upgraded to meet one of the following requirements in accordance with a code of

practice developed by a nationally recognized association or independent testing laboratory:

(a) Interior lining. A tank may be upgraded by internal lining if:

(i) The lining is installed in accordance with the requirements of WAC 173-360-325; and

(ii) Within ten years after lining, and every five years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications, unless cathodic protection is also installed within ten years of lining the tank, as specified in WAC 173-360-310 (2)(c).

(b) Cathodic protection. A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of WAC 173-360-305 (1)(b)(ii), (iii), and (iv) and the integrity of the tank is ensured using one of the following methods:

(i) The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of corrosion holes prior to installing the cathodic protection system; or

(ii) The tank has been installed for less than ten years and is monitored monthly for releases in accordance with WAC 173-360-345 (6)(e) through (6)(i); or

(iii) The tank has been installed for less than ten years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of WAC 173-360-345 (6)(d). The first tightness test shall be conducted prior to installing the cathodic protection system. The second tightness test shall be conducted between three and six months following the first operation of the cathodic protection system; or

(iv) The tank is assessed for corrosion holes by a method that is determined by the department or delegated agency to prevent releases in a manner that is no less protective of human health and the environment than subsection (2)(b)(i) through (iii) of this section.

(c) Internal lining combined with cathodic protection. A tank may be upgraded by both internal lining and cathodic protection if:

(i) The lining is installed in accordance with the requirements of WAC 173-360-325; and

(ii) The cathodic protection system is installed within ten years of the tank being lined and meets the requirements of WAC 173-360-305 (1)(b)(ii), (iii), and (iv).

Note: The following codes and standards may be used to comply with this section:

(A) American Petroleum Institute Publication 1631, "Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks";

(B) National Leak Prevention Association Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Tanks by Lining Without the Addition of Cathodic Protection";

(C) National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems"; and

(D) American Petroleum Institute Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems."

(3) Piping upgrading requirements. Metal piping that routinely contains regulated substances and is in contact with the ground shall be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and shall meet the requirements of WAC 173-360-305 (2)(b)(ii), (iii), and (iv).

Note: The codes and standards listed in the note following WAC 173-360-305 (2)(b) may be used to comply with this requirement.

(4) Spill and overflow prevention equipment. To prevent spilling and overflowing associated with product transfer to the UST system, all existing UST systems shall comply with new UST system spill and overflow prevention equipment requirements specified in WAC 173-360-305(3).

NEW SECTION

WAC 173-360-315 **SPILL AND OVERFILL CONTROL REQUIREMENTS.** (1) Owners and operators shall ensure that releases due to spilling or overflowing do not occur. The owner and operator shall ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overflowing and spilling.

Note: The transfer procedures described in National Fire Protection Association Publication 385 may be used to comply with paragraph (a) of this section. Further guidance on spill and overflow prevention appears in American Petroleum Institute Publication 1621, "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets," and National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code."

(2) The owner and operator shall report, investigate, and clean up any spills and overfills in accordance with WAC 173-360-375.

NEW SECTION

WAC 173-360-320 **OPERATION AND MAINTENANCE OF CORROSION PROTECTION.** All owners and operators of steel UST systems with corrosion protection shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances:

(1) All corrosion protection systems shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground.

(2) All UST systems equipped with cathodic protection systems shall be inspected for proper operation by a licensed supervisor of cathodic protection installation and testing in accordance with the following requirements:

(a) Frequency. All cathodic protection systems shall be tested when they are installed, and again between one and six months after installation, and at least every three years thereafter or according to another reasonable time frame established by the department or delegated agency; and

(b) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by this section shall be in accordance with a code of practice developed by a nationally recognized association.

Note: National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," may be used to comply with subsection (2)(b) of this section.

(3) UST systems with impressed current cathodic protection systems shall also be inspected every 60 days to ensure the equipment is running properly.

(4) For UST systems using cathodic protection, records of the operation of the cathodic protection shall be maintained (in accordance with WAC 173-360-210) to demonstrate compliance with the performance standards in this section. These records shall provide the following:

(a) The results of the last three inspections required in paragraph (c) of this section; and

(b) The results of testing from the last two inspections required in subsection (2) of this section.

NEW SECTION

WAC 173-360-323 **COMPATIBILITY.** Owners and operators shall use an UST system made of or lined with materials that are compatible with the substance stored in the UST system.

Note: Owners and operators storing alcohol blends may use the following codes to comply with the requirements of this section:

(A) American Petroleum Institute Publication 1626, "Storing and Handling Ethanol and Gasoline-Ethanol Blends at Distribution Terminals and Service Stations"; and

(B) American Petroleum Institute Publication 1627, "Storage and Handling of Gasoline-Methanol/Cosolvent Blends at Distribution Terminals and Service Stations."

NEW SECTION

WAC 173-360-325 **REPAIRS OF UST SYSTEMS.** Owners and operators of UST systems shall ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. Any UST system which is repaired to correct a structural defect in the system must also be upgraded at the time of the repair to meet the requirements specified in WAC 173-360-310 (2) through (4). The repairs shall meet the following requirements:

(1) Repairs to UST systems shall be properly conducted in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

Note: The following codes and standards may be used to comply with subsection (1) of this section: National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code"; American Petroleum Institute Publication 2200, "Repairing Crude Oil, Liquefied Petroleum Gas, and Product Pipelines"; American Petroleum Institute Publication 1631, "Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks"; and National Leak Prevention Association Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Tanks by Lining Without the Addition of Cathodic Protection."

(2) Repairs to fiberglass-reinforced plastic tanks shall be made in accordance with the manufacturer's specifications or a code of practice developed by a nationally recognized association or an independent testing laboratory.

(3) Metal pipe sections and fittings that have released product as a result of corrosion or other damage shall be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.

(4) Repaired tanks and piping shall be tightness tested in accordance with WAC 173-360-345 (6)(d) and 173-360-350 (3)(b) within thirty days following the date of the completion of the repair except as provided in subsection (4)(a) through (c), of this section:

(a) The repaired tank is internally inspected in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory; or

(b) The repaired portion of the UST system is monitored monthly for releases in accordance with a method specified in WAC 173-360-345 (6)(e) through (6)(i); or

(c) Another test method is used that is determined by the department or delegated agency to be no less protective of human health and the environment than those listed above.

(5) Immediately following the repair of any cathodically protected UST system and again between one and six months following the repair, the cathodic protection system shall be tested in accordance with WAC 173-360-320 (2) and (3) to ensure that it is operating properly.

(6) UST system owners and operators shall maintain records of each repair for the remaining operating life of the UST system that demonstrate compliance with the requirements of this section.

NEW SECTION

WAC 173-360-330 RELEASE DETECTION COMPLIANCE SCHEDULE. Owners and operators of all UST systems shall comply with the release detection requirements of WAC 173-360-330 through 173-360-355 by December 22 of the year listed in the following table:

TABLE: SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

Year System was installed	Year when release detection is required (by December 22 of the year indicated)						
	1989	1990	1991	1992	1993	1994	1995
Before 1965 or date unknown.	RD	P	E				
1965-69..		P/RD		E			
1970-74..		P	RD		E		
1975-79..		P		RD		E	
1980-88..		P			RD		E

New tanks (after December 22) immediately upon installation.

P- Except for emergency generator tanks, must begin release detection for all pressurized piping in accordance with WAC 173-360-350 (2)(a) and 173-360-340 (2)(d).

RD- Except for emergency generator tanks, must begin release detection for tanks and suction piping in accordance with WAC 173-360-335 (2)(a), 173-360-350 (2)(b), and 173-360-340.

E- Must begin release detection for emergency generator tanks and piping in accordance with WAC 173-360-335 (2)(a) and 173-360-350 (2)(a) or (b).

Note: Dates preceding the effective date of this rule correspond to federal requirements under 40 CFR 280 and are included here to reflect conformity to the federal rule.

NEW SECTION

WAC 173-360-335 RELEASE DETECTION FOR PETROLEUM UST SYSTEMS. (1) Owners and operators of new and existing petroleum UST systems shall provide a method, or combination of methods, of release detection that:

(a) Can detect a release from any portion of the tank and the connected underground piping that routinely contains product;

(b) Is installed, calibrated, operated, and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; and

(c) Meets the performance requirements in WAC 173-360-345 or 173-360-350.

(2) Owners and operators of petroleum UST systems shall monitor tanks and piping for releases as follows:

(a) Tanks. Tanks shall be monitored at least every thirty days for releases using one of the methods listed in WAC 173-360-345 (6)(e) through (6)(i) except as provided in WAC 173-360-345 (2) through (5).

(b) Piping. Underground piping that routinely contains regulated substances shall be monitored for releases as required under WAC 173-360-350.

(3) Any existing UST system that cannot apply a method of release detection that complies with the requirements of WAC 173-360-330 through 173-360-355 shall complete the closure procedures in WAC 173-360-380 through 173-360-398 by the date on which release detection is required for that UST system under WAC 173-360-330.

NEW SECTION

WAC 173-360-340 RELEASE DETECTION FOR HAZARDOUS SUBSTANCE UST SYSTEMS. Owners and operators of hazardous substance UST systems shall provide release detection that meets the following requirements:

(1) Release detection at existing hazardous substance UST systems shall meet the requirements for petroleum UST systems in WAC 173-360-335. By December 22, 1998, all existing hazardous substance UST systems shall meet the release detection requirements for new systems in subsection (2) of this section.

(2) Release detection at new hazardous substance UST systems shall employ some method of release containment such as secondary containment systems, double-walled tanks, or external liners (e.g., in a pit or excavation). Such methods shall meet the following requirements:

(a) Secondary containment systems shall be designed, constructed and installed to:

(i) Contain regulated substances released from the tank system until they are detected and removed;

(ii) Prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and

(iii) Be checked for evidence of a release at least every thirty days.

Note: The provisions of 40 CFR 265.193, Containment and Detection of Releases, may be used to comply with these requirements.

(b) Double-walled tanks shall be designed, constructed, and installed to:

(i) Contain a release from any portion of the inner tank within the outer wall; and

(ii) Detect the failure of the inner wall.

(c) External liners (including vaults) shall be designed, constructed, and installed to:

(i) Contain one hundred percent of the capacity of the largest tank within its boundary;

(ii) Prevent the interference of precipitation or ground-water intrusion with the ability to contain or detect a release of regulated substances; and

(iii) Surround the tank completely (i.e., it is capable of preventing lateral as well as vertical migration of regulated substances).

(d) Underground piping shall be equipped with secondary containment that satisfies the requirements of subsection (2)(a) of this section (e.g., trench liners, jacketing of double-walled pipe). In addition, underground piping that conveys regulated substances under pressure shall be equipped with an automatic line leak detector in accordance with WAC 173-360-350 (3)(a).

(e) Other methods of release detection may be used if owners and operators:

(i) Demonstrate to the department or delegated agency that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in WAC 173-360-345 (6)(b) through (6)(i) can detect a release of petroleum;

(ii) Provide information to the department or delegated agency on effective corrective action technologies, health risks, and chemical and physical properties of the stored substance, and the characteristics of the UST site; and

(iii) Obtain approval from the department or delegated agency to use the alternate release detection method before the installation and operation of the new UST system.

NEW SECTION

WAC 173-360-345 METHODS OF RELEASE DETECTION FOR TANKS. (1) Any method of release detection for tanks shall meet the performance requirements of this section. In addition, methods used after December 22, 1990, except for methods permanently installed prior to that date, shall be capable of detecting the leak rate or quantity specified for that method in WAC 173-360-345 (6)(b), (c), (d), and (e) with a probability of detection of 0.95 and a probability of false alarm of 0.05. (That is, under test conditions, a method will correctly detect at least ninety-five of one hundred actual releases, and will falsely indicate a release no more than five times in one hundred tests of non-leaking systems.)

Note: The establishment of leak indication thresholds is a means of setting a standard for the equipment or method used. It is not in any way meant to imply that actual leak rates less than these limits are allowable. No release is acceptable, and any indication that a release may have occurred should be investigated in accordance with WAC 173-360-360. Manufacturers and tank service providers installing or utilizing leak detection equipment and/or methods are encouraged to follow EPA's standard test procedures for evaluating leak detection methods to demonstrate compliance with the requirements of subsection (1) of this section.

(2) UST systems that meet the new tank or upgraded tank performance standards in WAC 173-360-305 or 173-360-310, and the inventory control requirements in WAC 173-360-345 (6)(a) or (b), may use tank tightness testing (in accordance with WAC 173-360-345 (6)(d)) conducted at least every five years until December 22, 1998.

(3) UST systems that do not meet the new tank or upgraded tank performance standards in WAC 173-360-305 or 173-360-310 may use inventory controls (conducted in accordance with WAC 173-360-345 (6)(a) or (b)) and annual tank tightness testing (conducted in accordance with WAC 173-360-345 (6)(d)) until December 22, 1998, when the tank shall be upgraded under WAC 173-360-310 or permanently closed under WAC 173-360-385.

(4) Tanks with capacity of 550 gallons or less may use weekly tank gauging conducted in accordance with WAC 173-360-345 (6)(b).

(5) Tanks that store fuel solely for use by emergency power generators may use the following methods of release detection:

(a) Emergency power generator tanks with nominal capacity of five hundred fifty gallons or less may use monthly tank gauging conducted in accordance with WAC 173-360-345 (6)(c).

(b) Emergency power generator tanks with nominal capacity of five hundred fifty-one to two thousand gallons may use monthly tank gauging conducted in accordance with WAC 173-360-345 (6)(c), in conjunction with annual tank tightness testing conducted in accordance with WAC 173-360-345 (6)(d).

(c) Emergency power generator tanks with nominal capacity greater than two thousand gallons may use weekly tank gauging conducted in accordance with WAC 173-360-345 (6)(b), in conjunction with annual tank tightness testing conducted in accordance with WAC 173-360-345 (6)(d).

(6) Each method of release detection for tanks used to meet the requirements of WAC 173-360-335 shall be conducted in accordance with the following:

(a) Daily inventory control. Daily inventory control (or another test of equivalent performance) shall be conducted in a manner capable of detecting a release of at least 1.0 percent of flow-through plus 130 gallons on a monthly basis in the following manner:

(i) Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded each operating day;

(ii) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;

(iii) The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery;

(iv) Deliveries are made through a drop tube that extends to within one foot of the tank bottom;

(v) Product dispensing is metered and recorded within the local standards for meter calibration or an accuracy of at least six cubic inches for every five gallons of product withdrawn; and

(vi) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month.

Note: Practices described in the American Petroleum Institute Publication 1621, "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets," may be used, where applicable, as guidance in meeting the requirements of this paragraph.

(b) Weekly tank gauging. Only tanks of five hundred fifty gallons or less nominal capacity may use weekly tank gauging as the sole method of release detection. Tanks of five hundred fifty-one to two thousand gallons may use the method in place of daily inventory control in WAC 173-360-345 (6)(a), in conjunction with tank tightness testing, as specified in subsection (6)(d) of this section. Tanks of greater than two thousand gallons nominal capacity may use this method to meet the requirements of WAC 173-360-330 through 173-360-355 only if such tanks store fuel solely for use by emergency power generators. Weekly tank gauging shall meet the following requirements:

(i) Tank liquid level measurements are taken weekly at the beginning and ending of a period of at least thirty-six hours during which no liquid is added to or removed from the tank;

(ii) Level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period (that is, four measurements shall be taken, two consecutive measurements at the beginning and two consecutive measurements at the end of the period during which no liquid has been added or removed from the tank);

(iii) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch;

(iv) If the variation between beginning and ending measurements exceeds the weekly or monthly standards in the following table, a leak may be occurring and the requirements of WAC 173-360-360 through 173-360-375 shall be followed:

Nominal Tank Capacity	Weekly Standard (one test)	Monthly Standard (average of four tests)
550 gallons or less	10 gallons	5 gallons
551-1,000 gallons	13 gallons	7 gallons
1,001-2,000 gallons	26 gallons	13 gallons
2,001 gallons or more*	.75% of capacity	.5% of capacity

(*Emergency Power Generator Tanks only.)

(c) Monthly tank gauging. Only tanks that store fuel solely for use by emergency power generators with a nominal capacity of two thousand gallons or less may use monthly tank gauging as a method of release detection. Such tanks with nominal capacity of five hundred fifty-one to two thousand gallons shall also have an annual tank tightness test conducted in accordance with WAC 173-360-345 (6)(d). Monthly tank gauging shall meet the following requirements:

(i) Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded;

(ii) Tank liquid level measurements are taken monthly at the beginning and ending of a period of at least twenty-one days, except when extreme snowfall or other travel obstructions occurring in remote locations and preventing access are specifically documented by the owner and operator;

(iii) Level measurements are based on an average of two consecutive readings at both the beginning and ending of the period (that is, four measurements shall be taken, two consecutive measurements at the beginning and two consecutive measurements at the end of the period);

(iv) The equipment used is capable of measuring the level of product over the full range of the tank's height to the nearest one-eighth of an inch or a corresponding amount of gallons;

(v) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month;

(vi) If the variation between beginning and ending measurements exceeds the monthly standards in the following table, a leak may be occurring and the requirements of WAC 173-360-360 through 173-360-375 shall be followed:

Nominal Tank Capacity	Monthly Standard (average of four tests)
550 gallons or less	5 gallons
551-1,000 gallons	7 gallons
1,001-2000 gallons	13 gallons

(d) Tank tightness testing. Tank tightness testing (or another test of equivalent performance) shall be capable of detecting at least a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains product while accounting for the effects of thermal expansion or contraction of the product, vapor pockets, tank deformation, evaporation or condensation, and the location of the water table.

(e) Automatic tank gauging. Equipment for automatic tank gauging that tests for the loss of product and conducts inventory control shall meet the following requirements:

(i) The automatic product level monitor test can detect at least a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product; and

(ii) Daily inventory control (or another test of equivalent performance) is conducted in accordance with the requirements of WAC 173-360-345 (6)(a).

(f) Vapor monitoring. Testing or monitoring for vapors within the soil gas of the excavation zone shall meet the following requirements:

(i) The materials used as backfill are sufficiently porous (e.g., gravel, sand, crushed rock) to readily allow diffusion of vapors from releases into the excavation area;

(ii) The stored regulated substance, or a tracer compound placed in the tank system, is sufficiently volatile (e.g., gasoline) to result in a vapor level that is detectable by the monitoring devices located in the excavation zone in the event of a release from the tank;

(iii) The measurement of vapors by the monitoring device is not rendered inoperative by the ground water, rainfall, or soil moisture or other known interferences so that a release could go undetected for more than thirty days;

(iv) The level of background contamination in the excavation zone will not interfere with the method used to detect releases from the tank;

(v) The vapor monitors are designed and operated to detect any significant increase in concentration above background of the regulated substance stored in the tank system, a component or components of that substance, or a tracer compound placed in the tank system;

(vi) In the UST excavation zone, the site is evaluated for its appropriateness for installation of vapor monitors to ensure compliance with the requirements in subsection (6)(f)(i) through (iv) of this section and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains product; and

(vii) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

Note: Monitoring wells must also comply with the minimum standards for construction and maintenance of wells specified in chapter 173-160 WAC.

(g) Ground-water monitoring. Testing or monitoring for liquids on the ground water shall meet the following requirements:

(i) The regulated substance stored is immiscible in water and has a specific gravity of less than one;

(ii) Ground water is never more than twenty feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse to medium sands, coarse silts or other permeable materials);

(iii) The slotted portion of the monitoring well casing shall be designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground-water conditions;

(iv) Monitoring wells shall be sealed from the ground surface to the top of the filter pack;

(v) Monitoring wells or devices intercept the excavation zone or are as close to it as is technically feasible;

(vi) The continuous monitoring devices or manual methods used can detect the presence of at least one-eighth of an inch of free product on top of the ground water in the monitoring wells;

(vii) Within and immediately below the UST system excavation zone, the site is evaluated for its appropriateness for installation of ground water monitors to ensure compliance with the requirements in subsection (6)(g)(i) through (v) of this section and to establish the number and positioning of monitoring wells or devices that will detect

releases from any portion of the tank that routinely contains product; and

(viii) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

Note: Monitoring wells must also comply with the minimum standards for construction and maintenance of wells specified in chapter 173-160 WAC.

(h) Interstitial monitoring. Interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements:

(i) For double-walled UST systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains product;

Note: The provisions outlined in the Steel Tank Institute's "Standard for Dual Wall Underground Storage Tanks" may be used as guidance for aspects of the design and construction of underground steel double-walled tanks.

(ii) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the UST system and the secondary barrier;

(A) The secondary barrier around or beneath the UST system consists of artificially constructed material that is sufficiently thick and impermeable (at least 10^{-6} cm/sec for the regulated substance stored) to direct a release to the monitoring point and permit its detection;

(B) The barrier is compatible with the regulated substance stored so that a release from the UST system will not cause a deterioration of the barrier allowing a release to pass through undetected;

(C) For cathodically protected tanks, the secondary barrier shall be installed so that it does not interfere with the proper operation of the cathodic protection system;

(D) The ground water, soil moisture, or rainfall will not render the testing or sampling method used inoperative so that a release could go undetected for more than thirty days;

(E) The site is evaluated for its appropriateness for installation of interstitial monitors to ensure that the secondary barrier is always above the ground water and not in a twenty-five-year flood plain, unless the barrier and monitoring designs are for use under such conditions; and

(F) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

(iii) For tanks with an internally fitted liner, an automated device can detect a release between the inner wall of the tank and the liner, and the liner is compatible with the substance stored.

(i) Other methods. Any other type of release detection method, or combination of methods, can be used if:

(i) It can detect a 0.2 gallon per hour leak rate or a release of one hundred fifty gallons within a month with a probability of detection of 0.95 and a probability of false alarm of 0.05; or

(ii) The department or delegated agency may approve another method if the owner and operator can demonstrate that the method can detect a release as effectively as any of the methods allowed in subsection (6)(d) through (i) of this section. In comparing methods, the department or delegated agency shall consider the size of release that the method can detect and the frequency and reliability with which it can be detected. If the method is approved, the owner and operator shall comply with any conditions imposed by the department or delegated agency on its use to ensure the protection of human health and the environment.

NEW SECTION

WAC 173-360-350 METHODS OF RELEASE DETECTION FOR PIPING. (1) Any method of release detection for piping shall meet the performance requirements of this section, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods used after December 22, 1990, except for methods permanently installed prior to that date, shall be capable of detecting the leak rate or quantity specified for that method in WAC 173-360-350 (3)(a) and (b) with a probability of detection of 0.95 and a probability of false alarm of 0.05. (That is, under test conditions, a method will correctly detect at least ninety-five of one hundred actual releases, and will falsely indicate a release no more than five times in one hundred tests of nonleaking systems.)

Note: The establishment of leak indication thresholds is a means of setting a standard for the equipment or method used. It is not in any way meant to imply that actual leak rates less than these limits are allowable. No release is acceptable, and any indication that a release may have occurred should be investigated in accordance with WAC 173-360-360.

(2) Underground piping that routinely contains regulated substances shall be monitored for releases in a manner that meets one of the following requirements:

(a) Pressurized piping. Underground piping that conveys regulated substances under pressure shall:

(i) Be equipped with an automatic line leak detector conducted in accordance with WAC 173-360-350 (3)(a); and

(ii) Have an annual line tightness test conducted in accordance with WAC 173-360-350 (3)(b) or have monthly monitoring conducted in accordance with WAC 173-360-350 (3)(c).

(b) Suction piping. Underground piping that conveys regulated substances under suction shall either have a line tightness test conducted at least every three years and in accordance with WAC 173-360-350 (3)(b), or use a monthly monitoring method conducted in accordance with WAC 173-360-350 (3)(c). No release detection is required for suction piping that is designed and constructed to meet the following standards:

(i) The below-grade piping operates at less than atmospheric pressure;

(ii) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released;

(iii) Only one check valve is included in each suction line;

(iv) The check valve is located directly below and as close as practical to the suction pump; and

(v) A method is provided that allows compliance with subsection (2)(b)(ii) through (iv) of this section to be readily determined.

(3) Each method of release detection for piping used to meet the requirements of WAC 173-360-335 shall be conducted in accordance with the following:

(a) Automatic line leak detectors. Methods which alert the operator to the presence of a leak by restricting or shutting off the flow of regulated substances through piping or triggering an audible or visual alarm may be used only if they detect leaks of three gallons per hour at ten pounds per square inch line pressure within one hour. An annual test of the operation of the leak detector shall be conducted in accordance with the manufacturer's requirements.

(b) Line tightness testing. A periodic test of piping may be conducted only if it can detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure.

Note: National Fire Protection Association Standard 329, "Underground Leakage of Flammable and Combustible Liquids", may be used to comply with this requirement.

(c) Applicable tank methods. Any of the methods in WAC 173-360-345 (6)(f) through (i) may be used if they are designed to detect a release from any portion of the underground piping that routinely contains regulated substances.

NEW SECTION

WAC 173-360-355 RELEASE DETECTION RECORDKEEPING. All UST system owners and operators must shall maintain records in accordance with WAC 173-360-210 demonstrating compliance with all applicable requirements of this WAC 173-360-330 through 173-360-355. These records must shall include the following:

(1) All written performance claims pertaining to any release detection system used, and the manner in which these claims have been justified or tested by the equipment manufacturer or installer, must shall be maintained for five years, or for another reasonable period of time determined by the department or delegated agency, from the date of installation;

(2) The results of any sampling, testing, or monitoring shall be maintained for at least five years, or for another reasonable period of time determined by the department or delegated agency, except that the results of tank tightness testing conducted in accordance with WAC 173-360-345 (6)(d) must shall be retained until the next test is conducted; and

(3) Written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on-site must shall be maintained for at least one year after the servicing work is completed, or for another reasonable time period determined by the department or delegated agency. Any schedules of required calibration

and maintenance provided by the release detection equipment manufacturer shall be retained for five years from the date of installation.

NEW SECTION

WAC 173-360-360 REPORTING OF SUSPECTED RELEASES. Owners and operators of UST systems shall report to the department or delegated agency within twenty-four hours, or another reasonable time period specified by the department or delegated agency, and follow the procedures in WAC 173-360-370 when any of the following conditions apply:

(1) Owners and operators or others discover released regulated substances at the UST site or in the surrounding area (such as the presence of free product or vapors in soils, basements, sewer and utility lines, and/or nearby surface water).

(2) Unusual operating conditions are observed by owners and operators (such as the erratic behavior of product dispensing equipment, the sudden loss of product from the UST system, or an unexplained presence of water in the tank), unless system equipment is found to be defective but not leaking, and is immediately repaired or replaced; or

(3) Monitoring results from a release detection method required under WAC 173-360-335 and 173-360-340 indicate that a release may have occurred unless:

(a) A false alarm is confirmed;

(b) The monitoring device is found to be defective, and is immediately repaired, recalibrated or replaced, and additional monitoring does not confirm the initial result; or

(c) In the case of inventory control, a second month of data does not confirm the initial result, except that owners and operators shall immediately investigate all larger-than-normal or reoccurring variations in inventory control results, and report such variations if they are unaccounted for, without waiting to obtain a second month of data.

Note: Other federal, state, and local laws also require reporting, and in some cases investigation, of suspected releases.

NEW SECTION

WAC 173-360-365 INVESTIGATION DUE TO OFF-SITE IMPACTS. When required by the department or delegated agency, owners and operators of UST systems shall follow the procedures in WAC 173-360-370 to determine if the UST system is the source of off-site impacts. These impacts include the discovery of regulated substances (such as the presence of free product or vapors in soils, basements, sewer and utility lines, and nearby surface and drinking waters) that has been observed by the department or delegated agency or brought to their attention by another party.

NEW SECTION

WAC 173-360-370 RELEASE INVESTIGATION AND CONFIRMATION STEPS. Unless corrective action is initiated in accordance with WAC 173-360-399, owners and operators shall immediately investigate and confirm all suspected releases of regulated substances requiring reporting under WAC 173-360-360 within seven days of discovery, or another reasonable time period specified by the department or delegated agency, using either the following steps or another procedure approved by the department or delegated agency:

(1) System test. Owners and operators shall conduct tests (according to the requirements for tightness testing in WAC 173-360-345 (6)(d) and 173-360-350 (3)(b)) that determine whether a leak exists in any portions of the UST system that routinely contains product, including the tank and the attached delivery piping, and in any connected tanks and piping that may or may not be in use. All such portions shall be tested either separately or together or in combinations thereof.

(a) Owners and operators shall repair, replace, upgrade, or close the UST system, and begin corrective action in accordance with WAC 173-360-399 if the test results for the system, tank, or delivery piping indicate that a leak exists.

(b) Further investigation is not required if the test results for the system, tank, and delivery piping do not indicate that a leak exists and if environmental contamination is not the basis for suspecting a release.

(c) Owners and operators shall conduct a site check as described in subsection (2) of this section if the test results for the system, tank, and delivery piping do not indicate that a leak exists but environmental contamination is the basis for suspecting a release.

(2) Site check. Owners and operators shall have a qualified professional, as defined in WAC 173-360-610, sample for the presence of a

release. Such samples shall be taken and analyzed as directed by the department or delegated agency where contamination is most likely to be present at the UST site, including but not limited to the excavation zone. In selecting sample types, sample locations, and measurement methods, and in determining the actual number of samples, the following factors shall be considered: The nature of the stored substance, the type of initial alarm or cause of suspicion, the type of backfill, the size of tank, the depth of ground water, and other factors appropriate for identifying the presence and source of the release.

(a) If the site check results indicate that a release has occurred, owners and operators shall report to the department or delegated agency in accordance with WAC 173-360-372 and begin corrective action in accordance with WAC 173-360-399.

(b) If the site check results do not indicate that a release has occurred, further investigation is not required.

NEW SECTION

WAC 173-360-372 REPORTING OF CONFIRMED RELEASES. Owners and operators shall report all confirmed releases, including but not limited to those confirmed in accordance with WAC 173-360-370 and 173-360-390, and those required to be reported under WAC 173-360-375, to the department or delegated agency within twenty-four hours.

Note: Other federal, state, and local laws also require reporting, and in some cases cleanup, of confirmed releases.

NEW SECTION

WAC 173-360-375 CLEANUP AND REPORTING OF SPILLS AND OVERFILLS. (1) Owners and operators of UST systems shall contain and immediately clean up any spill or overflow of a regulated substance, and shall report any such spill or overflow and the results of any cleanup related thereto to the department or delegated agency within twenty-four hours if the spill or overflow exceeds a de minimis amount or comes in contact with soil, ground water, or surface water.

Note: In the case of petroleum, a de minimis amount is any amount that immediately evaporates or that is specified by the department or delegated agency through guidance documents.

Containment and cleanup shall include the following actions:

(a) Visually inspect and take immediate action to prevent any further release and/or spreading of the regulated substance into the environment, including surrounding soils, groundwater, and surface water;

(b) Eliminate or minimize any fire, explosion, and vapor hazards;

(c) Absorb or otherwise contain all free product and provide for proper disposal of such product and any used absorbent materials in accordance with all applicable federal, state, and local requirements. Free product shall not be flushed into storm drains, catch basins, monitoring wells, or other locations with a possible connection to surrounding soils, ground water, or surface water; and

(d) Remove and provide for proper disposal of or treat any contaminated soils in accordance with all applicable federal, state, and local requirements.

(2) Owners and operators shall begin corrective action in accordance with WAC 173-360-399 in the following cases:

(a) Spill or overflow of petroleum that results in a release to the environment that is less than twenty-five gallons or another reasonable amount specified by the department or delegated agency, and a spill or overflow of a hazardous substance that is less than the reportable quantity, if cleanup is not or cannot be accomplished within twenty-four hours, or another reasonable time period established by the department or delegated agency;

(b) Spill or overflow of petroleum that results in a release to the environment that exceeds twenty-five gallons or another reasonable amount specified by the department or delegated agency, or that results in groundwater contamination or causes a sheen on nearby surface water; and

(c) Spill or overflow of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under CERCLA (40 CFR 302).

Note: A release of a hazardous substance equal to or in excess of its reportable quantity under CERCLA (40 CFR 302) shall also be reported immediately (rather than within twenty-four hours) to the National Response Center under sections 102 and 103 of CERCLA (40 CFR 302.6) and to appropriate state and local authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).

NEW SECTION

WAC 173-360-380 TEMPORARY CLOSURE OF UST SYSTEMS. (1) When an UST system is temporarily closed, owners and operators shall continue operation and maintenance of corrosion protection in accordance with WAC 173-360-320, and any release detection in accordance with WAC 173-360-330 through 173-360-355. WAC 173-360-360 through 173-360-375 and 173-360-399 shall be complied with if a release is suspected or confirmed. However, release detection is not required as long as the UST system is empty. The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (one inch) of residue, or 0.3 percent by weight of the total capacity of the UST system, remain in the system.

(2) When an UST system is temporarily closed for three months or more, owners and operators shall also comply with the following requirements:

(a) Leave vent lines open and functioning; and

(b) Cap and secure all other lines, pumps, manways, and ancillary equipment.

(3) When an UST system is temporarily closed for more than twelve months, owners and operators shall permanently close the UST system if it does not meet either performance standards in WAC 173-360-305 for new UST systems or the upgrading requirements in WAC 173-360-310 (2) and (3). Such UST systems shall be permanently closed in accordance with WAC 173-360-385 through 173-360-398 or upgraded in accordance with WAC 173-360-310 (2) and (3) within thirty days after the end of this twelve-month period, unless the department or delegated agency provides an extension before expiration of the twelve-month temporary closure period. Owners and operators shall complete a site assessment in accordance with WAC 173-360-390 before such an extension is applied for.

(4) Any UST system temporarily closed for three months or more shall be tightness tested prior to being put back into service unless the system is subject to and in compliance with the release detection requirements of WAC 173-360-330.

NEW SECTION

WAC 173-360-385 PERMANENT CLOSURE AND CHANGE-IN-SERVICE. (1) At least thirty days before beginning either permanent closure or a change-in-service under subsections (2) and (3) of this section, or within another reasonable time period determined by the department or delegated agency, owners and operators shall notify the department or delegated agency in writing of their intent to permanently close or make the change-in-service, unless such action is in response to corrective action. The site assessment required under WAC 173-360-390 shall be performed after notifying the department or delegated agency but before completion of the permanent closure or a change-in-service.

(2) Permanent closure shall be completed within thirty days after expiration of the thirty-day notice, unless a written request for an extension, explaining the reason for the request, is approved by the department or delegated agency. Any UST system not permanently closed by a compliance date that the UST system is subject to, shall be in compliance with the requirement associated with the compliance date, including the payment of fees. Any UST system not in compliance with any such requirement will be subject to the penalties described in WAC 173-360-170.

(3) To permanently close an UST system, owners and operators shall empty and clean it by removing all liquids and accumulated sludges.

Note: Any sludges removed must also be designated and disposed of in accordance with chapter 173-303 WAC.

All tanks taken out of service permanently shall also be either removed from the ground or filled with an inert solid material. All piping shall either be capped (except any vent lines) or removed from the ground.

(4) Continued use of an UST system to store a non-regulated substance is considered a change-in-service. Before a change-in-service, owners and operators shall empty and clean the tank by removing all liquid and accumulated sludge and conduct a site assessment in accordance with WAC 173-360-390.

Note: The following cleaning and closure procedures may be used to comply with this section:

(A) American Petroleum Institute Recommended Practice 1604, "Removal and Disposal of Used Underground Petroleum Storage Tanks";

(B) American Petroleum Institute Publication 2015, "Cleaning Petroleum Storage Tanks";

(C) American Petroleum Institute Recommended Practice 1631, "Interior Lining of Underground Storage Tanks," may be used as guidance for compliance with this section; and

(D) The National Institute for Occupational Safety and Health "Criteria for a Recommended Standard...Working in Confined Space" may be used as guidance for conducting safe closure procedures at some hazardous substance tanks.

NEW SECTION

WAC 173-360-390 SITE ASSESSMENT AT CLOSURE OR CHANGE-IN-SERVICE. (1) Before permanent closure or a change-in-service is completed, owners and operators shall have a qualified professional, as defined in WAC 173-360-610, sample for the presence of a release. Such samples shall be taken and analyzed as directed by the department or delegated agency where contamination is most likely to be present at the UST site, including but not limited to the excavation zone. In selecting sample types, sample locations, and measurement methods, and in determining the actual number of samples, the following factors shall be considered: The method of closure, the nature of the stored substance, the type of backfill, the size of tank, the depth to ground water, and other factors appropriate for identifying the presence of a release.

(2) If contaminated soils, contaminated ground water, or free product is discovered under subsection (1) of this section, or by any other manner, owners and operators shall report to the department or delegated agency in accordance with WAC 173-360-372 and begin corrective action in accordance with WAC 173-360-399.

NEW SECTION

WAC 173-360-395 APPLICABILITY TO PREVIOUSLY CLOSED UST SYSTEMS. When directed by the department or delegated agency, the owner and operator of an UST system permanently closed before December 22, 1988, shall assess the site and close the UST system in accordance with WAC 173-360-380 through 173-360-398 if releases from the UST may, in the judgment of the department or delegated agency, pose a current or potential threat to human health and the environment.

NEW SECTION

WAC 173-360-398 CLOSURE RECORDS. Owners and operators shall maintain records in accordance with WAC 173-360-210 that demonstrate compliance with closure requirements under WAC 173-360-380 through 173-360-398. The results of the site assessment required in WAC 173-360-390 shall be maintained for at least three years after completion of permanent closure or change-in-service in one of the following ways:

(1) By the owners and operators who took the UST system out of service;

(2) By the current owners and operators of the UST system site; or

(3) By mailing these records to the department or delegated agency if they cannot be maintained at the closed facility.

NEW SECTION

WAC 173-360-399 CORRECTIVE ACTION REQUIREMENTS. Except as provided in WAC 173-360-375, upon confirmation of a release in accordance with WAC 173-360-370 or 173-360-390, or after a release from the UST system is identified in any other manner, owners and operators shall immediately undertake corrective action or other measures in accordance with chapter 70.105D RCW and/or this chapter, and any additional measures as directed by the department under chapter 90.48 RCW. Owners and operators shall also report such releases to the department or delegated agency within twenty-four hours in accordance with WAC 173-360-372.

PART IV FINANCIAL RESPONSIBILITY REQUIREMENTS

NEW SECTION

WAC 173-360-400 APPLICABILITY. (1) WAC 173-360-400 through 173-360-499 applies to owners and operators of all petroleum underground storage tank (UST) systems except as otherwise provided in this section.

(2) Owners and operators of petroleum UST systems are subject to these requirements if they are in operation on or after the date for compliance established in WAC 173-360-403.

(3) state and federal government entities whose debts and liabilities are the debts and liabilities of a state or the United States are exempt from the requirements of WAC 173-360-400 through 173-360-499.

(4) The requirements of WAC 173-360-400 through 173-360-499 do not apply to owners and operators of any UST system described in WAC 173-360-110 (2) or (3).

(5) If the owner and operator of a petroleum underground storage tank are separate persons, only one person is required to demonstrate financial responsibility; however, both parties are liable in event of noncompliance. Regardless of which party complies, the date set for compliance at a particular facility is determined by the characteristics of the owner as set forth in WAC 173-360-403.

NEW SECTION

WAC 173-360-403 COMPLIANCE DATES. Owners of petroleum underground storage tanks are required to comply with the requirements of WAC 173-360-400 through 173-360-499 by the following dates:

(1) All petroleum marketing firms owning 1,000 or more USTs and all other UST owners that report a tangible net worth of twenty million dollars or more to the United States Securities and Exchange Commission (SEC), Dun and Bradstreet, the Energy Information Administration, or the Rural Electrification Administration; January 24, 1989, except that compliance with WAC 173-360-410(2) is required by July 24, 1989.

(2) All petroleum marketing firms owning 100-999 USTs; October 26, 1989.

(3) All petroleum marketing firms owning a combined total of 13-99 USTs which are located at more than one facility; April 26, 1991.

(4) All petroleum UST owners not described in subsections (1), (2), or (3) of this section, including all local government entities; October 26, 1991.

NEW SECTION

WAC 173-360-406 AMOUNT AND SCOPE OF REQUIRED FINANCIAL RESPONSIBILITY. (1) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts:

(a) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than ten thousand gallons of petroleum per month based on annual throughput for the previous calendar year; one million dollars.

(b) For all other owners or operators of petroleum underground storage tanks; five hundred thousand dollars.

(2) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following annual aggregate amounts:

(a) For owners or operators of 1 to 100 petroleum underground storage tanks, one million dollars; and

(b) For owners or operators of 101 or more petroleum underground storage tanks, two million dollars.

(3) For the purposes of subsections (2) and (4) of this section only, "a petroleum underground storage tank" means a single containment unit and does not mean combinations of single containment units.

(4) Owners or operators shall review the amount of aggregate assurance provided whenever additional petroleum underground storage tanks are acquired or installed. If the number of petroleum underground storage tanks for which assurance must be provided exceeds

one hundred, the owner or operator shall demonstrate financial responsibility in the amount of at least two million dollars of annual aggregate assurance by the anniversary of the date on which the mechanism demonstrating financial responsibility became effective. If assurance is being demonstrated by a combination of mechanisms, the owner or operator shall demonstrate financial responsibility in the amount of at least two million dollars of annual aggregate assurance by the first-occurring effective date anniversary of any one of the mechanisms combined (other than a financial test or guarantee) to provide assurance.

(5) The amounts of assurance required under this section exclude legal defense costs.

(6) The required per-occurrence and annual aggregate coverage amounts do not in any way limit the liability of the owner or operator.

NEW SECTION

WAC 173-360-410 ALLOWABLE MECHANISMS AND COMBINATIONS OF MECHANISMS. (1) Subject to the limitations of subsections (2) and (3) of this section, an owner or operator may use any one or combination of the mechanisms listed in WAC 173-360-413 through 173-360-436 to demonstrate financial responsibility under WAC 173-360-400 through 173-360-499 for one or more underground storage tanks.

(2) An owner or operator may use a guarantee or surety bond to establish financial responsibility under WAC 173-360-400 through 173-360-499.

(3) An owner or operator may use self-insurance in combination with a guarantee only if, for the purpose of meeting the requirements of the financial test under this rule, the financial statements of the owner or operator are not consolidated with the financial statements of the guarantor.

(4) Except as provided in subsection (5) of this section, if the owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate financial responsibility for:

- (a) Taking corrective action;
- (b) Compensating third parties for bodily injury and property damage caused by sudden accidental releases; or
- (c) Compensating third parties for bodily injury and property damage caused by nonsudden accidental releases, the amount of assurance provided by each mechanism or combination of mechanisms shall be in the full amount specified in WAC 173-360-406 (1) and (2).

(5) If an owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate financial responsibility for different petroleum underground storage tanks, the annual aggregate required shall be based on the number of tanks covered by each such separate mechanism or combination of mechanisms.

NEW SECTION

WAC 173-360-413 FINANCIAL TEST OF SELF-INSURANCE. (1) An owner or operator, and/or guarantor, may satisfy the requirements of WAC 173-360-406 by passing a financial test as specified in this section. To pass the financial test of self-insurance, the owner or operator, and/or guarantor shall meet the criteria of subsection (2) or (3) of this section based on year-end financial statements for the latest completed fiscal year.

(2)(a) The owner or operator, and/or guarantor, must have a tangible net worth of at least ten times:

- (i) The total of the applicable aggregate amount required by WAC 173-360-406, based on the number of underground storage tanks for which a financial test is used to demonstrate financial responsibility to the department under this section;
- (ii) The sum of the corrective action cost estimates, the current closure and post-closure care cost estimates, and amount of liability coverage for which a financial test is used to demonstrate financial responsibility to EPA under 40 CFR Parts 264.101, 264.143, 264.145, 265.143, 265.145, 264.147, and 265.147 or to a state agency under a state program authorized by EPA under Part 271; and
- (iii) The sum of current plugging and abandonment cost estimates for which a financial test is used to demonstrate financial responsibility to EPA under 40 CFR Part 144.63 or to a state agency under a state program authorized by EPA under 40 CFR Part 145.

Note: Titles of the above-referenced CFR citations are as follows: Part 264.101 - Corrective Action for Solid Waste Management Units; Part 264.143 - Financial Assurance for Closure; Part 264.145 - Financial Assurance for Post-Closure Care; Part 265.143 - Financial Assurance for Closure; Part 265.145 - Financial Assurance for Post-Closure Care; Part 264.147 -

Liability Requirements; Part 265.147 - Liability Requirements; Part 144.63 - Financial Assurance for Plugging and Abandonment; and Part 145 - State UIC Program Requirements.

(b) The owner or operator, and/or guarantor, must have a tangible net worth of at least ten million dollars.

(c) The owner or operator, and/or guarantor, shall have a letter signed by the chief financial officer as specified in subsection (4) of this section and as set forth in WAC 173-360-370.

(d) The owner or operator, and/or guarantor, shall either:

(i) File financial statements annually with the United States Securities and Exchange Commission, the Energy Information Administration, or the Rural Electrification Administration; or

(ii) Report annually the firm's tangible net worth to Dun and Bradstreet, and Dun and Bradstreet must have assigned the firm a financial strength rating of 4A or 5A.

(e) The firm's year-end financial statements, if independently audited, cannot include an adverse auditor's opinion, a disclaimer of opinion, or a "going concern" qualification.

(3)(a) The owner or operator, and/or guarantor shall meet the financial test requirements of 40 CFR 264.147 (f)(1), substituting the appropriate amounts specified in WAC 173-360-406 (2)(a) and (b) for the "amount of liability coverage" each time specified in that section.

(b) The fiscal year-end financial statements of the owner or operator, and/or guarantor, shall be examined by an independent certified public accountant and be accompanied by the accountant's report of the examination.

(c) The firm's year-end financial statements cannot include an adverse auditor's opinion, a disclaimer of opinion, or a "going concern" qualification.

(d) The owner or operator, and/or guarantor, shall have a letter signed by the chief financial officer, worded as specified in subsection (4) of this section.

(e) If the financial statements of the owner or operator, and/or guarantor, are not submitted annually to the United States Securities and Exchange Commission, the Energy Information Administration or the Rural Electrification Administration, the owner or operator, and/or guarantor, shall obtain a special report by an independent certified public accountant stating that:

(i) He or she has compared the data that the letter from the chief financial officer specifies as having been derived from the latest year-end financial statements of the owner or operator, and/or guarantor, with the amounts in such financial statements; and

(ii) In connection with that comparison, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) To demonstrate that it meets the financial test under subsection (2) or (3) of this section, the chief financial officer of the owner or operator, and/or guarantor, shall sign, within one hundred twenty days of the close of each financial reporting year, as defined by the twelve-month period for which financial statements used to support the financial test are prepared, a letter worded exactly as set forth in WAC 173-360-370, except that the instructions in brackets are to be replaced by the relevant information and the brackets deleted.

(5) If an owner or operator using the test to provide financial assurance finds that he or she no longer meets the requirements of the financial test based on the year-end financial statements, the owner or operator shall obtain alternative coverage within one hundred fifty days of the end of the year for which financial statements have been prepared.

(6) The director may require reports of financial condition at any time from the owner or operator, and/or guarantor. If the director finds, on the basis of such reports or other information, that the owner or operator, and/or guarantor, no longer meets the financial test requirements of WAC 173-360-413 (2) or (3) and (4), the owner or operator shall obtain alternate coverage within thirty days after notification of such a finding.

(7) If the owner or operator fails to obtain alternate assurance within one hundred fifty days of finding that he or she no longer meets the requirements of the financial test based on the year-end financial statements, or within thirty days of notification by the director that he or she no longer meets the requirements of the financial test, the owner or operator shall notify the director of such failure within ten days.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-360-416 GUARANTEE. (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining a guarantee that conforms to the requirements of this section. The guarantor shall be:

- (a) A firm that:
 - (i) Possesses a controlling interest in the owner or operator;
 - (ii) Possesses a controlling interest in a firm described under (a)(i) of this subsection; or
 - (iii) Is controlled through stock ownership by a common parent firm that possesses a controlling interest in the owner or operator; or
- (b) A firm engaged in a substantial business relationship with the owner or operator and issuing the guarantee as an act incident to that business relationship.

(2) Within one hundred twenty days of the close of each financial reporting year the guarantor shall demonstrate that it meets the financial test criteria of WAC 173-360-413 based on year-end financial statements for the latest completed financial reporting year by completing the letter from the chief financial officer described in WAC 173-360-413(4) and shall deliver the letter to the owner or operator. If the guarantor fails to meet the requirements of the financial test at the end of any financial reporting year, within one hundred twenty days of the end of that financial reporting year the guarantor shall send by certified mail, before cancellation or nonrenewal of the guarantee, notice to the owner or operator. If the director notifies the guarantor that he no longer meets the requirements of the financial test of WAC 173-360-413 (2) or (3) and (4), the guarantor shall notify the owner or operator within ten days of receiving such notification from the director. In both cases, the guarantee will terminate no less than one hundred twenty days after the date the owner or operator receives the notification, as evidenced by the return receipt. The owner or operator shall obtain alternate coverage as specified in WAC 173-360-460(3).

(3) The guarantee shall be worded as set forth in WAC 173-360-473, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(4) An owner or operator who uses a guarantee to satisfy the requirements of WAC 173-360-406 shall establish a standby trust fund when the guarantee is obtained. Under the terms of the guarantee, all amounts paid by the guarantor under the guarantee will be deposited directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

NEW SECTION

WAC 173-360-423 SURETY BOND. (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining a surety bond that conforms to the requirements of this section. The surety company issuing the bond shall be among those listed as acceptable sureties on federal bonds in the latest Circular 570 of the U.S. Department of the Treasury.

(2) The surety bond shall be worded as set forth in WAC 173-360-483, except that instructions in brackets shall be replaced with the relevant information and the brackets deleted.

(3) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond. In all cases, the surety's liability is limited to the per-occurrence and annual aggregate penal sums.

(4) The owner or operator who uses a surety bond to satisfy the requirements of WAC 173-360-406 shall establish a standby trust fund when the surety bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

NEW SECTION

WAC 173-360-426 LETTER OF CREDIT. (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining an irrevocable standby letter of credit that conforms to the requirements of this section. The issuing institution shall be an entity that has the authority to issue letters of credit in Washington state and whose letter-of-credit operations are regulated and examined by a federal or state agency.

(2) The letter of credit shall be worded as set forth in WAC 173-360-486, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(3) An owner or operator who uses a letter of credit to satisfy the requirements of WAC 173-360-406 shall also establish a standby trust fund when the letter of credit is acquired. Under the terms of the letter of credit, all amounts paid pursuant to a draft by the director will be deposited by the issuing institution directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

(4) The letter of credit shall be irrevocable with a term specified by the issuing institution. The letter of credit shall provide that credit be automatically renewed for the same term as the original term, unless, at least one hundred twenty days before the current expiration date, the issuing institution notifies the owner or operator by certified mail of its decision not to renew the letter of credit. Under the terms of the letter of credit, the one hundred twenty days will begin on the date when the owner or operator receives the notice, as evidenced by the return receipt.

NEW SECTION

WAC 173-360-433 TRUST FUND. (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by establishing a trust fund that conforms to the requirements of this section. The trustee shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the state in which the fund is established.

(2) The wording of the trust agreement shall be identical to the wording specified in WAC 173-360-436 (2)(a), and shall be accompanied by a formal certification of acknowledgment as specified in WAC 173-360-436 (2)(b).

(3) The trust fund, when established, shall be funded for the full required amount of coverage, or funded for part of the required amount of coverage and used in combination with other mechanism(s) that provide the remaining required coverage.

(4) If the value of the trust fund is greater than the required amount of coverage, the owner or operator may submit a written request to the director for release of the excess.

(5) If other financial assurance as specified in WAC 173-360-400 through 173-360-499 is substituted for all or part of the trust fund, the owner or operator may submit a written request to the director for release of the excess.

(6) Within sixty days after receiving a request from the owner or operator for release of funds as specified in subsections (4) or (5) of this section, the director will instruct the trustee to release to the owner or operator such funds as the director specifies in writing.

NEW SECTION

WAC 173-360-436 STANDBY TRUST FUND. (1) An owner or operator using any one of the mechanisms authorized by WAC 173-360-416, 173-360-423, or 173-360-426 shall establish a standby trust fund when the mechanism is acquired. The trustee of the standby trust fund must be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the state in which the fund is established.

(2)(a) The standby trust agreement or trust agreement shall be worded as set forth in WAC 173-360-490, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(b) The standby trust agreement or trust agreement shall be accompanied by a formal certification of acknowledgment similar to that set forth in WAC 173-360-493.

(3) The director will instruct the trustee to refund the balance of the standby trust fund to the provider of financial assurance if the director determines that no additional corrective action costs or third-party liability claims will occur as a result of a release covered by the financial assurance mechanism for which the standby trust fund was established.

(4) An owner or operator may establish one trust fund as the depository mechanism for all funds assured in compliance with this rule.

NEW SECTION

WAC 173-360-440 SUBSTITUTION OF FINANCIAL ASSURANCE MECHANISMS BY OWNER OR OPERATOR. (1) An owner or operator may substitute any alternate financial assurance

mechanisms as specified in WAC 173-360-400 through 173-360-499, provided that at all times he maintains an effective financial assurance mechanism or combination of mechanisms that satisfies the requirements of WAC 173-360-406.

(2) After obtaining alternate financial assurance as specified in WAC 173-360-400 through 173-360-499, an owner or operator may cancel a financial assurance mechanism by providing notice to the provider of financial assurance in accordance with requirements for cancellation set forth for the specific mechanism in WAC 173-360-470 through 173-360-490.

NEW SECTION

WAC 173-360-443 CANCELLATION OR NONRENEWAL BY A PROVIDER OF FINANCIAL ASSURANCE. (1) Except as otherwise provided, a provider of financial assurance may cancel or fail to renew an assurance mechanism by sending a notice of termination by certified mail to the owner or operator.

(a) Termination of a guarantee, a surety bond, or a letter of credit may not occur until one hundred twenty days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

(b) Termination of insurance or risk retention group coverage, except for nonpayment or misrepresentation by the insured, or state-funded assurance may not occur until sixty days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt. Termination for nonpayment of premium or misrepresentation by the insured may not occur until a minimum of ten days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

(2) If a provider of financial responsibility cancels or fails to renew for reasons other than incapacity of the provider as specified in WAC 173-360-446, the owner or operator shall obtain alternate coverage as specified in this section within sixty days after receipt of the notice of termination. If the owner or operator fails to obtain alternate coverage within sixty days after receipt of the notice of termination, the owner or operator shall notify the director of such failure and submit:

(a) The name and address of the provider of financial assurance;

(b) The effective date of termination; and

(c) The evidence of the financial assurance mechanism subject to the termination maintained in accordance with WAC 173-360-450(2).

NEW SECTION

WAC 173-360-446 REPORTING BY OWNER OR OPERATOR. (1) An owner or operator shall submit the appropriate forms listed in WAC 173-360-450(2) documenting current evidence of financial responsibility to the director:

(a) Within thirty days after the owner or operator identifies a release from an underground storage tank required to be reported under WAC 173-360-375 or 173-360-399;

(b) If the owner or operator fails to obtain alternate coverage as required by WAC 173-360-400 through 173-360-499, within thirty days after the owner or operator receives notice of:

(i) Commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming a provider of financial assurance as a debtor, (ii) Suspension or revocation of the authority of a provider of financial assurance to issue a financial assurance mechanism, (iii) Failure of a guarantor to meet the requirements of the financial test, (iv) Other incapacity of a provider of financial assurance; or

(c) As required by WAC 173-360-413(7) and 173-360-443(2).

(2) An owner or operator shall certify compliance with the financial responsibility requirements of WAC 173-360-400 through 173-360-499 as specified in the new tank notification form when notifying the appropriate state or local agency of the installation of a new underground storage tank under WAC 173-360-200.

(3) The director may require an owner or operator to submit evidence of financial assurance as described in WAC 173-360-450(2) or other information relevant to compliance with WAC 173-360-400 through 173-360-499 at any time.

NEW SECTION

WAC 173-360-450 RECORDKEEPING. (1) Owners or operators shall maintain evidence of all financial assurance mechanisms used to demonstrate financial responsibility under WAC 173-360-400 through 173-360-499 for an underground storage tank until released

from the requirements of WAC 173-360-400 through 173-360-499 under 173-360-456. An owner or operator shall maintain such evidence at the underground storage tank site or the owner's or operator's place of business. Records maintained off-site shall be made available upon request of the department or delegated agency.

(2) An owner or operator shall maintain the following types of evidence of financial responsibility:

(a) An owner or operator using an assurance mechanism specified in WAC 173-360-413 through 173-360-426 or 173-360-433 shall maintain a copy of the instrument worded as specified.

(b) An owner or operator using a financial test or guarantee shall maintain a copy of the chief financial officer's letter based on year-end financial statements for the most recent completed financial reporting year. Such evidence shall be on file no later than one hundred twenty days after the close of the financial reporting year.

(c) An owner or operator using a guarantee, surety bond, or letter of credit shall maintain a copy of the signed standby trust fund agreement and copies of any amendments to the agreement.

(d) An owner or operator using an insurance policy or risk retention group coverage shall maintain a copy of the signed insurance policy or risk retention group coverage policy, with the endorsement or certificate of insurance and any amendments to the agreements.

(e) An owner or operator covered by a financial assurance program shall maintain on file a copy of any evidence of coverage supplied by or required by the state under WAC 173-360-430.

(f) An owner or operator using an assurance mechanism specified in WAC 173-360-413 through 173-360-433 shall maintain an updated copy of a certification of financial responsibility worded as set forth in WAC 173-360-496, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

The owner or operator shall update this certification whenever the financial assurance mechanism(s) used to demonstrate financial responsibility change(s).

NEW SECTION

WAC 173-360-453 DRAWING ON FINANCIAL ASSURANCE MECHANISMS. (1) The director shall require the guarantor, surety, or institution issuing a letter of credit to place the amount of funds stipulated by the director, up to the limit of funds provided by the financial assurance mechanism, into the standby trust if:

(a)(i) The owner or operator fails to establish alternate financial assurance within sixty days after receiving notice of cancellation of the guarantee, surety bond, letter of credit, or, as applicable, other financial assurance mechanism; and

(ii) The director determines or suspects that a release from an underground storage tank covered by the mechanism has occurred and so notifies the owner or operator or the owner or operator has notified the director pursuant to WAC 173-360-360 through 173-360-375 or 173-360-399 of a release from an underground storage tank covered by the mechanism; or

(b) The conditions of subsection (2)(a), (b)(i) or (ii) of this section are satisfied.

(2) The director may draw on a standby trust fund when:

(a) The director makes a final determination that a release has occurred and immediate or long-term corrective action for the release is needed, and the owner or operator, after appropriate notice and opportunity to comply, has not conducted corrective action as required under WAC 173-360-399; or

(b) The director has received either:

(i) Certification from the owner or operator and the third-party liability claimant(s) and from attorneys representing the owner or operator and the third-party liability claimant(s) that a third-party liability claim should be paid. The certification shall be worded as set forth in WAC 173-360-499, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted; or

(ii) A valid final court order establishing a judgment against the owner or operator for bodily injury or property damage caused by an accidental release from an underground storage tank covered by financial assurance under WAC 173-360-400 through 173-360-499 and the director determines that the owner or operator has not satisfied the judgment.

(3) If the director determines that the amount of corrective action costs and third-party liability claims eligible for payment under subsection (2) of this section may exceed the balance of the standby trust fund and the obligation of the provider of financial assurance, the first priority for payment shall be corrective action costs necessary to protect human health and the environment. The director shall pay third-

party liability claims in the order in which the director receives certifications under subsection (2)(b)(i) of this section and valid court orders under subsection (2)(b)(ii) of this section.

NEW SECTION

WAC 173-360-456 RELEASE FROM THE REQUIREMENTS. An owner or operator is no longer required to maintain financial responsibility under WAC 173-360-400 through 173-360-499 for an underground storage tank after the tank has been properly closed or, if corrective action is required, after corrective action has been completed and the tank has been properly closed as required by WAC 173-360-380 through 173-360-398.

NEW SECTION

WAC 173-360-460 BANKRUPTCY OR OTHER INCAPACITY OF OWNER OR OPERATOR. (1) Within ten days after commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming an owner or operator as debtor, the owner or operator shall notify the director by certified mail of such commencement and submit the appropriate forms listed in WAC 173-360-450(2) documenting current financial responsibility.

(2) Within ten days after commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming a guarantor providing financial assurance as debtor, such guarantor shall notify the owner or operator by certified mail of such commencement as required under the terms of the guarantee specified in WAC 173-360-416.

(3) An owner or operator who obtains financial assurance by a mechanism other than the financial test of self-insurance will be deemed to be without the required financial assurance in the event of a bankruptcy or incapacity of its provider of financial assurance, or a suspension or revocation of the authority of the provider of financial assurance to issue a guarantee, insurance policy, risk retention group coverage policy, surety bond, or letter of credit. The owner or operator shall obtain alternate financial assurance as specified in WAC 173-360-400 through 173-360-499 within thirty days after receiving notice of such an event. If the owner or operator does not obtain alternate coverage within thirty days after such notification, he shall notify the director.

(4) Within thirty days after receipt of notification that a state fund or other state assurance has become incapable of paying for assured corrective action or third-party compensation costs, the owner or operator shall obtain alternate financial assurance.

NEW SECTION

WAC 173-360-463 REPLENISHMENT OF GUARANTEES, LETTERS OF CREDIT, OR SURETY BONDS. (1) If at any time after a standby trust is funded upon the instruction of the director with funds drawn from a guarantee, letter of credit, or surety bond, and the amount in the standby trust is reduced below the full amount of coverage required, the owner or operator shall by the anniversary date of the financial mechanism from which the funds were drawn:

(a) Replenish the value of financial assurance to equal the full amount of coverage required, or (b) Acquire another financial assurance mechanism for the amount by which funds in the standby trust have been reduced.

(2) For purposes of this section, the full amount of coverage required is the amount of coverage to be provided by WAC 173-360-406. If a combination of mechanisms was used to provide the assurance funds which were drawn upon, replenishment shall occur by the earliest anniversary date among the mechanisms.

NEW SECTION

WAC 173-360-466 SUSPENSION OF ENFORCEMENT. Reserved.

NEW SECTION

WAC 173-360-470 APPENDIX A-LETTER FROM CHIEF FINANCIAL OFFICER.

Letter from Chief Financial Officer

I am the chief financial officer of insert: Name and address of the owner or operator, or guarantor. This letter is in support of the use of insert: "The financial test of self-insurance," and/or "guarantee" to

demonstrate financial responsibility for insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage" caused by insert: "Sudden accidental releases" and/or "nonsudden accidental releases" in the amount of at least insert: Dollar amount per occurrence and insert: Dollar amount annual aggregate arising from operating (an) underground storage tank(s).

Underground storage tanks at the following facilities are assured by this financial test by this insert: "Owner or operator," and/or "guarantor": List for each facility: The name and address of the facility where tanks assured by this financial test are located, and whether tanks are assured by this financial test. If separate mechanisms or combinations of mechanisms are being used to assure any of the tanks at this facility, list each tank assured by this financial test by the tank identification number provided in the notification submitted pursuant to WAC 173-360-200.

A insert: "Financial test," and/or "guarantee" is also used by this insert: "Owner or operator," or "guarantor" to demonstrate evidence of financial responsibility in the following amounts under other EPA regulations or state programs authorized by EPA under 40 CFR Parts 271 and 145:

Table with 2 columns: EPA Regulation, Amount. Rows include Closure (264.143 and 265.143), Post-Closure Care (264.145 and 265.145), Liability Coverage (264.147 and 265.147), Corrective Action (264.101(2)), and Plugging and Abandonment (144.63).

Table with 2 columns: Authorized state programs, Amount. Rows include Closure, Post-Closure Care, Liability Coverage, Corrective Action, Plugging and Abandonment, and TOTAL.

This insert: "Owner or operator," or "guarantor" has not received an adverse opinion, a disclaimer of opinion, or a "going concern" qualification from an independent auditor on his financial statements for the latest completed fiscal year.

Fill in the information for Alternative I if the criteria of WAC 173-360-413(2) are being used to demonstrate compliance with the financial test requirements. Fill in the information for Alternative II if the criteria of WAC 173-360-413(3) are being used to demonstrate compliance with the financial test requirements.

ALTERNATIVE I

- 1. Amount of annual UST aggregate coverage being assured by a financial test, and/or guarantee
2. Amount of corrective action, closure and post-closure care costs, liability coverage, and plugging and abandonment costs covered by a financial test, and/or guarantee
3. Sum of lines 1 and 2
4. Total tangible assets
5. Total liabilities if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6
6. Tangible net worth subtract line 5 from line 4
7. Is line 6 at least \$10 million?
8. Is line 6 at least 10 times line 3?
9. Have financial statements for the latest fiscal year been filed with the Securities and Exchange Commission?
10. Have financial statements for the latest fiscal year been filed with the Energy Information Administration?
11. Have financial statements for the latest fiscal year been filed with the Rural Electrification Administration?

12. Has financial information been provided to Dun and Bradstreet, and has Dun and Bradstreet provided a financial strength rating of 4A or 5A? Answer "Yes" only if both criteria have been met

ALTERNATIVE II

- 1. Amount of annual UST aggregate coverage being assured by a financial test, and/or guarantee
2. Amount of corrective action, closure and post-closure care costs, liability cover-age, and plugging and abandonment costs covered by a financial test, and/or guarantee
3. Sum of lines 1 and 2
4. Total tangible assets
5. Total liabilities if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6
6. Tangible net worth subtract line 5 from line 4
7. Total assets in the U.S. required only if less than 90 percent of assets are located in the U.S.
8. Is line 6 at least \$10 million?
9. Is line 6 at least 6 times line 3?
10. Are at least 90 percent of assets located in the U.S.? If "No," complete line 11
11. Is line 7 at least 6 times line 3?
Fill in either lines 12-15 or lines 16-18:
12. Current assets
13. Current liabilities
14. Net working capital subtract line 13 from line 12
15. Is line 14 at least 6 times line 3?
16. Current bond rating of most recent bond issue
17. Name of rating service
18. Date of maturity of bond
19. Have financial statements for the latest fiscal year been filed with the SEC, the Energy Information Administration, or the Rural Electrification Administration?

If "No," please attach a report from an independent certified public accountant certifying that there are no material differences between the data as reported in lines 4-18 above and the financial statements for the latest fiscal year.

For both Alternative I and Alternative II complete the certification with this statement.

I hereby certify that the wording of this letter is identical to the wording specified in WAC 173-360-413(4) as such regulations were constituted on the date shown immediately below.

Signature
Name
Title
Date

NEW SECTION

WAC 173-360-473 APPENDIX B-GUARANTEE.

GUARANTEE

Guarantee made this date by name of guaranteeing entity, a business entity organized under the laws of the state of Washington, herein referred to as guarantor, to the Washington state department of ecology and to any and all third parties, and obligees, on behalf of owner or operator of business address.

Recitals.

(a) Guarantor meets or exceeds the financial test criteria of WAC 173-360-413 (2) or (3) and (4) and agrees to comply with the requirements for guarantors as specified in WAC 173-360-416(2).

(b) Owner or operator owns or operates the following underground storage tank(s) covered by this guarantee: List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility. This guarantee satisfies WAC 173-360-400 through 173-360-466 requirements for assuring funding for insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location arising from operating the above-identified underground storage tank(s) in the amount of insert dollar amount per occurrence and insert dollar amount annual aggregate.

(c) Insert appropriate phrase: "On behalf of our subsidiary" (if guarantor is corporate parent of the owner or operator); "On behalf of our affiliate" (if guarantor is a related firm of the owner or operator); or "Incident to our business relationship with" (if guarantor is providing the guarantee as an incident to a substantial business relationship with owner or operator) owner or operator, guarantor guarantees to the Washington state department of ecology and to any and all third parties that:

In the event that owner or operator fails to provide alternate coverage within 60 days after receipt of a notice of cancellation of this guarantee and the director of the Washington state department of ecology has determined or suspects that a release has occurred at an underground storage tank covered by this guarantee, the guarantor, upon instructions from the director, shall fund a standby trust fund in accordance with the provisions of WAC 173-360-453, in an amount not to exceed the coverage limits specified above.

In the event that the director determines that owner or operator has failed to perform corrective action for releases arising out of the operation of the above-identified tank(s) in accordance with WAC 173-360-399, the guarantor, upon written instructions from the director, shall fund a standby trust in accordance with the provisions of WAC 173-360-453, in an amount not to exceed the coverage limits specified above.

If owner or operator fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by "sudden" and/or "nonsudden" accidental releases arising from the operation of the above-identified tank(s), or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor, upon written instructions from the director, shall fund a standby trust in accordance with the provisions of WAC 173-360-453 to satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage specified above.

(d) Guarantor agrees that if, at the end of any fiscal year before cancellation of this guarantee, the guarantor fails to meet the financial test criteria of WAC 173-360-413 (2) or (3) and (4), guarantor shall send within 120 days of such failure, by certified mail, notice to owner or operator. The guarantee will terminate 120 days from the date of receipt of the notice by owner or operator, as evidenced by the return receipt.

(e) Guarantor agrees to notify owner or operator by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding.

(f) Guarantor agrees to remain bound under this guarantee notwithstanding any modification or alteration of any obligation of owner or operator pursuant to Chapter 173-360 WAC.

(g) Guarantor agrees to remain bound under this guarantee for so long as owner or operator shall comply with the applicable financial responsibility requirements of WAC 173-360-400 through 173-360-466 for the above-identified tank(s), except that guarantor may cancel this guarantee by sending notice by certified mail to owner or operator, such cancellation to become effective no earlier than 120 days after receipt of such notice by owner or operator, as evidenced by the return receipt.

(h) The guarantor's obligation does not apply to any of the following:

(i) Any obligation of insert owner or operator under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(ii) Bodily injury to an employee of insert owner or operator arising from, and in the course of, employment by insert owner or operator;

(iii) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(iv) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by insert owner or operator that is not the direct result of a release from a petroleum underground storage tank;

(v) Bodily damage or property damage for which insert owner or operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

(i) Guarantor expressly waives notice of acceptance of this guarantee by the Washington state department of ecology, by any or all third parties, or by owner or operator.

I hereby certify that the wording of this guarantee is identical to the wording specified in WAC 173-360-416(3) as such regulations were constituted on the effective date shown immediately below.

Effective date:

Name of guarantor

Authorized signature for guarantor

Name of person signing

Title of person signing

Signature of witness or notary:

NEW SECTION

WAC 173-360-476 APPENDIX C—ENDORSEMENT.

ENDORSEMENT

Name: Name of each covered location

Address: Address of each covered location

Policy Number:

Period of Coverage: Current policy period

Name of insurer or risk retention group:

Address of insurer or risk retention group:

Name of insured:

Address of insured:

Endorsement:

1. This endorsement certifies that the policy to which the endorsement is attached provides liability insurance covering the following underground storage tanks:

List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.

for insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental release"; in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location arising from operating the underground storage tank(s) identified above.

The limits of liability are insert the dollar amount of the "each occurrence" and "annual aggregate" limits of the insurer's or group's liability; if the amount of coverage is different for different types of coverage or for different underground storage tanks or locations, indicate the amount of coverage for each type of coverage and/or for each underground storage tank or location, exclusive of legal defense costs, which are subject to a separate limit under the policy. This coverage is provided under policy number. The effective date of said policy is date.

2. The insurance afforded with respect to such occurrences is subject to all of the terms and conditions of the policy; provided, however, that any provisions inconsistent with subsections (a) through (e) of this Paragraph 2 are hereby amended to conform with subsections (a) through (e):

a. Bankruptcy or insolvency of the insured shall not relieve the "insurer" or "group" of its obligations under the policy to which this endorsement is attached.

b. The "insurer" or "group" is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a damaged third-party, with a right of reimbursement by the insured for any such payment made by the "insurer" or "group". This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in WAC 173-360-413 through 173-360-433.

c. Whenever requested by the director of the Washington state department of ecology, the "insurer" or "group" agrees to furnish to the director a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the "insurer" or "group", except for nonpayment of premium or misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the insured. Cancellation for nonpayment of premium or misrepresentation by the insured will be effective only upon written notice and only after expiration of a minimum of 10 days after a copy of such written notice is received by the insured.

Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the "insurer" or "group" within six months of the effective date of cancellation or nonrenewal of the policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date. Claims reported during such extended reporting period are subject to the terms, conditions, limits, including limits of liability, and exclusions of the policy.

I hereby certify that the wording of this instrument is identical to the wording in WAC 173-360-420 (2)(a) and that the "insurer" or "group" is "licensed to transact the business of insurance or eligible to provide insurance as an excess or surplus lines insurer in one or more states".

Signature of authorized representative of insurer or risk retention group

Name of person signing, title of person signing, authorized representative of name of insurer or risk retention group, address of representative

NEW SECTION

WAC 173-360-480 APPENDIX D—CERTIFICATE OF INSURANCE.

CERTIFICATE OF INSURANCE

Name: Name of each covered location

Address: Address of each covered location

Policy number:

Endorsement (if applicable):

Period of coverage: Current policy period

Name of insurer or risk retention group:

Address of insurer or risk retention group:

Name of insured:

Address of insured:

Certification:

1. Name of insurer or risk retention group, the "insurer" or "group", as identified above, hereby certifies that it has issued liability insurance covering the following underground storage tank(s):

List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.

for insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location arising from operating the underground storage tank(s) identified above.

The limits of liability are insert the dollar amount of the "each occurrence" and "annual aggregate" limits of the insurer's or group's liability; if the amount of coverage is different for different types of coverage or for different underground storage tanks or locations, indicate the amount of coverage for each type of coverage and/or for each underground storage tank or location, exclusive of legal defense costs, which are subject to a separate limit under the policy. This coverage is provided under policy number. The effective date of said policy is date.

2. The "insurer" or "group" further certifies the following with respect to the insurance described in Paragraph 1:

a. Bankruptcy or insolvency of the insured shall not relieve the "insurer" or "group" of its obligations under the policy to which this certificate applies.

b. The "insurer" or "group" is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a damaged third-party, with a right of reimbursement by the insured for any such payment made by the "insurer" or "group". This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in WAC 173-360-413 through 173-360-433.

c. Whenever requested by the director of the Washington state department of ecology, the "insurer" or "group" agrees to furnish the director a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the "insurer" or "group", except for nonpayment of premium or misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the insured. Cancellation for nonpayment of premium or misrepresentation by the insured will be effective only upon written notice and only after expiration of a minimum of 10 days after a copy of such notice is received by the insured.

Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the "insurer" or "group" within six months of the effective date of the cancellation or nonrenewal of the policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date. Claims reported during such extended reporting period are subject to the terms, conditions, limits, including limits of liability, and exclusions of the policy.

I hereby certify that the wording of this instrument is identical to the wording in WAC 173-360-420 (2)(b) and that the "insurer" or "group" is "licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more states".

Signature of authorized representative of insurer
Type name
Title, authorized representative of name of insurer or risk
Retention group
Address of representative

NEW SECTION

WAC 173-360-483 APPENDIX E—PERFORMANCE BOND.

PERFORMANCE BOND

Date bond executed:

Period of coverage:

Principal: Legal name and business address of owner or operator

Type of organization: Insert "individual," "joint venture," "partnership," or "corporation"

State of incorporation (if applicable): Surety(ies): Name(s) and business address(es)

Scope of coverage: List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility. List the coverage guaranteed by the bond: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the underground storage tank".

Penal sums of bond: Per occurrence \$
Annual aggregate \$

Surety's bond number:

Know All Persons by These Presents, that we, the principal and surety(ies), hereto are firmly bound to the Washington state department of ecology, in the above penal sums for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sums jointly and severally only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each surety binds itself, jointly and severally with the principal, for the payment of such sums only as is set forth opposite the name of such surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sums.

Whereas said principal is required under Subtitle I of the Resource Conservation and Recovery Act (RCRA), as amended, to provide financial assurance for insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location arising from operating the underground storage tanks identified above, and Whereas said principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, therefore, the conditions of the obligation are such that if the principal shall faithfully "take corrective action, in accordance with WAC 173-360-399 and the director of the Washington state department of ecology's instructions for," and/or "compensate injured third parties for bodily injury and property damage caused by" either "sudden" or "nonsudden" or "sudden and nonsudden" accidental releases arising from operating the tank(s) identified above, or if the principal shall provide alternate financial assurance, as specified in WAC 173-360-400 through 173-360-466, within 120 days after the date the notice of cancellation is received by the principal from the surety(ies), then this obligation shall be null and void; otherwise it is to remain in full force and effect.

Such obligation does not apply to any of the following:

(a) Any obligation of insert owner or operator under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of insert owner or operator arising from, and in the course of, employment by insert owner or operator;

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by insert owner or operator that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily injury or property damage for which insert owner or operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

The surety(ies) shall become liable on this bond obligation only when the principal has failed to fulfill the conditions described above.

Upon notification by the director of the Washington state department of ecology that the principal has failed to "take corrective action, in accordance with WAC 173-360-399 and the director's instructions" and/or "compensate injured third parties" as guaranteed by this bond, the surety(ies) shall either perform "corrective action in accordance with WAC 173-360-399 and the director's instructions" and/or "third-party liability compensation" or place funds in an amount up to the annual aggregate penal sum into the standby trust fund as directed by the director under WAC 173-360-453.

Upon notification by the director that the principal has failed to provide alternate financial assurance within 60 days after the date the notice of cancellation is received by the principal from the surety(ies) and that the director has determined or suspects that a release has occurred, the surety(ies) shall place funds in an amount not exceeding the annual aggregate penal sum into the standby trust fund as directed by the director under WAC 173-360-453.

The surety(ies) hereby waive(s) notification of amendments to applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the annual aggregate to the penal sum shown on the face of the bond, but in no event shall the obligation of the surety(ies) hereunder exceed the amount of said annual aggregate penal sum.

The surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the principal, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by the principal, as evidenced by the return receipt.

The principal may terminate this bond by sending written notice to the surety(ies).

In witness thereof, the principal and surety(ies) have executed this Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the principal and surety(ies) and that the wording of this surety bond is identical to the wording specified in WAC 173-360-423(2) as such regulations were constituted on the date this bond was executed.

PRINCIPAL

Signature(s)
Name(s)
Title(s)
Corporate seal

CORPORATE SURETY(IES)

Name and address
State of incorporation:
Liability limit: \$
Signature(s)
Name(s) and title(s)
Corporate seal

For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for surety above.

Bond premium: \$

NEW SECTION

WAC 173-360-486 APPENDIX F—IRREVOCABLE STANDBY LETTER OF CREDIT.

IRREVOCABLE STANDBY LETTER OF CREDIT

Name and address of issuing institution
Name and address of director of the Washington state department of ecology

Dear Sir or Madam: We hereby establish our Irrevocable Standby Letter of Credit No. in your favor, at the request and for the account of owner or operator name of address up to the aggregate amount of in words U.S. dollars (\$insert dollar amount), available upon presentation of

(1) your sight draft, bearing reference to this letter of credit, No., and

(2) your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended."

This letter of credit may be drawn on to cover insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the underground storage tank(s) identified below in the amount of in words \$insert dollar amount per occurrence and in words \$insert dollar amount annual aggregate:

List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.

The letter of credit may not be drawn on to cover any of the following:

(a) Any obligation of insert owner or operator under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of insert owner or operator arising from, and in the course of, employment by insert owner or operator;

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by insert owner or operator that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily injury or property damage for which insert owner or operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

This letter of credit is effective as of date and shall expire on date, but such expiration date shall be automatically extended for a period of at least the length of the original term on expiration date and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify owner or operator by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event that owner or operator is so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by owner or operator, as shown on the signed return receipt.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of owner or operator in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in WAC 173-360-426(2) as such regulations were constituted on the date shown immediately below.

Signature(s) and title(s) of official(s) of issuing institution
Date

This credit is subject to insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce," or "the Uniform Commercial Code".

NEW SECTION

WAC 173-360-490 APPENDIX G—TRUST AGREEMENT.

TRUST AGREEMENT

Trust agreement, the "agreement," entered into as of date by and between name of the owner or operator, a Washington state insert "corporation," "partnership," "association," or "proprietorship," the "grantor," and name of corporate trustee, insert "Incorporated in the state of Washington" or "a national bank," the "trustee."

Whereas, the department of ecology, "ecology", an agency of the state of Washington, has established certain regulations applicable to the grantor, requiring that an owner or operator of an underground storage tank shall provide assurance that funds will be available when needed for corrective action and third-party compensation for bodily injury and property damage caused by sudden and nonsudden accidental releases arising from the operation of the underground storage tank. The attached Schedule A lists the number of tanks at each facility and the name(s) and addresses of the facility(ies) where the tanks are located that are covered by the standby trust agreement.

Whereas, the grantor has elected to establish insert either "a guarantee," "surety bond," or "letter of credit" to provide all or part of such financial assurance for the underground storage tanks identified herein and is required to establish a standby trust fund able to accept payments from the instrument (This paragraph is only applicable to the standby trust agreement.)

Whereas, the grantor, acting through its duly authorized officers, has selected the trustee to be the trustee under this agreement, and the trustee is willing to act as trustee;

Now, therefore, the grantor and the trustee agree as follows:

Section 1. Definitions. As used in this agreement:

(1) The term "grantor" means the owner or operator who enters into this agreement and any successors or assigns of the grantor.

(2) The term "trustee" means the trustee who enters into this agreement and any successor trustee.

Section 2. Identification of the Financial Assurance Mechanism. This agreement pertains to the identify the financial assurance mechanism, either a guarantee, surety bond, or letter of credit, from which the standby trust fund is established to receive payments (This paragraph is only applicable to the standby trust agreement.)

Section 3. Establishment of fund. The grantor and the trustee hereby establish a trust fund, the "fund," for the benefit of the Washington

state department of ecology. The grantor and the trustee intend that no third party have access to the fund except as herein provided. The fund is established initially as a standby to receive payments and shall not consist of any property. Payments made by the provider of financial assurance pursuant to the director of the department of ecology's instruction are transferred to the trustee and are referred to as the fund, together with all earnings and profits thereon, less any payments or distributions made by the trustee pursuant to this agreement. The fund shall be held by the trustee, IN TRUST, as hereinafter provided. The trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the grantor as provider of financial assurance, any payments necessary to discharge any liability of the grantor established by the department of ecology.

Section 4. Payment for "corrective action" and/or "third-party liability claims". The trustee shall make payments from the fund as the director of the department of ecology shall direct, in writing, to provide for the payment of the costs of insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" arising from operating the tanks covered by the financial assurance mechanism identified in this agreement.

The fund may not be drawn upon to cover any of the following:

- (a) Any obligation of insert owner or operator under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;
- (b) Bodily injury to an employee of insert owner or operator arising from, and in the course of, employment by insert owner or operator;
- (c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;
- (d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by insert owner or operator that is not the direct result of a release from a petroleum underground storage tank;
- (e) Bodily injury or property damage for which insert owner or operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

The trustee shall reimburse the grantor, or other persons as specified by the director from the fund for corrective action expenditures and/or third-party liability claims in such amounts as the director shall direct in writing. In addition, the trustee shall refund to the grantor such amounts as the director specifies in writing. Upon refund, such funds shall no longer constitute part of the fund as defined herein.

Section 5. Payments comprising the fund. Payments made to the trustee for the fund shall consist of cash and securities acceptable to the trustee.

Section 6. Trustee management. The trustee shall invest and reinvest the principal and income of the fund and keep the fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the grantor may communicate in writing to the trustee from time to time, subject, however, to the provisions of this section. In investing, reinvesting, exchanging, selling, and managing the fund, the trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiaries and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

- (a) Securities or other obligations of the grantor, or any other owner or operator of the tanks, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-2(1), shall not be acquired or held, unless they are securities or other obligations of the federal or a state government;
- (b) The trustee is authorized to invest the fund in time or demand deposits of the trustee, to the extent insured by an agency of the federal or state government; and
- (c) The trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and investment. The trustee is expressly authorized in its discretion:

- (a) To transfer from time to time any or all of the assets of the fund to any common, commingled, or collective trust fund created by the

trustee in which the fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq., including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the trustee. The trustee may vote such shares in its discretion.

Section 8. Express powers of trustee. Without in any way limiting the powers and discretions conferred upon the trustee by the other provisions of this agreement or by law, the trustee is expressly authorized and empowered:

- (a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;
- (b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the trustee shall at all times show that all such securities are part of the fund;

(d) To deposit any cash in the fund in interest-bearing accounts maintained or savings certificates issued by the trustee, in its separate corporate capacity, or in any other banking institution affiliated with the trustee, to the extent insured by an agency of the federal or state government; and

(e) To compromise or otherwise adjust all claims in favor of or against the fund.

Section 9. Taxes and expenses. All taxes of any kind that may be assessed or levied against or in respect of the fund and all brokerage commissions incurred by the fund shall be paid from the fund. All other expenses incurred by the trustee in connection with the administration of this trust, including fees for legal services rendered to the trustee, the compensation of the trustee to the extent not paid directly by the grantor, and all other proper charges and disbursements of the trustee shall be paid from the fund.

Section 10. Advice of counsel. The trustee may from time to time consult with counsel, who may be counsel to the grantor, with respect to any questions arising as to the construction of this agreement or any action to be taken hereunder. The trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 11. Trustee compensation. The trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the grantor.

Section 12. Successor trustee. The trustee may resign or the grantor may replace the trustee, but such resignation or replacement shall not be effective until the grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the trustee hereunder. Upon the successor trustee's acceptance of the appointment, the trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the fund. If for any reason the grantor cannot or does not act in the event of the resignation of the trustee, the trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in writing sent to the grantor and the present trustee by certified mail 10 days before such change becomes effective. Any expenses incurred by the trustee as a result of any of the acts contemplated by this section shall be paid as provided in section 9.

Section 13. Instructions to the trustee. All orders, requests, and instructions by the grantor to the trustee shall be in writing, signed by such persons as are designated in the attached Schedule B or such

other designees as the grantor may designate by amendment to Schedule B. The trustee shall be fully protected in acting without inquiry in accordance with the grantor's orders, requests, and instructions. All orders, requests, and instructions by the director of the Washington state department of ecology to the trustee shall be in writing, signed by the director, and the trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the grantor or the director, hereunder has occurred. The trustee shall have no duty to act in the absence of such orders, requests, and instructions from the grantor and/or the director, except as provided for herein.

Section 14. Amendment of agreement. This agreement may be amended by an instrument in writing executed by the grantor and the trustee, or by the trustee and the director of the department of ecology, if the grantor ceases to exist.

Section 15. Irrevocability and termination. Subject to the right of the parties to amend this agreement as provided in Section 14, this trust shall be irrevocable and shall continue until terminated at the written direction of the grantor and the trustee, or by the trustee and the director of the department of ecology, if the grantor ceases to exist. Upon termination of the trust, all remaining trust property, less final trust administration expenses, shall be delivered to the grantor.

Section 16. Immunity and indemnification. The trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this trust, or in carrying out any directions by the grantor or the director of the department of ecology, issued in accordance with this agreement. The trustee shall be indemnified and saved harmless by the grantor, from and against any personal liability to which the trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the grantor fails to provide such defense.

Section 17. Choice of law. This agreement shall be administered, construed, and enforced according to the laws of the state of Washington, or the Comptroller of the Currency in the case of National Association banks.

Section 18. Interpretation. As used in this agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each section of this agreement shall not affect the interpretation or the legal efficacy of this agreement.

In witness whereof the parties have caused this agreement to be executed by their respective officers duly authorized and their corporate seals (if applicable) to be hereunto affixed and attested as of the date first above written. The parties below certify that the wording of this agreement is identical to the wording specified in WAC 173-360-436 (2)(a) as such regulations were constituted on the date written above.

Signature of grantor
Name of the grantor
Title

Attest:
Signature of trustee
Name of the trustee
Title
Seal

Attest:
Signature of witness
Name of witness
Title
Seal

NEW SECTION

WAC 173-360-493 APPENDIX H—CERTIFICATION OF ACKNOWLEDGMENT.

State of Washington
County of

On this date, before me personally came owner or operator to me known, who, being by me duly sworn, did depose and say that she/he resides at address, that she/he is title of corporation, the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that she/he signed her/his name thereto by like order.

Signature of notary public

Name of notary public

NEW SECTION

WAC 173-360-496 APPENDIX I—CERTIFICATION OF FINANCIAL RESPONSIBILITY.

CERTIFICATION OF FINANCIAL RESPONSIBILITY

Owner or operator hereby certifies that it is in compliance with the requirements of WAC 173-360-400 through 173-360-466.

The financial assurance mechanisms used to demonstrate financial responsibility under WAC 173-360-400 through 173-360-466 are as follows:

For each mechanism, list the type of mechanism, name of issuer, mechanism number (if applicable), amount of coverage, effective period of coverage and whether the mechanism covers "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases. "WPWPCCO signature of owner or operator

Name of owner or operator
Title
Date
Signature of witness or notary
Name of witness or notary
Date

NEW SECTION

WAC 173-360-499 APPENDIX J—CERTIFICATION OF VALID CLAIM.

CERTIFICATION OF VALID CLAIM

The undersigned, as principals and as legal representatives of insert owner or operator and insert name and address of third-party claimant, hereby certify that the claim of bodily injury and/or property damage caused by an accidental release arising from operating owner's or operator's underground storage tank should be paid in the amount of \$.

Signatures	Signature(s)
Owner or Operator	Claimant(s)
Attorney for	Attorney(s) for
Owner or Operator	Claimant(s)
(Notary) Date	(Notary) Date

PART V – LOCAL PROGRAMS

NEW SECTION

WAC 173-360-500 LOCAL DELEGATION OF UNDERGROUND STORAGE TANK PROGRAMS. (1) The department encourages the delegation of underground storage tank program responsibilities to a qualified city, town, or county.

(2) A city, town, or county may apply to the department for delegation of program responsibilities included in part or all of WAC 173-360-100 through 173-360-399 for implementation within its jurisdictional boundaries. The delegated program shall be consistent with and no less stringent than the state program.

(3) A fire protection district or political subdivision may enter into an agreement under chapter 39.34 RCW with a city, town, or county to assume all or a portion of delegated program responsibilities. Department approval shall be obtained prior to the effective date of such agreement, and such agreement shall be part of the city, county, or town's agreement or contract with the department.

(4) A city, town, or county seeking delegation of underground storage tank program activities shall submit a written application to the department, describing the portions of the state program for which delegation is sought. The application shall contain the following:

(a) A description of the scope, structure, and procedures of the proposed program; and

(b) A description, including an organization chart, of the local agency which will operate the program, including:

(i) The number of employees, occupation and general duties of each employee who will carry out the activities of the program;

(ii) An estimate of the cost of establishing and administering the program, including the cost of personnel listed in (a) of this subsection, as well as administrative and technical support.

(5) Within thirty days after receiving the application, the department will review the application for completeness and request any additional information needed in order for the application to be complete.

(6) The department will begin negotiating with the applicant within thirty days of receiving a complete application, in order to establish the following:

(a) The source and amount of funding available to meet the costs listed in subsection (4)(b)(ii) of this section, including any restrictions or limitation upon this funding;

(b) The applicable procedures, including any required permit procedures;

(c) Permit forms, application forms, and reporting forms that will be used in the program;

(d) The methods to be used to assure compliance and enforcement of the program; and

(e) The procedures to be used to coordinate information with the department, including the frequency of reporting and report content.

(7) After finalizing the items listed in subsection (6) of this section, the department will prepare and mail a written agreement or contract to the applicant, which outlines the terms and conditions under which the department will delegate the state underground storage tank program, or portions of the state program, to the applicant. The applicant must sign and return the agreement or contract to the department in order for the agreement or contract to become effective.

(8) In delegating program components to local governments, the department shall provide for an appropriate distribution of resources collected under RCW 90.76.090, while still enabling the department to operate a state program.

NEW SECTION

WAC 173-360-510 ENVIRONMENTALLY SENSITIVE AREAS. (1) An environmentally sensitive area is an area, proposed by a city, town or county, and designated by the department, which possesses physical characteristics that make it especially vulnerable to threats from leaking underground storage tanks, and in which local underground storage tank requirements more stringent than state-wide requirements are necessary.

(2) Any city, town, or county may apply to the department to have an area within its jurisdictional boundaries designated an environmentally sensitive area. A city, town, or county may submit a joint application with any other city, town, or county for joint administration under chapter 39.34 RCW of a single environmentally sensitive area located in both jurisdictions.

(3) An area that has been designated a sensitive area for the purposes of protecting ground water or surface water under another statute or regulation will, upon request for designation by the local government, be approved as an environmentally sensitive area for the purposes of WAC 173-360-510. Those areas may include, but are not limited to:

(a) An aquifer identified as the primary source of supply for public water supply systems;

(b) An aquifer underlying a critical water supply service area where the coordinated water system plan established pursuant to chapter 70.116 RCW has identified a need for a ground water management program;

(c) An aquifer designated as a sole source aquifer by the Federal Environmental Protection Agency;

(d) An area designated a certified ground water management area identified under chapter 173-100 WAC; and

(e) An area designated an aquifer protection area, under chapter 36.36 RCW.

(4) The agency requesting designation shall comply with WAC 173-360-530.

NEW SECTION

WAC 173-360-520 PHYSICAL CRITERIA FOR ENVIRONMENTALLY SENSITIVE AREAS. Except as provided for in WAC 173-360-510(3), environmentally sensitive areas shall be designated based on the criteria established by the department. One or more of the criteria shall be present and the department will evaluate the application for designation based on the overall sensitivity of the environment and consistency with WAC 173-360-510(1). Those criteria include, but are not limited to:

(1) Ground water that is vulnerable to pollution because of specific hydrogeological characteristics, including but not limited to, recharge

areas, permeability, precipitation, direction and quantity of ground water flow, and presence of aquitards;

(2) Proximity to wetlands;

(3) Being located within a 100-year flood plain; or

(4) Proximity to other surface waters that can be shown to have a hydrogeologic link to such ground water as is described in subsection (1) of this section, underlying an area where underground storage tank systems are installed or may be installed, if a leak from such a system has a reasonable chance of reaching ground water.

NEW SECTION

WAC 173-360-530 APPLICATION FOR DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA AND APPROVAL OF LOCAL REGULATIONS. (1) Designation of an environmentally sensitive area under this chapter is solely for the purposes of implementing chapter 90.76 RCW, and such designation under chapter 90.76 RCW does not establish an environmentally sensitive area under any other law.

(2) The application for designation of an environmentally sensitive area shall consist of a concise, factual report and shall consider the guidelines and criteria set forth in WAC 173-360-520. The local government applicant shall provide sufficient information for the department to determine if the area should be so designated. Information provided by the applicant shall include, but need not be limited to, the following:

(a) A rationale for the proposed designation;

(b) A description of any underground water resource included within the proposed environmentally sensitive area;

(c) The geographic limits of the area where more stringent underground storage tank standards would be required;

(d) Any available maps of the aquifer and recharge area, including water table;

(e) A map of the area to be designated;

(f) A description of the more stringent underground storage tank standards proposed to be required in the area, including underground storage tank technical standards, operating standards, and administrative procedures. When proposing more stringent standards, the local jurisdiction should consider:

(i) Actions already undertaken by owners or operators to upgrade existing underground storage tank systems to federal or state standards, and the economic impacts of requiring already upgraded systems to meet more stringent standards; and

(ii) The possible impacts of contaminated ground water on human health and the environment and whether underground storage tank systems which have already been upgraded under the requirements of the state or federal rules will effectively prevent leaks which may contaminate ground water.

(g) A description of any other measures in place or considered to protect ground water and/or surface water from environmental threats;

(h) Any written comments submitted by members of the public to the local government regarding the proposed designation of an environmentally sensitive area; and

(i) Documentation of coordination with affected state and local agencies and water user groups.

(3) Additional information may be required by the department if necessary to adequately evaluate the proposal. This information may include, but is not limited to, the following:

(a) The geographic limits of the ground water recharge zone;

(b) The geographic limits of the underground water resource;

(c) The geology within both the recharge zone and the underground water resource;

(d) Location, yield, well depth and present use of wells within the limits of the threatened underground water resource;

(e) Estimated capacity of the underground water resource;

(f) Location, type and number of underground storage tanks existing in the proposed area;

(g) Such other information the department deems necessary.

(4) Prior to submitting the request for designation and approval of more stringent standards to the department, the local government applicant shall hold at least one public hearing for the purpose of receiving comments from the public, affected local, state, and tribal agencies and ground water user groups, regarding the designation proposal. The local government shall provide adequate notice to affected parties.

The local government applicant shall submit the application for designation and approval of more stringent standards to the department

and other affected agencies and ground water user groups for their review and comment. Comments shall be submitted to the department.

(5) Within thirty days after receiving the application, the department will review the application for completeness and request any additional information needed in order for the application to be complete.

(a) Prior to approval of the application, the department may, at its discretion, hold a public hearing in the jurisdiction where the environmentally sensitive area is proposed.

(b) The department shall approve or disapprove the application for designation as an environmentally sensitive area based upon review of the application, comments received, whether the proposed area meets the guidelines and criteria of WAC 173-360-520 and 173-360-530, and whether the proposed local ordinance or resolution is reasonably consistent with previously approved local regulations for similar environmentally sensitive areas.

(6) If application for the designation of an environmentally sensitive area is made later than five years after the date of final adoption of these rules, proposed local ordinances and resolutions shall only apply to new underground storage tank installations.

Ordinances and resolutions described under subsection (1) of this section and disapproved by the department may be modified by the local government and resubmitted to the department for approval.

(7) Proposed local ordinances and resolutions shall become effective when approved by the department.

(8) A local jurisdiction with an approved ordinance or resolution under this chapter may establish local tank fees, in an amount not to exceed fifty percent of the annual state tank fee, if the fee is necessary for enhanced program administration or enforcement. Pursuant to RCW 90.76.090, the fee shall be collected and deposited into the state underground storage tank account.

PART VI REGISTRATION AND LICENSING REQUIREMENTS FOR UNDERGROUND STORAGE TANK SERVICE PROVIDERS AND SERVICE SUPERVISORS

NEW SECTION

WAC 173-360-600 PURPOSE. The purpose of this part is to regulate firms and persons that service and inspect underground storage tank systems in order to assure that underground storage tank systems are being serviced in a manner which will protect human health and the environment.

NEW SECTION

WAC 173-360-610 SCOPE. This part establishes requirements for:

(1) Registration and licensing of firms that perform services on underground storage tanks;

(2) Examination, qualification, and licensing of persons who supervise the performance of tank service;

(3) Examination and licensing of persons conducting underground storage tank system inspections for determination of compliance with the state underground storage tank regulations; and

(4) Administration and enforcement of these rules by the department.

This chapter applies to the installation, retrofitting, decommissioning, testing, site assessment, and inspection for compliance with state regulations, by any person, of underground storage tanks regulated by chapter 90.76 RCW.

A site assessment or site check shall only be performed by a qualified hydrogeologist, geologist, licensed professional engineer, professional soil scientist, certified ground water professional or other qualified professional, as determined by the department. A person performing site assessments and site checks must register with the department as per the requirements of WAC 173-360-630 (1) and (2), except that no license will be required for this activity.

NEW SECTION

WAC 173-360-620 TANKS NOT SUBJECT TO THESE REGULATIONS. Tanks not subject to the requirements of this licensing program are those tanks which are exempt or deferred, as provided in WAC 173-360-110 (1) and (2).

NEW SECTION

WAC 173-360-630 REGISTRATION AND LICENSING OF TANK SERVICE PROVIDERS. (1) After August 1, 1990, only firms that have registered with the department shall perform tank services in the state of Washington.

(2) Registration and application for a license shall be accomplished by:

(a) Completing a registration application provided by the department, including submission of the following information to the department:

(i) The name, address, and telephone number of the firm;

(ii) The nature of the tank services to be offered;

(iii) A summary of the recent project history of the firm (the two-year period immediately preceding the application) including the number of projects completed by the firm in each tank services category and identification of any other industry or government licenses held by the firm related to specific tank services;

(iv) Identifying the names of employees or principals responsible for on-site project supervision; and

(b) Including a signed statement that certifies that:

"I (name), am the chief executive officer of (company) and do hereby certify that I will comply with the applicable laws, and rules, and procedures pertaining to the regulation of underground storage tanks in the state of Washington and will direct the employees and principals of this company to perform the tank services rendered by this company in a manner that is consistent with these requirements."

(3) After January 1, 1991, only tank services providers who have obtained a license from the department may install, retrofit, test, decommission, or inspect for the purpose of determining compliance with state regulations, an underground storage tank system in the state of Washington.

(4) After January 1, 1991, an application for a tank services provider license must be submitted to the department and must include:

(a) The information required by subsection (2)(a) and (b) of this section;

(b) A list of employees licensed by the department to supervise tank services, and identification of the specific tank services for which they are licensed; the date the employee received a license from the department; and the license number of the employee.

(5) The department will review the license application for completeness. If the application is incomplete, the department shall notify the applicant of the deficiencies. The department shall deny, in writing, a license to an applicant who has not satisfied the license application requirements. The department shall issue a license to the applicant after approving the application.

(6) The department shall issue licenses for a period not to exceed two years.

(7) Renewals:

(a) License renewals must be applied for in the same manner as is required for an initial license, pursuant to subsection (4) of this section.

(b) The complete license renewal application shall be submitted to the department no later than thirty days prior to the expiration date of the current license.

(8) The department may suspend or revoke a license if the tank services provider:

(a) Fraudulently obtains or attempts to obtain a license;

(b) Fails at any time to satisfy the requirements for a license or comply with any rules or procedures adopted by the department;

(c) Fails to meet any applicable state or federal standard relating to the service performed under the license; or

(d) Fails to employ and designate a licensed supervisor for each underground storage tank project which is directly overseen by the tank services provider.

(9) A tank services provider who has a license suspended or revoked may reapply for a license after demonstrating to the department that the cause of the revocation has been resolved.

(10) In the event a tank services provider no longer employs a supervisor licensed to perform a particular tank service, the tank services provider must stop providing this service on any regulated underground storage tank system. Work involving this service shall not start until a supervisor licensed for the particular service is again employed by the provider and written notice of the hiring of a licensed supervisor is received by the department.

(11) Any tank services provider licensed by the department under the provisions of this chapter shall:

(a) Comply with WAC 173-360-600 through 173-360-680;

(b) Maintain a current address on file with the department; and
 (c) Comply with all federal and state regulations and procedures when performing tank services.

(12)(a) A tank service provider or person qualified to conduct a site assessment must complete a checklist for each regulated activity performed. The service provider shall submit the checklist to the department within thirty days following the completion of an underground storage tank installation, retrofit, decommissioning, repair, site check or site assessment, using a form provided by the department.

(b) The checklist must be signed by the owner or operator, an executive officer of the firm and, after January 1, 1991, by the licensed tank services supervisor.

(c) In addition, the firm must submit an as-built site plan, showing the location of completed tank system installations or retrofitted tank system, including adjacent structures, if present.

(13) A licensed tank services provider, or person qualified to conduct a site assessment or site check shall report to the department and the tank owner or operator the existence of any confirmed release from an underground tank system that poses a threat to human health and the environment. This report shall be provided to the tank owner or operator immediately, and to the department within seventy-two hours of the discovery of the condition. If the owner or operator are not immediately available, the report should be made immediately to the department.

NEW SECTION

WAC 173-360-640 TYPES OF LICENSES. (1) The department will issue the following five separate licenses:

- (a) Tank services provider;
- (b) Supervision of tank installation and retrofitting;
- (c) Supervision of tank decommissioning;
- (d) Supervision of tightness testing; and
- (e) Supervision of cathodic protection installation and testing.

(2) A tank services supervisor must pass an examination and obtain a license for each activity that person intends to supervise. A firm which obtains a tank services provider license may provide all authorized tank services.

(3) A license will be issued to firms and individuals who meet the qualification requirements of WAC 173-360-630 (2)(a) and (b) or 173-360-650(4), whichever is applicable.

NEW SECTION

WAC 173-360-650 EXAMINATION AND LICENSING OF TANK SERVICES SUPERVISORS. (1) After January 1, 1991, a licensed tank services supervisor shall be present on site at all times tank service activities are being carried out at a tank installation, retrofit, testing, or decommissioning project when project tasks are being performed, including, but not limited to:

- (a) Preparing the excavation immediately prior to receiving backfill and placement of the tank into the excavation;
- (b) Any movement of the tank vessel, including but not limited to transferring the vessel from the vehicle used to transport it to the project site;
- (c) Setting the tank and its associated piping into the excavation, including placing any anchoring devices and strapping, if any, and backfilling to the level of the tank;
- (d) Placing and connecting the piping system to the tank vessel;
- (e) Installing cathodic protection systems;
- (f) All pressure testing of the underground storage tank system, including associated piping, performed during the installation or retrofitting;
- (g) Completing the backfill and filling of the installation;
- (h) Evaluating preparation for and installing any tank lining system;
- (i) Tank purging or inerting;
- (j) Removing and disposing of the tank and tank contents from the cleaning and removal process;
- (k) Removing flammable vapors from tanks;
- (l) Excavating around tanks for removal;
- (m) Field installation and operational testing of cathodic protection systems;
- (n) Inspecting of existing tank and piping systems for corrosion;
- (o) Tank or line tightness testing;
- (p) Inspection of existing tanks for structural integrity; and
- (q) Inspection of existing tank and piping systems for the purpose of determining compliance with the Washington state underground storage tank regulations; and

(r) Installation of release detection equipment.

(2) If a licensed supervisor, or person qualified to conduct a site assessment or site check, obtains knowledge, in the course of performing regulated activities, that a regulated tank has not been registered with the department, or is otherwise out of compliance with the requirements of this chapter, the supervisor shall inform the tank owner or operator of the notification requirement and any other applicable requirements.

(3) After January 1, 1991, only persons licensed by the department under this section may perform the duties of a tank services supervisor.

(4) To obtain a license from the department as a tank services supervisor, a person shall take and pass a qualifying examination approved by the department.

(5) At least once prior to January 1, 1991, and twice every year thereafter, the department shall offer a qualifying examination for any person who wishes to become licensed to install, remove, test, or retrofit underground storage tank systems. Not less than thirty days prior to offering an examination, the department shall prepare and make available to interested persons, a study guide which may include sample examination questions. The department shall develop and administer the qualifying examinations in a manner consistent with the objectives of this section.

(6) An application for a supervisor examination and license shall be submitted to the department on a form provided at least forty-five days prior to the date of the qualifying examination.

(7) A tank services supervisor license is valid for a period not to exceed two years after the date of issue. Upon issuance of a supervisor's license, the department shall issue an identification card showing the license number and license expiration date to the successful applicant.

The supervisor's license identification card shall be available for inspection at any project site supervised by the licensee.

(8) Renewals - License renewals shall be applied for in the same manner as the original license, including taking a qualifying examination.

(9) The department may suspend or revoke a supervisor's license for failure to comply with any state or federal law, regulation, or procedure pertaining to underground storage tanks.

(10) If a supervisor's license is revoked, that person may not apply for another supervisor license prior to ninety days after the revocation date.

(11) The requirements of this section are in addition to and not in lieu of any other licensing and registration requirement imposed by other laws or regulations.

NEW SECTION

WAC 173-360-655 EXAMINATION AND LICENSING OF PERSONS WHO PERFORM INSPECTIONS. After January 1, 1991, only persons who have the appropriate supervisor license shall conduct underground storage tank system inspections for the purpose of determining compliance with the Washington state underground storage tank regulations. Persons wishing to obtain such a license shall comply with the requirements of WAC 173-360-650.

NEW SECTION

WAC 173-360-660 STUDY GUIDE FEES. The department shall make examination study guides available to the public for a fee of ten dollars for each set of study guides.

NEW SECTION

WAC 173-360-670 PENALTIES. Any person or firm who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation, pursuant to RCW 90.76.080(2).

NEW SECTION

WAC 173-360-680 RECIPROCITY WITH OTHER STATES. If the director or director's designee determines that a licensing program established by another state is essentially equivalent to the licensing program created by this chapter, and a person with a valid license from such a state applies to the department on a Washington state form, the department may issue a Washington license. This license shall be valid until the earlier of the expiration date of the license issued by the previous state, or the expiration of the licensing period described in WAC 173-360-630 and 173-360-650, whichever comes first. The license shall become immediately invalid if revoked by

the previous state, and may be revoked by the department as per WAC 173-360-650(9).

WSR 90-15-061
PERMANENT RULES
DEPARTMENT OF
NATURAL RESOURCES

[Order 570—Filed July 18, 1990, 9:23 a.m.]

Date of Adoption: July 18, 1990.

Purpose: Removing the forest land on Vashon and Maury Islands from the Department of Natural Resources' forest protection zone and allowing King County Fire Protection District 13 to provide fire protection to forest lands on the islands.

Statutory Authority for Adoption: RCW 76.04.165.

Pursuant to notice filed as WSR 90-12-015 on May 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 18, 1990
 Brian J. Boyle
 Commissioner of
 Public Lands

NEW SECTION

WAC 332-24-700 FOREST PROTECTION ZONE-VASHON AND MAURY ISLANDS. (1) It is determined that all forest land situated on Vashon and Maury Island are best protected by King County Fire Protection District 13. Therefore, the forest land on Vashon and Maury Island is removed from the department's forest protection zone and becomes the protection responsibility of the district.

(2) Forest land on Vashon and Maury Island will not be assessed under RCW 76.04.610 or 76.04.630.

WSR 90-15-062
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Order 2050—Filed July 18, 1990, 9:58 a.m.]

Date of Adoption: July 18, 1990.

Purpose: To protect Washington wetlands from further Lythrum (Purple loosestrife) infestation.

Citation of Existing Rules Affected by this Order: Amending chapter 16-752 WAC.

Statutory Authority for Adoption: Chapters 17.10 and 17.24 RCW.

Pursuant to notice filed as WSR 90-11-089 on May 18, 1990.

Effective Date of Rule: Thirty-one days after filing.

July 18, 1990
 Michael V. Schwisow
 Deputy Director
 for C. Alan Pettibone
 Director

LYTHRUM QUARANTINE

NEW SECTION

WAC 16-752-400 ESTABLISHING QUARANTINE. The Lythrum species (Purple loosestrife) is an aggressive, semi-aquatic, herbaceous perennial weed that has infested wetlands in the state of Washington causing serious harm to native plants and destroying habitat for birds and small mammals. Some varieties of loosestrife are cultivated and sold as nursery stock in the horticultural industry. The director of agriculture, pursuant to the powers provided in chapter 17.24 RCW and RCW 17.10.074 (1)(c), and chapter 15.13 RCW, has determined that the regulation and exclusion of this plant, plant parts, and seeds is necessary to preserve Washington wetlands from further infestation.

NEW SECTION

WAC 16-752-405 LYTHRUM QUARANTINE—REGULATED ARTICLES. The following are regulated articles:

(1) All plants and plant parts of the Lythrum species, Lythrum salicaria and Lythrum virgatum, and any hybrid cross thereof. This includes, but is not limited to, purple loosestrife and plants with horticultural names: The beacon, fire candle, brightness, lady sackville, Mr. Robert, Robert's, happy, roseum superbum, purple spire, rose queen, the rocket, morden pink, morden gleam, morden rose, dropmore purple, and tomentosum.

(2) All seeds of plants of the Lythrum species Lythrum salicaria and Lythrum virgatum.

NEW SECTION

WAC 16-752-410 LYTHRUM QUARANTINE—PROHIBITED ACTS. It is prohibited to transport, buy, sell, offer for sale, or to distribute plants or seeds of the species Lythrum salicaria or Lythrum virgatum into or within the state of Washington. It is further prohibited to transplant wild plants and/or plant parts of these species in the state of Washington.

This prohibition shall not apply to plants or seeds collected for herbariums, research in control methods, creation of pressed specimens for educational or identification purposes and other scientific activities: PROVIDED, That all activities requiring live plants and/or viable seed, except pressed specimens, are conducted under a permit from the director and are conducted so as to ensure that no infestation is created.

NEW SECTION

WAC 16-752-415 DISPOSITION OF REGULATED ARTICLES. Any plants, plant parts or seeds transported, bought, sold, offered for sale, or planted in violation of this order shall be subject to destruction or shipment back out-of-state if the director determines that such shipment does not present a danger of infestation.

NEW SECTION

WAC 16-752-420 PENALTIES. Any person who violates the terms of this quarantine shall be guilty of a misdemeanor and for each subsequent violation, shall be

guilty of a gross misdemeanor. The director may also impose a civil penalty in an amount not more than one thousand dollars for each violation. Every person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated this chapter and may be subject to the civil penalty.

WSR 90-15-063
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 90-57—Filed July 18, 1990, 1:44 p.m.]

Date of Adoption: July 5, 1990.

Purpose: Commercial fishing regulations.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A limited amount of harvest is available to conduct a stock composition study in this limited time/area fishery.

Effective Date of Rule: Immediately.

July 5, 1990
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-24-50000A LIMITED PARTICIPATION OCEAN SALMON TROLL (1) *When the Director determines that full-fleet fishing effort has an unacceptable risk of exceeding the available harvest, or that full-fleet effort is inappropriate for scientific control, the Director may authorize a limited participation fishery. Such a fishery may be authorized for experimental fisheries, fisheries necessary to provide biological or fisheries management data or in cases where full-fleet participation with time or space restrictions cannot achieve the harvest goal.*

(2) *Only currently licensed commercial troll salmon fishers may participate in a limited-participation fishery. Fishers who wish to be considered for participation must respond to the agency in writing or by using the proper form supplied from the agency in their letter of notification to ocean salmon troll license holders of the intent to hold a limited-participation fishery. Notification of interest to participate must be received by July 2 as provided on the letter of notice to hold such a fishery. Interested fishers must provide a message phone number at which they may be contacted plus other information as required on the form.*

(3) *Each year the department will, from the list of interested fishers, use random selection to create a priority list for salmon troll fishers. Priority registers will be*

available for inspection at the department's Olympia office, or upon written request to the department. Once the priority lists have been created, sale or transfer of the license shall invalidate the receiver from participation in that year's limited-participation fishery.

(4) *The number of units of gear selected to participate in a limited-participation fishery will reflect conservation concerns and/or biological data collection needs.*

(5) *When a limited-participation fishery is authorized, the department will contact fishers from the priority register at least 72 hours prior to the opening of the fishery. When a fisher cannot be contacted after reasonable effort, the department will select the next name, until the maximum number of allowable units of gear is reached. If not reached, the fisher may not participate in that limited-participation fishery. A new priority list will be drawn for each new or annual limited-participation fishery.*

WSR 90-15-064
PROPOSED RULES
GAMBLING COMMISSION
[Filed July 18, 1990, 2:06 p.m.]

Original Notice.

Title of Rule: WAC 230-12-900 Deputy director; 230-30-050 Punchboard and pull tab operation; 230-30-102 Pull tab series assembly and packaging; 230-30-104 Possession or sale of pull tab series in which winners or location of winners may be determined in advance—Prohibited; and 230-60-065 Records index.

Purpose: To protect the public by ensuring randomization of the winners within a series of tabs. To implement the new Administrative Procedure Act.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Chapter 34.05 RCW.

Summary: To clarify the assembly, packaging and operation of pull tab series. Amend the deputy director and the records index to comply with the new APA.

Reasons Supporting Proposal: Rules are necessary to carry out the regulatory function of the agency.

Name of Agency Personnel Responsible for Drafting: Frank L. Miller, Deputy Director, 4511 Woodview Drive S.E., 438-7640; Implementation and Enforcement: Ronald O. Bailey, Director, 4511 Woodview Drive S.E., 438-7640.

Name of Proponent: Staff, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 230-12-900 and 230-60-065, to implement the new Administrative Procedure Act; and WAC 230-30-050, 230-30-102 and 230-30-104, housekeeping rules to protect the public by ensuring randomization of winners in pull tab series.

Proposal Changes the Following Existing Rules: Amended to protect the public and to have consistency with the new APA requirements.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The agency has considered whether these rules are subject to the Regulatory Fairness Act and has determined that they are not because there is no impact to the business as a result of this filing.

Hearing Location: LaQuinta Inn, 1425 27th Street East, Tacoma, WA 98421, on October 16, 1990, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-8121, by October 16, 1990.

Date of Intended Adoption: October 16, 1990.

July 17, 1990

Ronald Bailey

Director

AMENDATORY SECTION (Amending Order 104, filed 12/15/80)

WAC 230-12-900 DEPUTY DIRECTOR. The deputy director appointed by the director is hereby authorized to make any kind of decision or perform any kind of duty or function, which has by the commission rules been delegated to or required of the director, when authorized to do so by the director: Provided, That the deputy director shall not be empowered to:

- (1) ~~((Issue temporary licenses pursuant to WAC 230-04-255;~~
- ~~(2) Approve the transfer of licenses pursuant to WAC 230-04-340 or 230-04-350;~~
- ~~(3) Approve shortening of the time period required by WAC 230-20-380(4);~~
- ~~(4)) Summarily suspend a license pursuant to WAC ((230-50-010(1) or)) 230-50-012;~~
- ~~((5)) (2) Impose any penalty under WAC 230-50-010 ((4)) (6);~~ but the deputy director or any other designee of the director or the commission, may issue a summary of the charges or complaint against an applicant or licensee, pursuant to ~~((that subsection))~~ WAC 230-50-010 (1)(2)(3)(4); or
- ~~((6)) (3) Designate public records officers pursuant to WAC 230-60-030.~~

AMENDATORY SECTION [(Amending Order 155, filed 3/14/86)]

WAC 230-30-050 PUNCHBOARD AND PULL TAB OPERATION. (1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any narcotic, shall be allowed to play or sell any punchboard or pull tab device. It shall be the responsibility of the licensee and the responsibility of the person physically operating the punchboard or pull tab device to determine that no unauthorized person is allowed to play or sell.

(2) No operator shall permit the display or operation of any punchboard or pull tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) All pull tabs must be dispensed from a coin-operated vending machine or a clear container which affords the player an opportunity to observe the complete series. If pull tabs are not sold out of a coin-operated vending machine, the complete series must be placed in a clear container and mixed prior to being offered for sale. Failure to mix will result in a minimum five day suspension of license for each series not mixed. Bingo licensees may bundle pull tabs into stacks of \$5 or \$10, provided the bundles are thoroughly mixed prior to sale to the public. This section of the rule shall be reviewed for its applicability at the Commission meeting in July 1991.

(4) All records, reports and receipts relating to a punchboard or pull tab series in play must be retained on the licensed premises so long as the series or punchboard is in play and be made available on demand to law enforcement officers and representatives of the commission.

~~((4))~~ 5) When operators purchase merchandise to be used as prizes on punchboards or pull tab series from other than a licensed distributor, the following information must be on the invoice provided by the seller:

- (a) The date of purchase;
- (b) The company's name and adequate business address;
- (c) A full description of each item purchased;
- (d) The quantity of items purchased;
- (e) The cost per individual items purchased; and

(f) The sales invoice or receipt must be maintained by the operator for at least three years.

(Order 155), filed 3/14/86.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 142, filed 1/9/85)

WAC 230-30-102 PULL TAB SERIES ASSEMBLY AND PACKAGING. (1) Manufacturers of pull tabs shall manufacture, assemble, and package each pull tab series in one container and in such a manner that none of the winning pull tabs, nor the location or approximate location of any of the winning pull tabs can be determined, in advance of opening the pull tabs in any manner or by any device, including but not limited to any pattern in manufacture, assembly, packaging, markings, or by the use of a light.

(2) ~~((W))~~ Effective April 1, 1991, winning pull tabs shall be ((evenly)) distributed and mixed among all other pull tabs in ((the)) a series((The series shall be assembled and packaged with special care)) so as to eliminate any pattern as between series, or portions of series, from which the location or approximate location of any of the winning tabs may be determined. The pull tab series must be assembled so that no placement of winners or losers exist that allows the possibility of prize manipulation or "pick out." Effective April 1, 1991, manufacturers shall not offer for sale in Washington any pull tab series in which the winning pull tabs are not distributed and mixed among all other pull tabs in that series. The director may authorize manufacturers up to sixty additional days to sell existing inventory when justified. Manufacturers shall assemble pull tab series so that general locations, such as the ends of rows, center of rows or complete rows are NOT void of winning pull tabs. For the purpose of this rule, it shall be prima facie evidence that a pattern exists between series or portions of series as to the winning pull tabs if tests of ten or more pull tab series by this agency reveal any of the following:

(a) One high tier winner located in the same general location in at least seventy percent of the series examined;

(b) Two high tier winners located in the same general location in at least fifty percent of the series examined;

(c) Three or more high tier winners located in the same general location in at least thirty percent of the series examined; or equal numbers of high tier winners in each row of a series in at least thirty percent of the series examined;

(d) No winning pull tab in a specific row in at least seventy percent of the series examined;

(e) No winning pull tab in a general location at the end of each row in at least seventy percent of the series examined;

(f) No winning pull tab in a section of a row containing 150 pull tabs in one hundred percent of the series examined.

High tier winning pull tab shall be \$25.00 or more and general location shall mean a range of 50 pull tabs or less.

If there are no winning pull tabs of \$25.00 or higher in the series, then the two highest tier winning pull tabs in that series must comply with paragraphs (a) through (f).

(3) ~~((When the series is packaged in more than one package, box or other container, the entire series of individual pull tabs shall be mixed in such a manner that no person can determine the position or approximate location of any of the winning pull tabs or determine whether any one package or portion of a series contains a larger or smaller percentage of winning pull tabs than the balance of the series. The packages, boxes or other containers shall not be numbered as to distinguish one from the other.))~~ Pull tabs packaged in bags rather than boxes shall be subject to the above requirements. In order to test for compliance bagged pull tabs will be divided into horizontal or vertical rows and then measured against the above criteria.

(4) Each series of pull tabs shall contain a packing slip placed inside the package containing the name of manufacturer, series number, date the series was packaged, and the name or identification of the person who packaged the series: Provided, That this information may be printed on the back of the flare or the outside ~~((of at least one))~~ of the package~~((s))~~, box~~((es))~~ or container~~((s))~~ in which the pull tabs are packed.

(5) Effective October 1, 1990, manufacturers of pull tabs shall print on the outside of the die cut box, package or other container of pull tabs the following message "Washington State law requires that pull tabs NOT sold through a mechanical pull tab dispensing device must be removed from the packaging container and mixed before selling to the public. Failure to remove and mix pull tabs from a packaging container may result in a minimum five day suspension of a license for each series not mixed." Provided, the above information may be printed on a crack and peel sticker and placed on the outside of the die cut box, package or other container of pull tabs. The above information may be printed on a colored packing slip and placed inside the package of pull tabs.

AMENDATORY SECTION (Amending Order 142, filed 1/9/85)

WAC 230-30-104 POSSESSION OR SALE OF PULL TAB SERIES IN WHICH WINNERS OR LOCATION OF WINNERS MAY BE DETERMINED IN ADVANCE—PROHIBITED. (1) No operator, distributor or manufacturer, or representative thereof, with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell or otherwise furnish to any person any pull tab series or pull tab from any series:

(a) In which the winning tabs have not been ~~((evently))~~ distributed and mixed among all other tabs in the series; or

(b) In which the location, or approximate location, of any of the winning tabs can be determined in advance of opening the tabs in any manner or by any device, including but not limited to, any pattern in the manufacture, assembly or packaging of the tabs by the manufacturer, by any markings on the tabs or container, or by the use of a light; or

(c) Which does not conform in any other respect to the requirements of these rules as to manufacture, assembly, or packaging of pull tabs.

(2) No manufacturer or distributor or representative thereof shall use as a sales promotion any statement, demonstration, or implication that any certain portion of a series of pull tabs contains more winners than other portions of the series or that any series of pull tabs may be sold by the operator in a particular manner that would give the operator any advantage in selling more of the pull tabs before having to pay out winners.

AMENDATORY SECTION (Amending Order 75, filed 9/16/77)

WAC 230-60-065 RECORDS INDEX. (1) ~~((Index. The commission has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since its inception:))~~ Pursuant to RCW 42.17.260 the Commission shall maintain a system of indexing for the dissemination of public records. The system shall be updated on a quarterly basis and be available at the Commission headquarters. The system will allow for the identification and location of the following records:

(a) ~~((Final opinions, including concurring and dissenting opinions, declaratory rulings, as well as orders, made in the adjudication of cases:))~~

All records issued before July 1, 1990, for which the agency has maintained an index;

(b) ~~((Those statements of policy and interpretations of policy, statute, and constitution which have been adopted by the agency:))~~

Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010(1) and that contain an analysis or decision of substantial importance to the agency in carrying out of its duties;

(c) ~~((Administrative staff manuals and instructions to staff that affect a member of the public:))~~

Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) ~~((Planning policies and goals, and interim and final planning decisions:))~~

Interpretive statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990; and

(e) ~~((Factual staff reports and studies:))~~

Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

~~((f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.~~

~~((2) Availability. The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection:))~~

WSR 90-15-065 PROPOSED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Order 90-14—Filed July 18, 1990, 2:25 p.m.]

Original Notice.

Title of Rule: Chapter 296-24 WAC, General safety and health standards; and chapter 296-62 WAC, General occupational health standards.

Purpose: To have a hearings officer hold public hearings to adopt proposed state-initiated and federal-initiated amendments to safety regulations relating to hazardous waste and emergency response; adopt proposed new safety regulations relating to the control of hazardous energy (lockout/tagout); and adopt three nonmandatory appendices relating to inorganic arsenic.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Statute Being Implemented: RCW 49.17.040, 49.17.050 and 49.17.060.

Summary: Proposed amendments to WAC 296-62-300 Scope, application and definitions; 296-62-3040 Training; 296-62-3050 Medical surveillance; 296-62-3060 Engineering controls, work practices and personal protective equipment for employee protection; 296-62-3070 Monitoring; 296-62-3110 Emergency response by employees at uncontrolled hazardous waste sites; 296-62-3112 Emergency response to hazardous substance releases; 296-62-3140 Certain operations conducted under the Resource Conservation and Recovery Act of 1976 (RCRA); 296-62-3160 Appendix A—Personal protective equipment test methods; 296-62-3170 Appendix B—General description and discussion of the levels of protective [protection] and protective gear; 296-62-3180 Appendix C—Compliance guidelines; and 296-62-3190 Appendix D—References, are federal-initiated changes to remain "at-least-as-effective-as" the federal final rule published in Federal Register Volume 55, Number 72, dated April 13, 1990. These amendments were made to remove, correct or clarify typographical errors, incorrect citations, and certain ambiguities which could prove to be misleading. Additional proposed amendments to WAC 296-62-300 Scope, application and definitions; 296-62-3020 Site characterization and analysis; 296-62-3040 Training; 296-62-3050 Medical surveillance; 296-62-3110 Emergency response by employees at uncontrolled hazardous waste sites; and 296-62-3112 Emergency response to hazardous substance releases, are state-initiated changes to correct references, relocate subsections and incorporate WISHA Regional Directive 90-3 into the standards. Proposed new sections to Part A-4, Safety procedures; WAC 296-24-110 The control of hazardous energy (lockout/tagout); 296-24-11001 Scope, application and purpose; 296-24-11003 Definitions applicable to this section; 296-24-11005 General requirements; 296-24-

11007 Energy control procedure; 296-24-11009 Protective materials and hardware; 296-24-11011 Periodic inspection; 296-24-11013 Training and communication; 296-24-11015 Specific procedures; 296-24-11017 Additional requirements; and 296-24-119 Appendix A, Untitled; Appendix B, Running adjustment procedures—Nonmandatory appendix; and Appendix C, Group lockout procedures (aka. ganglock or lockbox procedures)—Nonmandatory appendix, are federal-initiated changes to be "at-least-as-effective-as" the federal final rule published in Federal Register Volume 54, Number 169, dated September 1, 1989. These new standards detail safety requirements for the control of hazardous energy and address practices and procedures that are necessary to disable machinery or equipment and prevent the release of potentially hazardous energy while maintenance and service activities are performed. Proposed new section, WAC 296-62-07354 Appendices—Inorganic arsenic, is a state-initiated change to include nonmandatory appendices to WAC 296-62-07347 Inorganic arsenic, for the convenience of the stakeholder and ensure the information in the appendices is readily available and accessible.

Reasons Supporting Proposal: To ensure a safe and healthful workplace for all employees in Washington state.

Name of Agency Personnel Responsible for Drafting: Ray V. Wax, 805 Plum Street, Olympia, WA, 753-6381; **Implementation and Enforcement:** J. N. Kirchoff, 805 Plum Street, Olympia, WA, 753-6500.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is necessary because of federal law, Federal Register Volume 54, Number 169, dated September 1, 1989; Federal Register Volume 54, Number 193, dated October 6, 1989; Federal Register Volume 54, Number 199, dated October 17, 1989; Federal Register Volume 54, Number 213, dated November 6, 1989; and Federal Register Volume 55, Number 72, dated April 13, 1990.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-62-300, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3110, 296-62-3112, 296-62-3140, 296-62-3160, 296-62-3170, 296-62-3180 and 296-62-3190, are proposed federal-initiated changes to remain "at-least-as-effective-as" the federal final rule. These amendments were made to remove, correct or clarify typographical errors, incorrect citations, and certain ambiguities which could prove to be misleading; WAC 296-62-300, 296-62-3020, 296-62-3040, 296-62-3050, 296-62-3110 and 296-62-3112, are proposed state-initiated changes to correct references, relocate subsections and incorporate WISHA Regional Directive 90-3 into the standards; Part A-4, WAC 296-24-110, 296-24-11001, 296-24-11003, 296-24-11005, 296-24-11007, 296-24-11009, 296-24-11011, 296-24-11013, 296-24-11015, 296-24-11017 and 296-24-119, are federal-initiated changes to be "at-least-as-effective-as" the federal final rule. These new standards detail safety requirements for the control of hazardous energy and address practices and procedures that are necessary to disable machinery or equipment and prevent the release of potentially hazardous

energy while maintenance and service activities are performed; and WAC 296-62-07354, is a proposed state-initiated change to include nonmandatory appendices to WAC 296-62-07347 Inorganic arsenic for the convenience of the stakeholder and ensure the information in the appendices is readily available and accessible.

Proposal Changes the Following Existing Rules: See Explanation of Rules above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether these rules are subject to the Regulatory Fairness Act and has determined that they are not for the following reasons: Proposed amendments to WAC 296-62-300, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3110, 296-62-3140, 296-62-3160, 296-62-3170, 296-62-3180 and 296-62-3190, are being amended solely to conform or comply with federal laws and regulations; additional proposed amendments to WAC 296-62-300, 296-62-3020, 296-62-3040, 296-62-3050, 296-62-3110 and 296-62-3112, are state-initiated changes to correct references, relocate subsections and incorporate WISHA Regional Directive 90-3 into the standards. These proposed amendments adjust and clarify training requirements for employees involved in hazardous waste site cleanup operations. The 80 hour requirement is reduced for certain categories of workers, therefore the compliance impact is of a lighter burden for certain categories depending on the degree of contamination in areas to which workers may be exposed; proposed new sections Part A-4, WAC 296-24-110, 296-24-11001, 296-24-11003, 296-24-11005, 296-24-11007, 296-24-11009, 296-24-11011, 296-24-11013, 296-24-11015, 296-24-11017 and 296-24-119, are federal-initiated changes to be "at-least-as-effective-as" the federal final rule and are being amended solely to conform or comply with federal laws and regulations. The proposed incorporation of the nonmandatory appendices does not increase compliance requirements; and proposed new section WAC 296-62-07354 is a state-initiated change to include nonmandatory appendices to WAC 296-62-07347 Inorganic arsenic, for the convenience of the stakeholder and ensure the information in the appendices is readily available and accessible. These appendices do not increase compliance requirements and will have no stakeholder impact.

Hearing Location: Thursday, August 23, 1990, commencing at 9:30 a.m., in the Auditorium of the Department of Social and Health Services, Office Building No. 2, 12th and Adams Street, Olympia, Washington; on Thursday, August 30, 1990, commencing at 9:30 a.m., at the Red Lion Inn, 1507 North First, Yakima, WA; and on Friday, August 31, 1990, commencing at 9:30 a.m., at the Red Lion Inn, 1100 Sullivan Road, Spokane, WA.

Submit Written Comments to: Division of Industrial Safety and Health, J. N. Kirchoff, Assistant Director, by 5:00 p.m., August 31, 1990.

Date of Intended Adoption: October 1, 1990.

July 18, 1990
Joseph A. Dear
Director

NEW SECTION

WAC 296-62-07354 APPENDICES—INORGANIC ARSENIC. The information in appendices A, B, and C is not intended, by itself, to create any additional obligations not otherwise imposed by WAC 296-62-07347 nor detract from existing obligation.

- (1) Appendix A—Inorganic arsenic substance information sheet.
- (a) Substance identification.
- (i) Substance. Inorganic arsenic.
- (ii) Definition. Copper acetoarsenite, arsenic and all inorganic compounds containing arsenic except arsine, measured as arsenic (As).
- (iii) Permissible exposure limit. Ten micrograms per cubic meter of air as determined as an average over an 8 hour period. No employee may be exposed to any skin or eye contact with arsenic trichloride or to skin or eye contact likely to cause skin or eye irritation.
- (iv) Regulated areas. Only employees authorized by your employer should enter a regulated area.
- (b) Health hazard data.
- (i) Comments. The health hazard of inorganic arsenic is high.
- (ii) Ways in which the chemical affects your body. Exposure to airborne concentrations of inorganic arsenic may cause lung cancer, and can be a skin irritant. Inorganic arsenic may also affect your body if swallowed. One compound in particular, arsenic trichloride, is especially dangerous because it can be absorbed readily through the skin. Because inorganic arsenic is a poison, you should wash your hands thoroughly prior to eating or smoking.
- (c) Personal protective equipment and clothing.
- (i) Respirators. Respirators will be provided by the employer at no cost to employees for routine use if the employer is in the process of implementing engineering and work practice controls or where engineering and work practice controls are not feasible or insufficient. Respirators must be worn for nonroutine activities or in emergency situations where there is likely to be exposure to levels of inorganic arsenic in excess of the permissible exposure limit. Since how well the respirator fits is very important, the employer is required to conduct fit tests to make sure the respirator seals properly when worn. These tests are simple and rapid and will be explained during training sessions.
- (ii) Protective clothing. If work is in a regulated area, the employer is required to provide at no cost to employees, and it must be worn, appropriate, clean, protective clothing and equipment. The purpose of this equipment is to prevent the employee from taking home arsenic-contaminated dust and to protect the body from repeated skin contact with inorganic arsenic likely to cause skin irritation. This clothing shall include such items as coveralls or similar full-body clothing, gloves, shoes or coverlets, and aprons. Protective equipment should include face shields or vented goggles, where eye irritation may occur.
- (d) Hygiene facilities and practices.
- (i) The employer shall ensure that employees do not eat, drink, smoke, chew gum or tobacco, or apply cosmetics in the regulated area, except that drinking water is permitted. If work is in a regulated area, the employer is required to provide lunchrooms or other areas for these purposes.
- (ii) If work is in a regulated area, the employer is required to provide showers, washing facilities, and change rooms. The employer shall ensure that employees wash faces and hands before eating and shower at the end of the work shift. Do not take used protective clothing out of change rooms without the employer's permission. The employer is required to provide for laundering or cleaning of the protective clothing.
- (e) Signs and labels. The employer is required to post warning signs and labels for employee protection. Signs must be posted in regulated areas. The signs must warn that a cancer hazard is present, that only authorized employees may enter the area, and that no smoking or eating is allowed, and that respirators must be worn.
- (f) Medical examinations. If exposure to arsenic is over the action level ($5 \mu\text{g}/\text{m}^3$) (including all persons working in regulated areas) at least 30 days per year, or employees have been exposed to arsenic for more than 10 years over the action level, the employer is required to provide employees with a medical examination. The examination shall be every 6 months for employees over 45 years old or with more than 10 years exposure over the action level and annually for other covered employees. The medical examination must include a medical history; a chest x-ray; skin examination; nasal examination, and sputum cytology exam for the early detection of lung cancer. The cytology exams are only included in the initial exam and examinations given after employees are either 45 years or older or have 10 or more years employment over the action level. The examining physician will provide a written

opinion to the employer containing the results of the medical exams. Employees should also receive a copy of this opinion. The physician must not tell the employer any conditions he detects unrelated to occupational exposure to arsenic but must tell employees those conditions.

(g) Observation of monitoring. The employer is required to monitor employee exposure to arsenic and employees or their representatives are entitled to observe the monitoring procedure. Employees are entitled to receive an explanation of the measurement procedure, and to record the results obtained. When the monitoring procedure is taking place in an area where respirators or personal protective clothing and equipment are required to be worn, employees must also be provided with and must wear the protective clothing and equipment.

(h) Access to records. Employees or their representatives are entitled to records of employee exposure to inorganic arsenic upon request to the employer. Employee medical examination records can be furnished to employees' physician if employees request the employer to provide them.

(i) Training and notification. Additional information on all of these items plus training as to hazards of exposure to inorganic arsenic and the engineering and work practice controls associated with employees' jobs will also be provided by the employer. If employees are exposed over the permissible exposure limit, the employer must inform employees of that fact and the actions to be taken to reduce employee exposure.

(2) Appendix B—Substance technical guidelines. Arsenic, arsenic trioxide, arsenic trichloride (3 examples)

(a) Physical and chemical properties

(i) Arsenic (metal)

(A) Formula: As

(B) Appearance: Gray metal

(C) Melting point: Sublimes without melting at 613C

(D) Specific gravity: (H20=1):5.73.

(E) Solubility in Water: Insoluble

(ii) Arsenic trioxide

(A) Formula: As2O3, (As4O6).

(B) Appearance: White powder

(C) Melting point: 315C

(D) Specific gravity: (H20=1):3.74

(E) Solubility in water: 3.7 grams in 100cc of water at 20C

(iii) Arsenic trichloride (liquid)(Trichloride)

(A) Formula: AsCl3

(B) Appearance: Colorless or pale yellow liquid

(C) Melting point: -8.5C

(D) Boiling point: 130.2C

(E) Specific gravity (1120=1)2:16 at 20C

(F) Vapor Pressure: 10mm Hg at 23.5C.

(G) Solubility in water: Decomposes in water.

(b) Fire, explosion, and reactivity data.

(i) Fire: Arsenic trioxide and arsenic trichloride are nonflammable.

(ii) Reactivity:

(A) Conditions contributing to instability: Heat.

(B) Incompatibility: Hydrogen gas can react with inorganic arsenic to form the highly toxic gas arsine.

(c) Monitoring and measurement procedures.

(i) Samples collected should be full shift (at least 7 hours) samples. Sampling should be done using a personal sampling pump at a flow rate of 2 liters per minute. Samples should be collected on 0.8 micrometer pore size membrane filter (37mm diameter). Volatile arsenicals such as arsenic trichloride can be most easily collected in a midge bubbler filled with 15 ml. of 0.1 N NaOH.

(ii) The method of sampling and analysis should have an accuracy of not less than ± 25 percent (with a confidence limit of 95 percent) for 10 micrograms per cubic meter of air ($10 \mu\text{g}/\text{m}^3$) and ± 35 percent (with a confidence limit of 95 percent) for concentrations of inorganic arsenic between 5 and $10 \mu\text{g}/\text{m}^3$.

(3) Appendix C—Medical surveillance guidelines.

(a) General.

(i) Medical examinations are to be provided for all employees exposed to levels of inorganic arsenic above the action level ($5 \mu\text{g}/\text{m}^3$) for at least 30 days per year (which would include among others, all employees, who work in regulated areas). Examinations are also to be provided to all employees who have had 10 years or more exposure above the action level for more than 30 days per year while working for the present or predecessor employer though they may no longer be exposed above the level.

(ii) An initial medical examination is to be provided to all such employees by December 1, 1978. In addition, an initial medical examination is to be provided to all employees who are first assigned to areas in which worker exposure will probably exceed $5 \mu\text{g}/\text{m}^3$ (after the effective date of this standard) at the time of initial assignment. In addition to its immediate diagnostic usefulness the initial examination will provide a baseline for comparing future test results. The initial examination must include as a minimum the following elements:

(A) A work and medical history, including a smoking history, and presence and degree of respiratory symptoms such as breathlessness, cough, sputum production, and wheezing;

(B) A 14-inch by 17-inch posterior-anterior chest x-ray and an International Labor Office UICC/Cincinnati (ILO U/C) rating;

(C) A nasal and skin examination;

(D) A sputum cytology examination; and

(E) Other examinations which the physician believes appropriate because of the employee's exposure to inorganic arsenic or because of required respirator use.

(iii) Periodic examinations are also to be provided to the employees listed above. The periodic examinations shall be given annually for those covered employees 45 years of age or less with fewer than 10 years employment in areas where employee exposure exceeds the action level ($5 \mu\text{g}/\text{m}^3$). Periodic examinations need not include sputum cytology and only an updated medical history is required.

(iv) Periodic examinations for other covered employees, shall be provided every 6 months. These examinations shall include all tests required in the initial examination, except that the medical history need only be updated.

(v) The examination contents are minimum requirements. Additional tests such as lateral and oblique x-rays or pulmonary function tests may be useful. For workers exposed to 3 arsenicals, copper acetoarsenite, potassium arsenite, or sodium arsenite, which are associated with lymphatic cancer, the examination should also include palpation of superficial lymph nodes and complete blood count.

(b) Noncarcinogenic effects.

(i) The WISHA standard is based on minimizing risk of exposed workers dying of lung cancer from exposure to inorganic arsenic. It will also minimize skin cancer from such exposures.

(ii) The following three sections quoted from "Occupational Diseases: A Guide to Their Recognition," Revised Edition, June 1977, National Institute for Occupational Safety and Health is included to provide information on the nonneoplastic effects of exposure to inorganic arsenic. Such effects should not occur if the WISHA standards are followed.

(A) Local—Trivalent arsenic compounds are corrosive to the skin. Brief contact has no effect but prolonged contact results in a local hyperemia and later vesicular or pustular eruption. The moist mucous membranes are most sensitive to the irritant action. Conjunctiva, moist and macerated areas of skin, the eyelids, the angles of the ears, nose, mouth, and respiratory mucosa are also vulnerable to the irritant effects. The wrists are common sites of dermatitis, as are the genitalia if personal hygiene is poor. Perforations of the nasal septum may occur. Arsenic trioxide and pentoxide are capable of producing skin sensitization and contact dermatitis. Arsenic is also capable of producing keratoses, especially of the palms and soles.

(B) Systemic.

(I) The acute toxic effects of arsenic are generally seen following ingestion of inorganic arsenical compounds. This rarely occurs in an industrial setting. Symptoms develop within 1/2 to 4 hours following ingestion and are usually characterized by constriction of the throat followed by dysphagia, epigastric pain, vomiting, and watery diarrhea. Blood may appear in vomitus and stools. If the amount ingested is sufficiently high, shock may develop due to severe fluid loss, and death may ensue in 24 hours. If the acute effects are survived, exfoliative dermatitis and peripheral neuritis may develop.

(II) Cases of acute arsenical poisoning due to inhalation are exceedingly rare in industry. When it does occur, respiratory tract symptoms—cough, chest pain, dyspnea—giddiness, headache, and extreme general weakness precede gastrointestinal symptoms. The acute toxic symptoms of trivalent arsenical poisoning are due to severe inflammation of the mucous membranes and greatly increased permeability of the blood capillaries.

(III) Chronic arsenical poisoning due to ingestion is rare and generally confined to patients taking prescribed medications. However, it can be a concomitant of inhaled inorganic arsenic from swallowed sputum and improper eating habits. Symptoms are weight loss, nausea

and diarrhea alternating with constipation, pigmentation and eruption of the skin, loss of hair, and peripheral neuritis. Chronic hepatitis and cirrhosis have been described. Polyneuritis may be the salient feature, but more frequently there are numbness and parasthenias of "glove and stocking" distribution. The skin lesions are usually melanotic and keratotic and may occasionally take the form of an intradermal cancer of the squamous cell type, but without infiltrative properties. Horizontal white lines (striations) on the fingernails and toenails are commonly seen in chronic arsenical poisoning and are considered to be a diagnostic accompaniment of arsenical polyneuritis.

(IV) Inhalation of inorganic arsenic compounds is the most common cause of chronic poisoning in the industrial situation. This condition is divided into three phases based on signs and symptoms.

(V) First phase: The worker complains of weakness, loss of appetite, some nausea, occasional vomiting, a sense of heaviness in the stomach, and some diarrhea.

(VI) Second phase: The worker complains of conjunctivitis, a catarrhal state of the mucous membranes of the nose, larynx, and respiratory passage. Coryza, hoarseness, and mild tracheobronchitis may occur. Perforation of the nasal septum is common, and is probably the most typical lesion of the upper respiratory tract in occupational exposure to arsenical dust. Skin lesions, eczematoid and allergic in type, are common.

(VII) Third phase: The worker complains of symptoms of peripheral neuritis, initially of hands and feet, which is essentially sensory. In more severe cases, motor paralysis occurs; the first muscles affected are usually the toe extensors and the peronei. In only the most severe cases will paralysis of flexor muscles of the feet or of the extensor muscles of hands occur.

(VIII) Liver damage from chronic arsenical poisoning is still debated, and as yet the question is unanswered. In cases of chronic and acute arsenical poisoning, toxic effects to the myocardium have been reported based on EKG changes. These findings, however, are now largely discounted and the EKG changes are ascribed to electrolyte disturbances concomitant with arsenicalism. Inhalation of arsenic trioxide and other inorganic arsenical dusts does not give rise to radiological evidence or pneumoconiosis. Arsenic does have a depressant effect upon the bone marrow, with disturbances of both erythropoiesis and myelopoiesis.

(4) Bibliography:

Dinman, B. D. 1960. Arsenic; Chronic Human Intoxication. *Journal Occupational Medicine* 2:137.

Elkins, H.B. 1959. *The Chemistry of Industrial Toxicology*, Second Edition. John Wiley and sons, New York.

Holquist, L. 1951. Occupational Arsenical Dermatitis; A Study Among Employees at a Copper-Ore Smelting Works Including Investigations of Skin Reactions to Contact with Arsenic Compounds. *Acta. Derm. Venereol.* (Supplement 26) 31:1.

Pinto, S. S., and C. M. McGill. 1953. Arsenic Trioxide Exposure in Industry. *Ind. Med. Surg.* 22:281.

Pinto, S. S., and K. W. Nelson. 1976. Arsenic Toxicology and Industrial Exposure. *Annu. Rev. Pharmacol. Toxicol.* 16:95.

Vallee, B. L., Ulmer, D. D., and W. E. C. Wacker. 1960. Arsenic Toxicology and Biochemistry. *AMA Arch. Indust. Health* 21:132.

(5) Sputum cytology.

(a) Sputum can be collected by aerosol inhalation during the medical exam or by spontaneous early morning cough at home. Sputum is induced by transoral inhalation of an aerosolized solution of 8 percent sodium chloride in water. After inhaling as few as 3 to 5 breaths, the subject usually yields an adequate sputum. All sputum should be collected directly into 60 percent alcohol.

(b) Scientific evidence suggests that chest x-rays and sputum cytology should be used together as screening tests for lung tests for lung cancer in high risk populations such as workers exposed to inorganic arsenic. The tests are to be performed every 6 months on workers who are 45 years of age or older or have worked in the regulated area for 10 or more years. Since the tests seem to be complementary, it may be advantageous to alternate the test procedures. For instance, chest x-rays could be obtained in June and December and sputum cytologies could be obtained in March and September. Facilities for providing necessary diagnostic investigation should be readily available as well as chest physicians, surgeons, radiologists, pathologists, and immunotherapists to provide any necessary treatment services.

PART A-4
SAFETY PROCEDURES

NEW SECTION

WAC 296-24-110 THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT).

NEW SECTION

WAC 296-24-11001 SCOPE, APPLICATION, AND PURPOSE. (1) Scope. This standard covers the operation, servicing and maintenance of all machines, equipment and systems in which the start up, or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

(2) Application.

(a) This standard applies to the control of energy during servicing and/or maintenance of machines and equipment and systems.

(b) Normal production operations are not covered by this standard where no personnel exposure exists. Servicing and/or maintenance which takes place during normal production operations is covered by this standard when:

(i) An employee is required to remove or bypass a guard or other safety device; or

(ii) An employee is required to place any part of his or her body into an area on a machine or piece of equipment where work is actually performed upon the material being processed (point of operation) or where an associated danger zone exists during a machine operating cycle. Exception: Minor tool changes and adjustments, and other minor servicing activities, which take place during normal production operations, are not covered by this standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternative measures which provide effective protection and/or personnel exposure does not exist. See Appendix B for running adjustment procedures.

(c) This standard does not apply to the following.

(i) Work on cord and plug connected electric equipment when exposure to the hazards of unexpected energization or start up of the equipment is controlled by the unplugging of the equipment from the energy source and by the plug being under the exclusive control of the employee performing the servicing or maintenance.

(ii) Hot tap operations involving transmission and distribution systems for substances such as gas, steam, water, or petroleum products when they are performed on pressurized pipelines, provided that the employer demonstrates that:

(A) Continuity of service is essential; and

(B) Shutdown of the system is impractical; and

(C) Documented procedures are followed, and special equipment is used which will provide proven effective protection for employees; and

(D) The employees involved are specifically trained and qualified on the equipment and procedures to be used.

(3) Purpose.

(a) This section requires employers to establish a written lockout/tagout program, train affected employees and ensure that adequate procedures are used for affixing appropriate lockout devices or tagout devices to energy isolating devices, and to otherwise disable machines, equipment or systems to prevent unexpected energization, start-up, or release of stored energy in order to prevent injury to employees.

(b) When the vertical standard in Title 296 WAC for an industry requires a lockout or tagout control program, the vertical standard shall be used first. Whenever a requirement of this horizontal section is not addressed in the vertical chapter, the requirements of this section shall be used to supplement the vertical standard.

NEW SECTION

WAC 296-24-11003 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Affected employee. Any person whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him/her to be in an area potentially influenced by the servicing or maintenance being performed.

(2) Authorized/designated individual shall mean an individual who is qualified by reason of training and to whom the authority and responsibility to perform a specific assignment has been given by the owner/management.

(3) Authorized employer representative shall mean an individual who is specifically qualified by reason of training and to whom owner/management has designated authority and responsibility for a specific assignment.

(4) Capable of being locked out. An energy isolating device will be considered to be capable of being locked out either if it is designed with a hasp or other attachment or integral part to which, or through which, a lock can be affixed, or if it has a locking mechanism built into it. Other energy isolating devices will also be considered to be capable of being locked out, if lockout can be achieved without the need to dismantle, rebuild, or replace the energy isolating device or permanently alter its energy control capability.

(5) Energized. Connected to an energy source or containing residual or stored energy.

(6) Energy isolating device. A mechanical device that physically prevents the transmission or release of energy, including but not limited to the following: A manually operated electrical circuit breaker; a disconnect switch; a manually operated switch by which the conductors of a circuit can be disconnected from all ungrounded supply conductors and, in addition, no pole can be operated independently; a slide gate; a slip blind; a line valve; a block; and any similar device used to block or isolate energy. The term does not include a push button, selector switch, remote control switches, automatic circuit activating devices, and other control circuit type devices.

(7) Energy source. Any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal or other energy, including gravity.

(8) Hot tap. A procedure used in the repair, maintenance, and services activities on a piece of equipment (pipelines, vessels, or tanks) under pressure, in order to install connections or appurtenances. It is commonly used to replace or add sections of pipeline without the interruption of service for air, gas, water, steam, and petrochemical distribution systems.

(9) Lockout. The placement of a lockout device on an energy isolating device, in accordance with an established procedure, ensuring that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

(10) Lockout device. A device that utilizes a lock, either key or combination type, to hold an energy isolating device in the safe position.

(11) Normal production operations. The utilization of a machine or equipment to perform its intended production function.

(12) Servicing and/or maintenance. Workplace activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment. These activities include lubrication, cleaning, or jamming of machines or equipment and making adjustments or tool changes, where the employee may be exposed to the unexpected energization or startup of the equipment or release of hazardous energy.

(13) Setting up. Any work performed to prepare a machine or equipment to perform its normal production operation.

(14) Tagout. The placement of a tagout device on an energy isolating device, in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed.

(15) Tagout device. A prominent warning device, such as a tag and a means of attachment, which can be securely fastened to an energy isolating device in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed in accordance with approved company procedures.

NEW SECTION

WAC 296-24-11005 GENERAL REQUIREMENTS. Energy control program.

(1) The employer shall establish a written program consisting of an energy control procedure and employee training to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, start up, or release of stored energy could occur and cause injury, the machine, equipment, system, or process shall be isolated, and rendered inoperative, in accordance with this Part A-4.

(2) Lockout/tagout.

(a) If an energy isolating device is not capable of being locked out, the employer's energy control program shall utilize a tagout system.

(b) If an energy isolating device is capable of being locked out, the employer's energy control program shall utilize lockout, unless the employer can demonstrate that the utilization of a tagout system will

provide full employee protection as set forth in subsection (3) of this section.

(c) After the effective date of this section, whenever major replacement, repair, renovation, relocation, or modification of machines or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment shall be designed to accept a lockout device.

(3) Full employee protection.

(a) When a tagout device is used on an energy isolating device which is capable of being locked out, the tagout device shall be attached at the same location that the lockout device would have been attached, and the employer shall demonstrate that the tagout program will provide a level of safety equivalent to that obtained by using a lockout program.

(b) In demonstrating that a level of safety is achieved in the tagout program which is equivalent to the level of safety obtained by using a lockout program, the employer shall demonstrate full compliance with all tagout-related provisions of this standard together with such additional elements as are necessary to provide the equivalent safety available from the use of a lockout device.

NEW SECTION

WAC 296-24-11007 ENERGY CONTROL PROCEDURE. (1) Procedures shall be developed, documented, and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section. Exception: The employer need not document the required procedure for a particular machine or equipment when all of the following elements exist:

(a) The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees;

(b) The machine or equipment has a single energy source which can be readily identified and isolated;

(c) The isolation and locking out of that energy source will completely deenergize and deactivate the machine or equipment;

(d) The machine or equipment is isolated from that energy source and locked out during servicing or maintenance;

(e) A single lockout device will achieve a locked-out condition;

(f) The lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance;

(g) The servicing or maintenance does not create hazards for other employees.

(2) The written procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

(a) A specific statement of the intended use of the procedure;

(b) Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;

(c) Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and

(d) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

NEW SECTION

WAC 296-24-11009 PROTECTIVE MATERIALS AND HARDWARE. (1) Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware shall be provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources.

(2) Lockout devices and tagout devices shall be singularly identified; shall be the only device(s) used for controlling energy; shall not be used for other purposes; and shall meet the following requirements:

(a) Durable.

(i) Lockout devices and tagout devices, including the attachment means, shall be capable of withstanding the environment to which they are exposed for the maximum period of time that exposure is expected.

(ii) Tagout devices shall be constructed and printed so that exposure to weather conditions or wet and damp locations will not cause the message on the tag to become illegible.

(iii) Tags shall not deteriorate when used in corrosive environments such as areas where acid and alkali chemicals are handled and stored.

(b) Standardized. Lockout and tagout devices shall be standardized within the facility in at least one of the following criteria: Color; shape;

or size; and additionally, in the case of tagout devices, print and format shall be standardized.

(i) Employers should be guided by WAC 296-24-140, Specifications for accident prevention signs and tags, when designing/selecting the content and format of tagout devices.

(c) Substantial.

(i) Lockout devices. Lockout devices shall be substantial enough to prevent removal without the use of excessive force or unusual techniques, such as with the use of bolt cutters or other metal cutting tools.

(ii) Tagout devices. Tagout devices, including their means of attachment, shall be substantial enough to prevent inadvertent or accidental removal. Tagout device attachment means shall be of a nonreusable type, attachable by hand, self-locking, and nonreleasable with a minimum unlocking strength of no less than 50 pounds and having the general design and basic characteristics of being at least equivalent to a one-piece, all-environment-tolerant nylon cable tie.

(d) Identifiable. Lockout devices and tagout devices shall indicate the identity of the employee applying the device(s).

(3) Tagout devices shall warn against hazardous conditions if the machine or equipment is energized and shall include a legend such as the following: Do not start, do not open, do not close, do not energize, do not operate.

NEW SECTION

WAC 296-24-11011 PERIODIC INSPECTION. (1) The employer shall conduct a periodic inspection of the energy control procedure(s) at least annually to ensure that the procedure and the requirements of this standard are being followed.

(a) The periodic inspection shall be performed by an authorized employee other than the one(s) utilizing the energy control procedure being inspected.

(b) The periodic inspection shall be designed to correct any deviations or inadequacies observed.

(c) Where lockout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.

(d) Where tagout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized and affected employee, of that employee's responsibilities under the energy control procedure being inspected, and the elements set forth in WAC 296-24-11013.

(2) The employer shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment on which the energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

NEW SECTION

WAC 296-24-11013 TRAINING AND COMMUNICATION.

(1) The employer shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of energy controls are required by employees. The training shall include the following:

(a) Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

(b) Each affected employee shall be instructed in the purpose and use of the energy control procedure.

(c) All other employees whose work operations are or may be in an area where energy control procedures may be utilized, shall be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked out or tagged out.

(2) When tagout systems are used, employees shall also be trained in the following limitations of tags:

(a) Tags are essentially warning devices affixed to energy isolating devices, and do not provide the physical restraint on those devices that is provided by a lock.

(b) When a tag is attached to an energy isolating means, it is not to be removed without authorization of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise defeated.

(c) Tags must be legible and understandable by all authorized employees, affected employees, and all other employees whose work operations are or may be in the area, in order to be effective.

(d) Tags and their means of attachment must be made of materials which will withstand the environmental conditions encountered in the workplace.

(e) Tags may evoke a false sense of security, and their meaning needs to be understood as part of the overall energy control program.

(f) Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use.

(3) Employee retraining.

(a) Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

(b) Additional retraining shall also be conducted whenever a periodic inspection reveals, or whenever the employer has reason to believe, that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.

(c) The retraining shall reestablish employee proficiency and introduce new or revised control methods and procedures, as necessary.

(4) The employer shall certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name and dates of training.

NEW SECTION

WAC 296-24-11015 SPECIFIC PROCEDURES. (1) Energy isolation. Implementation of lockout or the tagout system shall be performed only by authorized/designated employees.

(2) Notification of employees. Affected employees shall be notified by the authorized employer representative of the application and removal of lockout devices or tagout devices. Notification shall be given before the controls are applied, and after they are removed from the machine or equipment.

(3) Application of control. The established procedure for the application of energy control (implementation of lockout or tagout system procedures) shall cover the following elements and actions and shall be done in the following sequence:

(a) Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee shall have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.

(b) Machine or equipment shutdown. The machine or equipment shall be turned off or shut down using the procedures required by this standard. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of equipment deenergization.

(c) Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).

(4) Lockout or tagout device application.

(a) Lockout or tagout devices shall be affixed to each energy isolating device by authorized employees.

(b) Lockout devices, where used, shall be affixed in a manner to that will hold the energy isolating devices in a "safe" or "off" position.

An information tag shall be attached to each lockout point. This tag shall comply with all minimum requirements for tagout devices, see WAC 296-24-11009.

(c) Tagout devices, where used, shall be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited.

(i) Where tagout devices are used with energy isolating devices designed with the capability of being locked but where padlocking is infeasible, the tag attachment shall be fastened at the same point at which the lock would have been attached. Note: See WAC 296-24-11005.

(ii) Where a tag cannot be affixed directly to the energy isolating device, the tag shall be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.

(5) Stored energy.

(a) Following the application of lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy shall be relieved, disconnected, restrained, blocked, and otherwise rendered safe.

(b) If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation shall be continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.

(6) Verification of isolation. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee shall verify that isolation and deenergization of the machine or equipment have been accomplished.

(7) Release from lockout or tagout. Before lockout or tagout devices are removed and energy is restored to the machine or equipment, procedures shall be followed and actions taken by the authorized employee(s) to ensure the following:

(a) The machine or equipment. The work area shall be inspected to ensure that nonessential items have been removed and to ensure that machine or equipment components and guards are operationally intact.

(b) Employees.

(i) The authorized employee shall ensure that the work area is checked to assure that all employees are safely positioned or removed.

(ii) Before lockout or tagout devices are removed and before machines or equipment are energized, affected employees shall be notified that the lockout or tagout devices have been removed.

(c) Lockout or tagout devices removal. Each lockout or tagout device shall be removed from each energy isolating device by the employee who applied the device. Exception: When the authorized employee who applied the lockout or tagout device is not available to remove it, that device may be removed under the direction of the employer, provided that specific procedures and training for such removal have been developed, documented, and incorporated into the employer's energy control program. The employer shall demonstrate that the specific procedure provides equivalent safety to the removal of the device by the authorized employee who applied it. The specific procedure shall include at least the following elements:

(i) Verification by the employer that the authorized employee who applied the device is not at the facility;

(ii) Making all reasonable efforts to contact the authorized employee to inform him/her that his/her lockout or tagout device has been removed; and

(iii) Ensuring that the authorized employee has this knowledge before he/she resumes work at that facility.

NEW SECTION

WAC 296-24-11017 ADDITIONAL REQUIREMENTS. (1) Testing or positioning of machines, equipment, or components thereof.

In situations in which lockout or tagout devices must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine, equipment or component thereof, the following sequence of actions shall be followed:

(a) Clear the machine or equipment of tools and materials in accordance with WAC 296-24-11015;

(b) Remove employees from the machine or equipment area in accordance with WAC 296-24-11015;

(c) Remove the lockout or tagout devices as specified in WAC 296-24-11917;

(d) Energize and proceed with testing or positioning;

(e) Deenergize all systems and reapply energy control measures in accordance with this Part A-4 to continue the servicing and/or maintenance.

(2) Outside personnel (contractors, etc.).

(a) Whenever outside servicing personnel are to be engaged in activities covered by the scope and application of this standard, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

(b) The outside employer shall assure that all outside personnel shall comply with all requirements of the on-site employer's lockout/tagout control program.

(c) Deviations from the on-site employer's control program are not permissible without specific prior approval.

(3) Group lockout or tagout.

(a) When servicing and/or maintenance is performed by a crew, craft, department or other group, they shall utilize a procedure which affords the employees a level of protection equivalent to that provided by the implementation of a personal lockout or tagout device.

(b) Group lockout or tagout devices shall be used in accordance with the procedures required by this section including, but not necessarily limited to, the following specific requirements:

(i) Primary responsibility is vested in an authorized employee for all employees working under the protection of a group lockout or tagout device (such as an operations lock); and

(ii) Provision for the authorized employee to ascertain the exposure status of individual group members with regard to the lockout or tagout of the machine or equipment; and

(iii) When more than one crew, craft, department, etc., is involved, job-associated lockout or tagout control responsibility shall be assigned to an authorized employee designated to coordinate affected work forces and ensure continuity of protection; and

(iv) Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained.

(4) Shift or personnel changes. Specific procedures shall be utilized during shift or personnel changes to ensure the continuity of lockout or tagout protection, including provision for the orderly transfer of lockout or tagout devices between off-going and oncoming employees, to minimize exposure to hazards from the unexpected energization, start-up of the machine or equipment, or release of stored energy.

NEW SECTION

WAC 296-24-119 APPENDICES.

APPENDIX A

Appendix A is a nonmandatory appendix intended as an illustrative example to assist employers in setting up the company's individual minimum deactivating and control program. Nothing in this appendix is intended to either add or detract from any requirements of this Part A-4.

(1) General.

(a) Lockout is the preferred method of isolating machines or equipment from energy sources. To assist employers in developing a procedure which meets the requirements of the standard, however, the following simple procedure is provided for use in both lockout or tagout programs. This procedure may be used when there are limited number or types of machines or equipment or there is a single power source. For more complex systems, a more comprehensive procedure will need to be developed, documented, and utilized.

Lockout (or Tagout) Procedure for (Name of Company).

(2) Purpose.

(a) This procedure establishes the minimum requirements for the lockout or tagout of energy isolating devices. It shall be used to ensure that the machine or equipment are isolated from all potentially hazardous energy, and locked out or tagged out before employees perform any servicing or maintenance activities where the unexpected energization, start-up or release of stored energy could cause injury (Type(s) and Magnitude(s) of Energy and Hazards).

(3) Responsibility.

(a) Appropriate employees shall be instructed in the safety significance of the lockout (or tagout) procedure (Name(s)/Job Title(s) of employees authorized to lockout or tagout). Each new or transferred affected employee and other employees whose work operations are or may be in the area shall be instructed in the purpose and use of the lockout or tagout procedure (Name(s)/Job Title(s) of affected employees and how to notify).

(4) Preparation for Lockout or Tagout.

(a) Make a survey to locate and identify all isolating devices to be certain which switch(s), valve(s) or other energy isolating devices apply to the equipment to be locked or tagged out. More than one energy source (electrical, mechanical, or others) may be involved. (Type(s) and Location(s) of energy isolating means).

(5) Sequence of Lockout or Tagout System Procedure.

(a) Notify all affected employees that a lockout or tagout system is going to be utilized and the reason therefor. The authorized employee shall know the type and magnitude of energy that the machine or equipment utilizes and shall understand the hazards thereof.

(b) If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open toggle switch, etc.)

(c) Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy (such as that in springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as repositioning, blocking,

bleeding down, etc. (Type(s) of Stored Energy—methods to dissipate or restrain).

(d) Lockout and/or tagout the energy isolating devices with assigned individual lock(s) or tag(s) (Method(s) Selected; i.e., locks tags, additional safety measures, etc.)

(e) After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, operate the push button or other normal operating controls to make certain the equipment will not operate (Type(s) of Equipment checked to ensure disconnections).

CAUTION: Return operating control(s) to "neutral" or "off" position after the test.

(f) The equipment is now locked out or tagged out.

(6) Restoring Machines or Equipment to Normal Production Operations.

(a) After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.

(b) After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices. Operate the energy isolating devices to restore energy to the machine or equipment.

(7) Procedure Involving More Than One Person.

(a) In the preceding steps, if more than one individual is required to lockout or tagout equipment, each shall place his/her own personal lockout device or tagout device on the energy isolating device(s). When an energy isolating device cannot accept multiple locks or tags, a multiple lockout or tagout device (hasp) may be used. If lockout is used, a single lock may be used to lockout box or cabinet which allows the use of multiple locks to secure it. Each employee will then use his/her own lock to secure the box or cabinet. As each person no longer needs to maintain his or her lockout protection, that person will remove his/her lock from the box or cabinet (Name(s)/Job Title(s) of employees authorized for group lockout or tagout).

(8) Basic Rules for Using Lockout or Tagout System Procedure.

(a) All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating device when it is locked or tagged out.

LOCKOUT (OR TAGOUT) PROCEDURE

Entry No. (Description)

1. Name of Company
2. Type(s) and Magnitude(s) of energy and hazards
3. Names(s)/Job Title(s) of employees authorized to lockout or tagout
4. Name(s)/Job Title(s) of affected employees and how to notify
5. Type(s) and Location of energy isolating means
6. Type(s) of Stored Energy—method to dissipate or restrain
7. Method(s) Selected i.e., locks, tags, additional safety measures, etc.
8. Type(s) of Equipment checked to ensure disconnections
9. Name(s)/Job Title(s) of employees authorized for group lockout or tagout

APPENDIX B

RUNNING ADJUSTMENT PROCEDURES - NONMANDATORY APPENDIX

(1) Running Adjustment Procedures are intended to be limited to applications which require energizing the equipment in order to complete a task which cannot be accomplished while the equipment is locked out. Typical examples could include:

(a) A machine which must be in motion to make final adjustments of moving elements;

(b) A machine which must be in motion to remove production materials;

(c) A machine which must be in motion to "thread on" new carrier ropes, belts or clothing elements;

(d) An electrical circuit which must be energized to test for continuity;

(e) A pipeline system which must be filled for testing or inspection purposes.

(2) When standard lockout procedures cannot be used to accomplish the necessary task, the following procedures shall be used to minimize the possibility of personnel exposure:

(a) The operating control(s) shall only be operated by a qualified operator/craftsman;

(b) The qualified operator/craftsman shall attend the control(s) at all times when the controls are not locked out;

(c) The equipment shall be operated at the slowest speed possible consistent with the task to be performed;

(d) All personnel shall remain in view of the person operating the controls or other means of communication shall be established;

(e) Extension tools which minimize personnel exposure shall be used where possible;

(f) All personnel shall be thoroughly trained in the exact procedure to be followed;

(g) All personnel shall be positioned beyond the reach of other machine elements or sections which are not locked out and may offer the potential for exposure. In any instance where a necessary work position offers exposure to other sections or elements of the machine, such other sections shall be locked out before exposure occurs;

(h) Anytime that communications are lost between the operator and work crews or anytime that established and authorized procedures cannot be followed, all work offering potential exposure shall be stopped until agreement is reached on exactly how to proceed.

**APPENDIX C
GROUP LOCKOUT PROCEDURES
(aka. ganglock or lockbox procedures)
NONMANDATORY APPENDIX**

(1) Application.

(a) Lockbox procedures are intended and must be designed to provide positive isolation at any identified worksite without the necessity for every workman to apply personal lockout devices on every control device which could otherwise influence his/her individual worksite(s). Lockbox procedures are most useful in applications such as (but not limited to) the following:

(i) Multiple crews/crafts or multiple employers working on same job/machine/system;

(ii) Complex machines/systems with multiple controls, particularly when control locations are broadly spaced out or remote from the actual worksite(s).

(b) The following appendix text is purposely detailed because it has been conclusively established that all items listed need to be addressed in the employer's lockbox control program if the procedure is going to be successful in achieving assured isolation for all potentially influenced personnel.

(2) Program requirements.

(a) The employer's detailed lockbox procedure must be formally produced, employees and supervisors trained and adequate equipment provided prior to permitting any personnel to work under any form of an alternative lockout procedure.

(b) Overall procedural authority and responsibility must be vested in a designated and specifically qualified area supervisor or job lockout coordinator for each shutdown conducted under lockbox procedures.

(c) Each lockbox shutdown shall be conducted with a shutdown checklist. Every control necessary to assure isolation at all permissible worksites must be listed on the checklist. Where numerical identification system is used, controls shall be listed by both identification system and common language name.

(i) The responsible area supervisor, with assistance as necessary, must review the job shutdown checklist to assure that it is accurate and complete before each shutdown.

(ii) Each item on the job lockout checklist shall have boxes or space for the lockout crew to sign off when individual items are deactivated, locked out and tested.

(d) The minimum permissible lockout crew shall be not less than (2) two fully qualified employees.

(i) The job supervisor/designated lockout coordinator must participate as one member of the lockout crew which deactivates, secures and tests each control on the checklist. He/she must at least observe the test sequence on each control.

(ii) Additional qualified employees may be added to the lockout crew as job demands or special circumstances dictate.

(e) When the shutdown job will include work performed by personnel who are not within the owner's full-time employee group (typically service reps, contract mechanics, laborers or engineers), the lockout crew:

(i) Must be supplemented by a specifically designated and qualified supervisor or leadman from each outside employer; or

(ii) The designated control authority (item (2)(b)) must explain the delineated boundaries of the secured equipment to each person before that person can sign in, lock the control box and enter the job.

(f) All lockbox shutdown jobs must be conducted with an everyman control requirement. Each person entering the job must sign the sign-in sheet and apply a personal lockout device on the lockbox before he/she enters the job. Each person must also sign back out and remove their own lockout device when they leave the job for the last time each day.

(i) The designated control authority may leave his/her lock on the lockbox until the job is completed if desired.

(g) Lockbox.

(i) The job lockbox must be constructed so that the lockout keys are visible within the box but cannot be removed without opening the lockbox cover.

(ii) The lockbox cover must be constructed so that any single lock installed on the cover will prevent the keys inside from being removed.

(3) Procedure Sequence.

(a) The sign-in/sign-out sheet(s) shall remain in the possession of the job supervisor/lockout coordinator until the deactivating is complete, the controls locked out and the control keys are securely locked up inside the lockbox.

(b) The lockout crew shall deactivate, lockout and test each control on the job shutdown checklist in full compliance with the standard lockout procedures of this section.

(c) The lockout crew shall individually sign off for each item on the checklist when each item is locked and again when each item has passed the required test sequence to assure that deactivation is complete.

(d) Each listed control shall be locked in the deactivated position by a minimum of two members of the lockout crew except that when the lockout crew is required by this section to be supplemented by a foreman for each outside contractor, each contractor foreman shall also apply an additional lock on each control.

(e) Each person on the lockout crew shall use differently keyed padlocks not combination locks, to implement the lockbox procedures. Series locks may be used provided that no key is available which will open more than one lock on any given control.

(f) Padlocks used shall be individually identified or an information tag identifying the user, shall be attached to the lock.

(g) When all items on the job lockout checklist are deactivated, locked out, tested and signed off, all keys which will open any control padlock used shall be placed inside the job lockbox.

(4) The job supervisor shall then effect the following procedures in the sequence specified:

(a) Review the checklist to ascertain that lockout is complete;

(b) Assure that all keys for the control locks are placed in the lockbox;

(c) Apply a personal identified padlock on the lockbox in a manner to secure all control keys inside;

(d) Sign the checklist approving that the lockout is complete;

(e) Sign and release the sign-in/sign-out sheets to approve personnel entry;

(f) The sign-in/sign-out sheet(s) shall be kept with the job shutdown checkoff list(s) until the job is completed, all personnel have signed out and the equipment/system is authorized for restarting. The checklist and sign-in sheets shall then be returned to the area supervisors office and retained as a record for not less than two (2) years.

(5) Workcrew personnel may only enter the job in accordance with the following procedures:

(a) Each person must apply a personally identified padlock on the lockbox in such a manner that the control keys inside are not removable until your lock is removed;

(b) Review the checklist to assure that the controls influencing your intended work position are locked out and tested;

(c) Individually sign in on the job sign-in sheet;

(d) Work crew personnel must each remove their individual padlocks and personally sign back out when they leave the job.

(6) On locked out jobs which will continue into succeeding shifts, the lockout crew and job supervisor/coordinator shall be relieved in accordance with the following:

(a) When individually keyed and personally identified locks are used on individual machine/system controls, every person on the sign-in sheet must clear the job, sign-out and remove their individual locks off the lockbox. Nobody shall be permitted to re-enter the job until the on-coming lockout crew has locked out all controls in accordance with all requirements of this section, then has provided a new completed checklist and sign-in sheet. Personnel may then lock the new control keys in the lockbox, sign-in and resume work.

(b) When series locks with information tags are used in lieu of personally identified locks on individual machine/system controls, the relief lockout crew and job supervisor/coordinator may relieve their individual counterpart person at the lockbox in accordance with the following procedure:

- (i) Sign-in on the existing job checklist including the date and time;
- (ii) Install a personally identified lock on the lockbox;
- (iii) Each off-going individual shall then line out their name on the checklist, initial the change and record the time. He/she then stands relieved and may remove the time. He/she then stands relieved and may remove their personal lock from the lockbox.

CRITERIA: The lockbox must be locked at all times securing all keys for individual controls.

(iv) When the requirements of this item (6)(b) have been complied with, the locks and information tags on the individual machine/system controls shall not be required to be changed or amended. Retesting individual controls shall not be required and is not recommended.

(c) The on-coming job supervisor shall sign both the checklist(s) and personnel sign-in sheet(s) indicating the date and time when supervision authority changed.

(7) When all personal padlocks have been removed from the lockbox and all personnel have signed back out, the job supervisor must sign the checklist(s) and sign-in sheet(s) to authorize reactivating the equipment/system. The supervisors signature shall include the date and time when authorization was granted.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-300 SCOPE, APPLICATION, AND DEFINITIONS. (1) Scope. This section covers the following operations, unless the employer can demonstrate that the operation does not involve employee exposure or the reasonable possibility for employee exposure to safety or health hazards:

(a) Clean-up operations required by a governmental body, whether federal, state, local, or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

(b) Corrective actions involving clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901 et seq.);

(c) Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental bodies as uncontrolled hazardous waste sites;

(d) Operations involving hazardous wastes that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations; and

(e) Emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard.

(2) Application.

(a) All requirements of this chapter and chapters 296-24 and 296-155 WAC apply pursuant to their terms to hazardous waste and emergency response operations whether covered by this part or not. If there is a conflict or overlap, the provision more protective of employee safety and health shall apply.

(b) Hazardous substance clean-up operations within the scope of subsection (1)(a), (b), and (c) of this section must comply with all sections (WAC 296-62-300 through 296-62-3145) except WAC 296-62-3140, 296-62-3110 (4) and (5), and 296-62-3112.

(c) Operations within the scope of subsection (1)(d) of this section must comply only with the requirements of WAC 296-62-3140 and 296-62-3110 (4) and (5).

((Exceptions. For large quantity generators of hazardous waste who store those wastes less than 90 days and for small quantity generators of hazardous wastes, who have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances, for their RCRA workplaces only WAC 296-62-3110(5) is applicable. Generators of hazardous wastes who do not have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances are exempt from the requirements of this section.)) Notes and Exceptions: (i) All provisions of WAC 296-62-3140 cover any treatment, storage, or disposal (TSD) operation regulated by 40 CFR parts 264 and 265 or by state law authorized under RCRA, and

required to have a permit or interim status from EPA pursuant to 40 CFR 270.1 or from a state agency pursuant to RCRA.

((ii) Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 CFR 261.5 or are generators who qualify under 40 CFR 262.34 for exemptions from regulation under 40 CFR parts 264, 265, and 270 ("excepted employers") are not covered by WAC 296-62-3140 (1) through (7). Excepted employers who are required by the EPA or state agency to have their employees engage in emergency response or who direct their employees to engage in emergency response are covered by WAC 296-62-3140(8), and cannot be exempted by WAC 296-62-3140 (8)(a). Excepted employers who are not required to have employees engage in emergency response, who direct their employees to evacuate in the case of such emergencies and who meet the requirements of WAC 296-62-3140 (8)(a) are exempt from the balance of WAC 296-62-3140(8).

((iii) If an area is used primarily for treatment, storage or disposal, any emergency response operations in that area shall comply with WAC 296-62-3140(8). In other areas not used primarily for treatment, storage or disposal, any emergency response operations shall comply with WAC 296-62-3140(9). Compliance with the requirements of WAC 296-62-3140(9) shall be deemed to be in compliance with the requirements of WAC 296-62-3140(8).

(d) Emergency response operations for releases of, or substantial threats of releases of hazardous substances which are not covered by subsection (1)(a) through (d) of this section must only comply with the requirements of WAC 296-62-3112.

(3) Definitions.

(a) "Buddy system" means a system of organizing employees into work groups in such a manner that each employee of the work group is designated to be observed by at least one other employee in the work group. The purpose of the buddy system is to provide rapid assistance to employees in the event of an emergency.

(b) "Clean-up operation" means an operation where hazardous substances are removed, contained, incinerated, neutralized, stabilized, cleared-up, or in any other manner processed or handled with the ultimate goal of making the site safer for people or the environment.

(c) "Contamination reduction zone" means the buffer between the exclusion zone and the outermost clean zone.

(d) "Decontamination" means the removal of hazardous substances from employees and their equipment to the extent necessary to preclude the occurrence of foreseeable adverse health effects.

(((((e))) (e) "Emergency response" or "responding to emergencies" means a response effort by employees from outside the immediate release area or by other designated responders (i.e., mutual aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area or by maintenance personnel are not considered to be emergency responses within the scope of this standard. Responses to release of hazardous substances where there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure) are not considered to be emergency responses.

(((((f))) (f) "Exclusion zone" means the innermost zone at a site where contamination does occur.

(g) "Facility" means (i) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, storage container, motor vehicle, rolling stock, or aircraft, or (ii) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any water-borne vessel.

(((((h))) (h) "Hazardous materials response (HAZMAT) team" means an organized group of employees, designated by the employer, who are expected to perform work, to handle and control actual or potential leaks or spills of hazardous substances requiring possible close approach to the substance. The team members perform responses to releases or potential releases of hazardous substances for the purpose of control or stabilization of the incident. A HAZMAT team is not a fire brigade nor is a typical fire brigade a HAZMAT team. A HAZMAT team, however, may be a separate component of a fire brigade or fire department.

(((((i))) (i) "Hazardous substance" means any substance designated or listed under (((((i))) (i) through (iv) of this subsection, exposure to

which results or may result in adverse effects on the health or safety of employees:

(i) Any substance defined under section 101(14) of CERCLA;
 (ii) Any biological agent and other disease-causing agent (~~as defined in section 101(33) of CERCLA~~) which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such persons or their offspring;

(iii) Any substance listed by the United States Department of Transportation as hazardous materials under WAC 480-12-195; and
 (iv) Hazardous waste as herein defined.

((††)) (j) "Hazardous waste" means:
 (i) A waste or combination of wastes as defined in WAC 173-303-040; or

(ii) Those substances defined in WAC 480-12-195.
 ((††)) (k) "Hazardous waste operation" means any operation conducted within the scope of this standard.

((††)) (l) "Hazardous waste site" or "site" means any facility or location within the scope of this standard at which hazardous waste operations take place.

((††)) (m) "Health hazard" means a chemical, mixture of chemicals, or a pathogen for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. It also includes stress due to temperature extremes. Further definition of the terms used above can be found in Appendix A to WAC 296-62-054 through 296-62-05427.

((††)) (n) "IDLH" or "immediately dangerous to life or health" means any atmospheric concentration of any toxic, corrosive, or asphyxiant substance that poses an immediate threat to life or would cause irreversible or delayed adverse health effects or would interfere with an individual's ability to escape from a dangerous atmosphere.

((††)) (o) "Oxygen deficiency" means that concentration of oxygen by volume below which atmosphere supplying respiratory protection must be provided. It exists in atmospheres where the percentage of oxygen by volume is less than 19.5 percent oxygen.

((††)) (p) "Permissible exposure limit" means the exposure, inhalation, or dermal permissible limit specified in WAC 296-62-075 through 296-62-07515.

((††)) (q) "Published exposure level" means the exposure limits published in "NIOSH Recommendations for Occupational Health Standards" dated 1986 incorporated by reference, or if none is specified, the exposure limits published in the standards specified by the American Conference of Governmental Industrial Hygienists in their publication "Threshold Limit Values and Biological Exposure Indices for 1988-89" dated 1988 incorporated by reference.

((††)) (r) "Post emergency response" means that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and clean-up of the site has begun. If post emergency response is performed by an employer's own employees who were part of the initial emergency response, it is considered to be part of the initial response and not post emergency response. However, if a group of an employer's own employees, separate from the group providing initial response, performs the clean-up operation, then the separate group of employees would be considered to be performing post-emergency response and subject to WAC 296-62-3112(11).

((††)) (s) "Qualified person" means a person with specific training, knowledge, and experience in the area for which the person has responsibility and the authority to control.

((††)) (t) "Site safety and health supervisor (or official)" means the individual located on a hazardous waste site who is responsible to the employer and has the authority and knowledge necessary to implement the site safety and health plan and verify compliance with applicable safety and health requirements.

((††)) (u) "Site work zones" means an exclusion zone, contamination reduction zone, and a clean zone established at a hazardous waste site before clean-up work begins to prevent or reduce the movement of contaminants from the site to uncontaminated areas and to control public, employee, and equipment exposure to hazardous substances.

(i) The exclusion zone is the innermost of the zones and is where contamination does occur. The contamination reduction zone is the zone between the exclusion zone and the clean zone and serves as a transition and buffer between the contaminated and clean zone to further reduce the physical transfer of contaminating substances to the public, employees, and equipment. The clean zone is the outermost of the zones and is a noncontaminated or clean area. The level of contamination in these zones is not defined and some designated exclusion zones can have very little contamination directly affecting employees.

(ii) The contaminated reduction corridors are the designated areas within the contaminated reduction zone for the decontamination of personnel and equipment.

((††)) (v) "Small quantity generator" means a generator of hazardous wastes who in any calendar month generates no more than 1000 kilograms (2205 pounds) of hazardous waste in that month.

((††)) (w) "Uncontrolled hazardous waste site" means an area where an accumulation of hazardous waste creates a threat to the health and safety of individuals or the environment or both. Some sites are found on public lands, such as those created by former municipal, county, or state landfills where illegal or poorly managed waste disposal has taken place. Other sites are found on private property, often belonging to generators or former generators of hazardous waste. Examples of such sites include, but are not limited to, surface impoundments, landfills, dumps, and tank or drum farms. Normal operations at TSD sites are not covered by this definition.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3020 SITE CHARACTERIZATION AND ANALYSIS. (1) General. Hazardous waste sites shall be evaluated in accordance with this section to identify specific site hazards and to determine the appropriate safety and health control procedures needed to protect employees from the identified hazards.

(2) Preliminary evaluation. A preliminary evaluation of a site's characteristics shall be performed prior to site entry by a qualified person in order to aid in the selection of appropriate employee protection methods prior to site entry. Immediately after initial site entry, a more detailed evaluation of the site's specific characteristics shall be performed by a qualified person in order to further identify existing site hazards and to further aid in the selection of the appropriate engineering controls and personal protective equipment for the tasks to be performed.

(3) Hazard identification. All suspected conditions that may pose inhalation or skin absorption hazards that are immediately dangerous to life or health (IDLH), or other conditions that may cause death or serious harm, shall be identified during the preliminary survey and evaluated during the detailed survey. Examples of such hazards include, but are not limited to, confined space entry, potentially explosive or flammable situations, visible vapor clouds, or areas where biological indicators such as dead animals or vegetation are located.

(4) Required information. The following information to the extent available shall be obtained by the employer prior to allowing employees to enter a site:

- Location and approximate size of the site.
- Description of the response activity and/or the job task to be performed.
- Duration of the planned employee activity.
- Site topography and accessibility by air and roads.
- Safety and health hazards expected at the site.
- Pathways for hazardous substance dispersion.

(g) Present status and capabilities of emergency response teams that would provide assistance to hazardous waste clean-up site employees at the time of an emergency.

(h) Hazardous substances and health hazards involved or expected at the site and their chemical and physical properties.

(5) Personal protective equipment. Personal protective equipment (PPE) shall be provided and used during initial site entry in accordance with the following requirements:

(a) Based upon the results of the preliminary site evaluation, an ensemble of PPE shall be selected and used during initial site entry which will provide protection to a level of exposure below established permissible exposure limits and published exposure levels for known or suspected hazardous substances and health hazards, and which will provide protection against other known and suspected hazards identified during the preliminary site evaluation. If there is no permissible exposure limit or published exposure level, the employer may use other published studies and information as a guide to appropriate personal

protective equipment. Level A and Level B personal protective equipment is required for the most hazardous actual or potential exposures.

(b) If positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble, and if respiratory protection is warranted by the potential hazards identified during the preliminary site evaluation, an escape self-contained breathing apparatus of at least five minute's duration shall be carried by employees during initial site entry.

(c) If the preliminary site evaluation does not produce sufficient information to identify the hazards or suspected hazards of the site an ensemble providing protection equivalent to Level B PPE shall be provided as minimum protection and direct reading instruments shall be used as appropriate for identifying IDLH conditions. (See WAC 296-62-3170 - Appendix B for a description of Level B hazards and the recommendations for Level B protective equipment.)

(d) Once the hazards of the site have been identified, the appropriate PPE shall be selected and used in accordance with WAC 296-62-3060.

(6) Monitoring. The following monitoring shall be conducted during initial site entry when the site evaluation produces information that shows the potential for ionizing radiation or IDLH conditions, or when the site information is not sufficient to rule out these possible conditions:

(a) Monitoring with direct reading instruments for hazardous levels of ionizing radiation.

(b) Monitoring the air with appropriate direct reading equipment (i.e., combustible gas meters, detector tubes) for IDLH and other conditions that may cause death or serious harm (combustible or explosive atmospheres, oxygen deficiency, toxic substances).

(c) Visually observing for signs of actual or potential IDLH or other dangerous conditions.

(d) An ongoing air monitoring program in accordance with WAC 296-62-3070 shall be implemented after site characterization has determined the site is safe for the start-up of operations.

(7) Risk identification. Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances shall be identified. Employees who will be working on the site shall be informed of any risks that have been identified. In situations covered by WAC 296-62-054 through 296-62-05427, training required by those standards need not be duplicated.

Note: Risks to consider include, but are not limited to:

(a) Exposures exceeding the permissible exposure limits and published exposure levels.

(b) IDLH concentrations.

(c) Potential skin absorption and irritation sources.

(d) Potential eye irritation sources.

(e) Explosion sensitivity and flammability ranges.

(f) Oxygen deficiency.

(8) Employee notification. Any information concerning the chemical, physical, and toxicologic properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform shall be made available to all employees prior to the commencement of their work activities. The employer may utilize information developed for the hazard communication standard for this purpose.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3040 TRAINING. (1) General.

(a) All employees working on site (such as but not limited to equipment operators, general laborers, and others) exposed to hazardous substances, health hazards, or safety hazards, and their supervisors and management responsible for the site, shall receive training meeting the requirements of this subsection before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards, and they shall review training as specified in this subsection.

(b) Employees shall not be permitted to participate in or supervise field activities until they have been trained to a level required by their job function and responsibility.

(2) Elements to be covered. The training shall thoroughly cover the following:

(a) Names of personnel and alternates responsible for site safety and health;

(b) Safety, health, and other hazards present on the site;

(c) Use of personal protective equipment;

(d) Work practices by which the employee can minimize risks from hazards;

(e) Safe use of engineering controls and equipment on the site;

(f) Medical surveillance requirements including recognition of symptoms and signs which might indicate overexposure to hazards; and

(g) The contents of items (vii) through (x) of the site safety and health plan set forth in WAC 296-62-3010 (4)(b).

(3) Initial training. ((a)) General site workers (such as equipment operators, general laborers, and supervisory personnel) engaged in hazardous substance removal or other activities which expose or potentially expose workers to hazardous substances and health hazards shall receive ((a minimum of 40 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(b) Effective June 1, 1990, employers shall adjust the initial training required by (a) of this subsection, to meet as a minimum the following training requirements:

(i) Workers engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 80 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(ii) Equipment operators and transport vehicle operators engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 40 hours of training, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(iii) Supervisors engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive as a minimum the same number of hours of instruction as the workers for whom the supervisor is directly responsible, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(c) Workers on site only occasionally for a specific limited task (such as, but not limited to, ground water monitoring, land surveying, or geophysical surveying) and who are unlikely to be exposed over permissible exposure limits and published exposure levels shall receive a minimum of 24 hours of instruction off the site, and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

(d) Workers regularly on site who work in areas other than the exclusion zone and the contamination reduction zone which have been monitored and fully characterized indicating that exposures are under permissible exposure limits and published exposure levels where respirators are not necessary, and the characterization indicates that there are no health hazards or the possibility of an emergency developing, shall receive a minimum of 24 hours of instruction off the site and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

(e) Workers with 24 hours of training who are covered by (c) and (d) of this subsection, and who become general site workers or who are required to wear respirators, shall have the additional 16 hours and two days of training necessary to total the training specified in (a) of this subsection:)) the following required training:

(a) General site workers required to wear Level A or Level B personal protective equipment because of the types of hazards to which they are exposed or have the potential for being exposed are required to have 80 hours of training.

(b) General site workers required to wear Level C or D personal protective equipment, equipment operators or transport vehicle operators, are required to have 40 hours of training.

(c) General site workers on site only occasionally for specific limited tasks, and supervisors not working in the two inner zones are required to have 24 hours of training. For example, certain Environmental Protection Agency, and department of ecology employees, labor and industries inspectors and other short-term monitoring and surveying personnel would be required to only have 24 hours of training if they are on-site only occasionally for a specific limited task and are unlikely to be exposed over permissible exposure levels. A minimum of one day actual field experience under direct supervision is also required.

(4) Management and supervisor training. On-site management and supervisors directly responsible for, or who supervise employees engaged in, hazardous waste operations shall receive ((40 hours)) the same initial training as listed in (a) of this subsection, and three days of supervised field experience ((the training may be reduced to 24 hours and one day if the only area of their responsibility is employees

covered by subsection (3)(c) and (d) of this section)) and at least eight additional hours of specialized training at the time of job assignment on such topics as, but not limited to, the employer's safety and health program and the associated employee training program, personal protective equipment program, spill containment program, and health hazard monitoring procedure and techniques.

(5) Law enforcement at illicit drug labs.

Exception: WISHA did not intend application of the 80 hour training requirement to law enforcement personnel required to enter illicit drug labs, secure the premise, and obtain necessary evidence for law enforcement purposes. Attendance at a specific 40 hours course, such as that presented by the criminal justice training commission, is acceptable.

NOTE: If cleanup activities are conducted by law enforcement personnel, then appropriate hazardous waste cleanup training would be required.

(6) Training Course Content. (a) 40 and 80 hour hazardous waste cleanup courses. As a minimum, the training course content for the 40 hour and 80 hour training program shall include the following topics:

(i) Overview of the applicable sections of Part P of chapter 296-62 WAC and the elements of an employer's effective occupational safety and health program.

(ii) Effect of chemical exposure to hazardous substances (i.e., toxicity, carcinogens, irritants, sensitizers, etc.).

(iii) Effects of biological and radiological exposures.

(iv) Fire and explosion hazards (i.e., flammable and combustible liquids, reactive materials).

(v) General safety hazards, including electrical hazards, powered equipment hazards, walking-working surface hazards and those hazards associated with hot and cold temperature extremes.

(vi) Confined space, tank, and vault hazards and entry procedures.

(vii) Names of personnel and alternates, where appropriate, responsible for site safety and health at the site.

(viii) Specific safety, health, and other hazards that are to be addressed at a site and in the site safety and health plan.

(ix) Use of personal protective equipment and the implementation of the personal protective equipment program.

(x) Work practices that will minimize employee risk from site hazards.

(xi) Safe use of engineering controls and equipment and any new relevant technology or procedure.

(xii) Content of the medical surveillance program and requirements, including the recognition of signs and symptoms of overexposure to hazardous substances.

(xiii) The contents of an effective site safety and health plan.

(xiv) Use of monitoring equipment with "hands-on" experience and the implementation of the employee and site monitoring program.

(xv) Implementation and use of the information program.

(xvi) Drum and container handling procedures and the elements of a spill containment program.

(xvii) Selection and use of material handling equipment.

(xviii) Methods for assessment of risk and handling of radioactive wastes.

(xix) Methods for handling shock-sensitive wastes.

(xx) Laboratory waste pack handling procedures.

(xxi) Container sampling procedures and safeguards.

(xxii) Safe preparation procedures for shipping and transport of containers.

(xxiii) Decontamination program and procedures.

(xxiv) Emergency response plan and procedures including first aid.

(xxv) Safe site illumination levels.

(xxvi) Site sanitation procedures and equipment for employee needs.

(xxvii) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(xxviii) Overview and explanation of WISHA's hazard communication standard Part C of chapter 296-62 WAC.

(xxix) Sources of reference, additional information and efficient use of relevant manuals and hazard coding systems.

(xxx) Principles of toxicology and biological monitoring.

(xxxi) Rights and responsibilities of employees and employers under WISHA and CERCLA.

(xxxii) "Hands-on" field exercises and demonstrations.

(b) 24-hour hazardous waste cleanup course. As a minimum, the 24-hour training course required in WAC 296-62-3040 (3)(c) and (d) for employees engaged in occasional visits to uncontrolled hazardous waste sites shall include the following topics where they are applicable to the job function to be performed:

(i) Overview of applicable sections of Part P of chapter 296-62 WAC and the elements of the employer's effective occupational safety and health program.

(ii) Employee rights and responsibilities under WISHA and CERCLA.

(iii) Overview of relevant chemical exposures to hazardous substances (i.e., toxics, carcinogens, irritants, sensitizers, etc.).

(iv) Overview of the principles of toxicology and biological monitoring.

(v) Use of monitoring equipment with hands-on practice and an overview of a site monitoring program.

(vi) Overview of site hazards including fire and explosion, confined spaces, oxygen deficiency, electrical hazards, powered equipment hazards, walking-working surface hazards.

(vii) The contents of an effective site safety and health plan.

(viii) Use of personal protective equipment and the implementation of the personal protective equipment program.

(ix) Work practices that will minimize employee risk from site hazards.

(x) Site simulations with "hands-on" exercises and practice.

(xi) Emergency response planning and response including first aid.
(xii) Content of the medical surveillance program and requirements, including the recognition of signs and symptoms of overexposure to hazardous substances.

(xiii) Decontamination programs and procedures.

(xiv) Safe use of engineering controls and equipment.

(xv) Sources of references and efficient use of relevant manuals and knowledge of hazard coding systems.

(c) 16-hour supplemental training for hazardous waste sites. As a minimum, employees who have received 24 hours of training for hazardous waste site operations shall receive training in the following topics before they are allowed to work as general site workers or if they are required to wear respirators:

(i) Relevant chemical exposures to hazardous substances beyond that previously covered.

(ii) Site hazards including fire and explosion, confined spaces, oxygen deficiency, electrical, powered equipment, and walking-working surfaces beyond that previously covered.

(iii) Names of personnel and alternates responsible for site safety and health at the site, where appropriate.

(iv) Use of monitoring equipment and the implementation of the employee and the site monitoring program beyond that previously covered.

(v) Implementation and use of the informational program.

(vi) Drum and container handling procedures and the elements of a spill containment program.

(vii) Selection and use of material handling equipment.

(viii) Methods for assessment of risk and handling of radioactive wastes.

(ix) Methods for handling shock-sensitive wastes.

(x) Laboratory waste pack handling procedures.

(xi) Container sampling procedures and safeguards.

(xii) Safe preparation procedures for shipping and transport of containers.

(xiii) Decontamination program and procedures.

(xiv) Safety site illumination levels.

(xv) Site sanitation procedures and equipment.

(xvi) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(xvii) Overview and explanation of WISHA's Hazard communication standard Part C of chapter 296-62 WAC.

(xviii) Sources of reference and additional information.

(d) Additional 8 hours of training for supervisors and managers. Supervisors and managers shall receive an additional eight hours of training in the following subjects:

(i) Management of hazardous wastes and their disposal.

(ii) Federal, state, and local agencies to be contacted in the event of a release of hazardous substances.

(iii) Management of emergency procedures in the event of a release of hazardous substances.

(7) Qualifications for trainers. Trainers shall be qualified to instruct employees about the subject matter that is being presented in training. Such trainers shall have satisfactorily completed a training program for teaching the subjects they are expected to teach, or they shall have the academic credentials and instructional experience necessary for teaching the subjects. Instructors shall demonstrate competent instructional skills and knowledge of the applicable subject matter.

~~((6))~~ (8) Training certification. Employees and supervisors that have received and successfully completed the training and field experience specified in subsections (1) through (4) of this section shall be certified by their instructor or the head instructor and trained supervisor as having successfully completed the necessary training. A written certificate shall be given to each person so certified. Any person who has not been so certified or who does not meet the requirements of subsection ~~((9))~~ (11) of this section shall be prohibited from engaging in hazardous waste operations.

~~((7))~~ (9) Emergency response. Employees who are engaged in responding to hazardous emergency situations at hazardous waste clean-up sites that may expose them to hazardous substances shall be trained in how to respond to expected emergencies.

~~((8))~~ (10) Refresher training. Employees specified in subsection (1) of this section, and managers specified in subsection (4) of this section, shall receive eight hours of refresher training annually on the items specified in subsections (2) and/or (4) of this section, any critique of incidents that have occurred in the past year that can serve as training examples of related work, and other relevant topics.

~~((9))~~ (11) Equivalent training. Employers who can show by documentation or certification that an employee's work experience and/or training has resulted in training equivalent to that training required in subsections (1) through (4) of this section shall not be required to provide the initial training requirements of those sections to such employees. However, certified employees new to a site shall receive appropriate, site specific training before site entry and have appropriate supervised field experience at the new site. Equivalent training includes any academic training or the training that existing employees might have already received from actual hazardous waste site work experience. The 80 hours of instruction required can be fulfilled as follows:

(a) Instruction can include a combination of presently available 40 hour training sessions and other related classes or training including additional supervised on-the-job training as long as material covered includes elements required in the training section WAC 296-62-3040(2) of the regulations. A single 80 hour training session is also acceptable.

(b) Previously attended courses including eight-hour refresher courses apply toward the 80 hour requirement and need not be repeated.

(c) Documentation of previous experience and training by qualified trainers is required of employers and must be available to inspectors for review.

(d) When calculating hours of training, WISHA assumes a "normal" work day to be eight hours with sufficient time for lunch and other breaks.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3050 MEDICAL SURVEILLANCE. (1) General. Employers engaged in operations specified in WAC 296-62-300 (1)(a) through (d) and not covered by WAC 296-62-300(2), exceptions; and employers of employees specified in WAC 296-62-3112(9) shall institute a medical surveillance program in accordance with this subsection.

(2) Employees covered. The medical surveillance program shall be instituted by the employer for the following employees:

(a) All employees who are or may be exposed to hazardous substances or health hazards at or above the permissible exposure limits or, if there is no permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for 30 days or more a year;

(b) All employees who wear a respirator for 30 days or more a year or as required by WAC 296-62-071; and

(c) All employees who are injured, become ill or develop signs or symptoms due to possible overexposure ~~((from an emergency incident))~~ involving hazardous substances or health hazards from an emergency response or hazardous waste operation; ~~((or))~~ and

(d) Members of HAZMAT teams.

(3) Frequency of medical examinations and consultations. Medical examinations and consultations shall be made available by the employer to each employee covered under subsection (1) of this section on the following schedules:

(a) For employees covered under WAC 296-62-3150 (2)(a), (b), and (d):

(i) Prior to assignment;

(ii) At least once every twelve months for each employee covered unless the attending physician believes a longer interval (not greater than biennially) is appropriate;

(iii) At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months;

(iv) As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the permissible exposure limits, or published exposure levels in an emergency situation;

(v) At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

(b) For employees covered under subsection (1)(c) of this section and for all employees including those employees covered by WAC 296-62-300 (1)(e) who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or exposed during an emergency incident to hazardous substances at concentrations above the permissible exposure limits or the published exposure levels without the necessary personal protective equipment being used:

(i) As soon as possible following the emergency incident or development of signs or symptoms;

(ii) At additional times, if the examining physician determines that follow-up examinations or consultations are medically necessary.

(4) Content of medical examinations and consultations.

(a) Medical examinations required by subsection (3) of this section shall include a medical and work history (or updated history if one is in the employee's file) with special emphasis on symptoms related to the handling of hazardous substances and health hazards, and to fitness for duty including the ability to wear any required PPE under conditions (i.e., temperature extremes) that may be expected at the worksite.

(b) The content of medical examinations or consultations made available to employees pursuant to this section shall be determined by the examining physician. The guidelines in the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities (See Appendix D, Reference #10) should be consulted.

(5) Examination by a physician and costs. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, preferably one knowledgeable in occupational medicine, and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(6) Information provided to the physician. The employer shall provide one copy of this standard and its appendices to the examining physician, and in addition, the following for each employee:

(a) A description of the employee's duties as they relate to the employee's exposures;

(b) The employee's exposure levels or anticipated exposure levels;

(c) A description of any personal protective equipment used or to be used;

(d) Information from previous medical examinations of the employee which is not readily available to the examining physician; and

(e) Information required in WAC 296-62-071 through 296-62-07121.

(7) Physician's written opinion.

(a) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(i) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from work in hazardous waste operations or emergency response or from respirators use.

(ii) The physician's recommended limitations upon the employees assigned work.

(iii) The results of the medical examination and tests if requested by the employee.

(iv) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(b) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposures.

(8) Recordkeeping.

(a) An accurate record of the medical surveillance required by this section shall be retained. This record shall be retained for the period specified and meet the criteria of Part B of chapter 296-62 WAC.

(b) The record required in (a) of this subsection shall include at least the following information:

- (i) The name and Social Security number of the employee;
- (ii) Physicians' written opinions, recommended limitations, and results of examinations and tests;
- (iii) Any employee medical complaints related to exposure to hazardous substances;
- (iv) A copy of the information provided to the examining physician by the employer, with the exception of the standard and its appendices.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3060 ENGINEERING CONTROLS, WORK PRACTICES, AND PERSONAL PROTECTIVE EQUIPMENT FOR EMPLOYEE PROTECTION. (1) Engineering controls, work practices, personal protective equipment, or a combination of these shall be implemented in accordance with this section to protect employees from exposure to hazardous substances and health hazards.

(a) Engineering controls, work practices, and PPE for substances regulated in chapter 296-62 WAC.

Engineering controls and work practices shall be instituted to reduce and maintain employee exposure to or below the permissible exposure limits for substances regulated by this chapter, except to the extent that such controls and practices are not feasible.

Note: Engineering controls which may be feasible include the use of pressurized cabs or control booths on equipment, and/or the use of remotely operated material handling equipment. Work practices which may be feasible are removing all nonessential employees from potential exposure during opening of drums, wetting down dusty operations, and locating employees upwind of possible hazards.

(b) Whenever engineering controls and work practices are not feasible, or not required, any reasonable combination of engineering controls, work practices, and PPE shall be used to reduce and maintain exposures to or below the permissible exposure limits or dose limits for substances regulated by chapter 296-62 WAC.

(c) The employer shall not implement a schedule of employee rotation as a means of compliance with permissible exposure limits or dose limits except when there is no other feasible way of complying with the airborne or dermal dose limits for ionizing radiation.

(d) The provisions of WAC 296-62-080 through 296-62-09013, 296-62-09015 through 296-62-09055, and 296-62-100 through 296-62-130 shall be followed.

(2) Engineering controls, work practices, and personal protective equipment for substances not regulated in chapter 296-62 WAC. An appropriate combination of engineering controls, work practices, and personal protective equipment shall be used to reduce and maintain employee exposure to or below published exposure levels for hazardous substances and health hazards not regulated by chapter 296-62 WAC. The employer may use the published literature and MSDS as a guide in making the employer's determination as to what level of protection the employer believes is appropriate for hazardous substances and health hazards for which there is no permissible exposure limit or published exposure level.

(3) Personal protective equipment selection.

(a) Personal protective equipment (PPE) shall be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(b) Personal protective equipment selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(c) Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply shall be used when chemical exposure levels present will create a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(d) Totally-encapsulating chemical protective suits (protection equivalent to Level A protection as recommended in Appendix B) shall be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(e) The level of protection provided by PPE selection shall be increased when additional information or site conditions indicate that increased protection is necessary to reduce employee exposures below

permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See WAC 296-62-3170 - Appendix B for guidance on selecting PPE ensembles.)

Note: The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in increased hazardous exposures to employees.

(f) Personal protective equipment shall be selected and used to meet the requirements of chapter 296-24 WAC, Part A-1, and additional requirements specified in this part.

(4) Totally-encapsulating chemical protective suits.

(a) Totally-encapsulating suits shall protect employees from the particular hazards which are identified during site characterization and analysis.

(b) Totally-encapsulating suits shall be capable of maintaining positive air pressure. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(c) Totally-encapsulating suits shall be capable of preventing inward test gas leakage of more than 0.5 percent. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(5) Personal protective equipment (PPE) program. A written personal protective equipment program, which is part of the employer's safety and health program required in WAC 296-62-3010 and which shall be part of the site-specific safety and health plan shall be established. The PPE program shall address the elements listed below. When elements, such as donning and doffing procedures, are provided by the manufacturer of a piece of equipment and are attached to the plan, they need not be rewritten into the plan as long as they adequately address the procedure or element.

(a) PPE selection based on site hazards,

(b) PPE use and limitations of the equipment,

(c) Work mission duration,

(d) PPE maintenance and storage,

(e) PPE decontamination and disposal,

(f) PPE training and proper fitting,

(g) PPE donning and doffing procedures,

(h) PPE inspection procedures prior to, during, and after use,

(i) Evaluation of the effectiveness of the PPE program, and

(j) Limitations during temperature extremes, heat stress, and other appropriate medical considerations.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3070 MONITORING. (1) General.

(a) Monitoring shall be performed in accordance with this section where there may be a question of employee exposure to concentrations of hazardous substances in order to assure proper selection of engineering controls, work practices, and personal protective equipment so that employees are not exposed to levels which exceed permissible exposure limits or published exposure levels if there are no permissible exposure limits, for hazardous substances.

(b) Air monitoring shall be used to identify and quantify airborne levels of hazardous substances and safety and health hazards in order to determine the appropriate level of employee protection needed on site.

(2) Initial entry. Upon initial entry, representative air monitoring shall be conducted to identify any IDLH condition, exposure over permissible exposure limits or published exposure levels, exposure over a radioactive material's dose limits, or other dangerous condition, such as the presence of flammable atmospheres or oxygen-deficient environments.

(3) Periodic monitoring. Periodic monitoring shall be conducted when the possibility of an IDLH condition or flammable atmosphere has developed or when there is indication that exposures may have risen over permissible exposure limits or published exposure levels since prior monitoring. Situations where it shall be considered whether the possibility that exposures have risen are as follows:

(a) When work begins on a different portion of the site.

(b) When contaminants other than those previously identified are being handled.

(c) When a different type of operation is initiated (e.g., drum opening as opposed to exploratory well drilling).

(d) When employees are handling leaking drums or containers or working in areas with obvious liquid contamination (e.g., a spill or lagoon).

(e) When a sufficient reasonable interval has passed so that exposures may have significantly increased.

(4) Monitoring of high-risk employees. After the actual clean-up phase of any hazardous waste operation commences; for example, when soil, surface water, or containers are moved or disturbed; the employer shall monitor those employees likely to have the highest exposures to hazardous substances and health hazards likely to be present above permissible exposure limits or published exposure levels by using personal sampling frequently enough to characterize employee exposures. If the employees likely to have the highest exposure are over permissible exposure limits or published exposure levels, then monitoring shall continue to determine all employees likely to be above those limits. The employer may utilize a representative sampling approach by documenting that the employees and chemicals chosen for monitoring are based on the criteria stated in this subsection.

Note: It is not required to monitor employees engaged in site characterization operations covered by WAC 296-62-3020.

AMENDATORY SECTION (Amending Order 90-01, filed 4/10/90, effective 5/25/90)

WAC 296-62-3110 EMERGENCY RESPONSE BY EMPLOYEES AT UNCONTROLLED HAZARDOUS WASTE SITES. (1) Emergency response plan.

(a) An emergency response plan shall be developed and implemented by all employers within the scope of ~~((this section))~~ WAC 296-62-300 (1)(a) and (b) to handle anticipated emergencies prior to the commencement of hazardous waste operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, WISHA personnel, and other governmental agencies with relevant responsibilities.

(b) Employers who will evacuate their employees from the ~~((workplace))~~ danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of this section if they provide an emergency action plan complying with WAC 296-24-567(1).

(2) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address as a minimum, the following:

- (a) Preemergency planning.
- (b) Personnel roles, lines of authority, and communication.
- (c) Emergency recognition and prevention.
- (d) Safe distances and places of refuge.
- (e) Site security and control.
- (f) Evacuation routes and procedures.
- (g) Decontamination procedures which are not covered by the site safety and health plan.
- (h) Emergency medical treatment and first aid.
- (i) Emergency alerting and response procedures.
- (j) Critique of response and follow-up.
- (k) PPE and emergency equipment.

(3) Procedures for handling emergency incidents.

(a) In addition to the elements for the emergency response plan required in subsection (2) of this section, the following elements shall be included for emergency response plans:

- (i) Site topography, layout, and prevailing weather conditions.
- (ii) Procedures for reporting incidents to local, state, and federal governmental agencies.

(b) The emergency response plan shall be a separate section of the site safety and health plan.

(c) The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.

(d) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(e) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(f) An employee alarm system shall be installed in accordance with WAC 296-24-631 through 296-24-63199 to notify employees of an on-site emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication, and to begin emergency procedures.

(g) Based upon the information available at the time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the on-site emergency response plan.

(4) Training program.

(a) New employees. The employer shall develop and implement a training program, which is part of the employer's safety and health program, for employees ~~((involved with))~~ exposed to health hazards or hazardous ~~((waste))~~ substances at TSD operations to enable the employees to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for 24 hours and refresher training shall be for eight hours annually. Employees who have received the initial training required by this section shall be given a written certificate attesting that they have successfully completed the necessary training.

(b) Current employees. Employers who can show by an employee's previous work experience and/or training that the employee has had training equivalent to the initial training required by this section, shall be considered as meeting the initial training requirements of this section as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Current employees shall receive eight hours of refresher training annually.

(c) Trainers. Trainers who teach initial training shall have satisfactorily completed a training course for teaching the subjects they are expected to teach or they shall have the academic credentials and instruction experience necessary to demonstrate a good command of the subject matter of the courses and competent instructional skills.

(5) Emergency response program.

(a) Emergency response plan. An emergency response plan shall be developed and implemented by all employers. Such plans need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the United States Environmental Protection Agency, provided that the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the employer's safety and health program required in this section. Employers who will evacuate their employees from the worksite location when an emergency occurs and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of WAC 296-62-3140(1) if they provide an emergency action plan complying with WAC 296-24-567.

(b) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this section:

- (i) Preemergency planning and coordination with outside parties.
- (ii) Personnel roles, lines of authority, and communication.
- (iii) Emergency recognition and prevention.
- (iv) Safe distances and places of refuge.
- (v) Site security and control.
- (vi) Evacuation routes and procedures.
- (vii) Decontamination procedures.
- (viii) Emergency medical treatment and first aid.
- (ix) Emergency alerting and response procedures.
- (x) Critique of response and follow-up.
- (xi) PPE and emergency equipment.

(c) Training.

(i) Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job, the personal protective equipment to be worn, and procedures for handling emergency incidents.

Exception #1: An employer need not train all employees to the degree specified if the employer divides the workforce in a manner such that a sufficient number of employees who have responsibility to control emergencies have the training specified, and all other employees, who may first respond to an emergency incident, have sufficient awareness training to recognize that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt to control activities for which they are not trained.

Exception #2: An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside fully trained emergency response team to respond in a reasonable period and all employees, who may come to the incident first, have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside fully trained emergency response team for assistance.

(ii) Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This would include training in the methods used to minimize the risk from safety and health hazards; in the safe use of control equipment; in the selection and use of appropriate personal protective equipment; in the safe operating procedures to be used at the incident scene; in the techniques of coordination with other employees to minimize risks; in the appropriate response to over exposure from health hazards or injury to themselves and other employees; and in the recognition of subsequent symptoms which may result from over exposures.

(iii) The employer shall certify that each covered employee has attended and successfully completed the training required in this subsection, or shall certify the employee's competency at least yearly. The method used to demonstrate competency for certification of training shall be recorded and maintained by the employer.

(d) Procedures for handling emergency incidents.

(i) In addition to the elements for the emergency response plan required in (b) of this subsection, the following elements shall be included for emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

(A) Site topography, layout, and prevailing weather conditions.

(B) Procedures for reporting incidents to local, state, and federal governmental agencies.

(ii) The emergency response plan shall be compatible and integrated with the disaster, fire, and/or emergency response plans of local, state, and federal agencies.

(iii) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(iv) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(v) An employee alarm system shall be installed in accordance with WAC 296-24-631 to notify employees of an emergency situation; to stop work activities if necessary; to lower background noise in order to speed communication; and to begin emergency procedures.

(vi) Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3112 EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASES. This section covers employers whose employees are engaged in emergency response no matter where it occurs except that it does not cover employees engaged in operations specified in WAC 296-62-300 (1)(a) through (d).

Those emergency response organizations who have developed and implemented programs equivalent to this section for handling releases of hazardous substances pursuant to Section 303 of SARA Title III shall be deemed to have met the requirements of this section.

(1) Emergency response plan. An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, and WISHA personnel. Employers who will evacuate their employees from the ((workplace)) danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this section if they provide an emergency action plan in accordance with WAC 296-24-567(1).

(2) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following to the extent that they are not addressed elsewhere:

- (a) Preemergency planning and coordination with outside parties.
- (b) Personnel roles, lines of authority, training, and communication.
- (c) Emergency recognition and prevention.
- (d) Safe distances and places of refuge.
- (e) Site security and control.
- (f) Evacuation routes and procedures.
- (g) Decontamination.
- (h) Emergency medical treatment and first aid.
- (i) Emergency alerting and response procedures.
- (j) Critique of response and follow-up.
- (k) PPE and emergency equipment.

(l) Emergency response organizations may use the local emergency response plan or the state emergency response plan or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use.

(3) Procedures for handling emergency response.

(a) The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific incident command system (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS assisted by the senior official present for each employer.

Note: The "senior official" at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene. As more senior officers arrive (i.e., battalion chief, fire chief, state law enforcement official, site coordinator, etc.), the position is passed up the line of authority which has been previously established.

(b) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.

(c) Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet, at a minimum, the criteria contained in WAC 296-24-58513 when worn while performing fire fighting operations beyond the incipient stage for any incident ((or site)).

(d) Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus while engaged in emergency response, until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.

(e) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site, in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.

(f) Back-up personnel shall stand by with equipment ready to provide assistance or rescue. Advance first-aid support personnel, as a minimum, shall also stand by with medical equipment and transportation capability.

(g) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.

(h) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety official shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions needed to be taken to correct these hazards at ((am)) the emergency scene.

(i) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(j) When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet United States Department of Transportation and National Institute for Occupational Safety and Health criteria.

(4) Skilled support personnel. Personnel, not necessarily an employer's own employees, who are skilled in the operation of certain equipment, such as mechanized earth moving or digging equipment or crane and hoisting equipment, and who are needed temporarily to perform immediate emergency support work that cannot reasonably be performed in a timely fashion by an employer's own employees, and who

will be or may be exposed to the hazards at an emergency response scene, are not required to meet the training required in this subsection for the employer's regular employees. However, these personnel shall be given an initial briefing at the site prior to their participation in any emergency response. The initial briefing shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.

(5) Specialist employees. Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

(6) Training. Training shall be based on the duties and functions to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident.

Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following:

(a) First responder awareness level. First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

(i) An understanding of what hazardous ((materials)) substances are and the risks associated with them in an incident.

(ii) An understanding of the potential outcomes associated with an emergency created when hazardous ((materials)) substances are present.

(iii) The ability to recognize the presence of hazardous ((materials)) substances in an emergency.

(iv) The ability to identify the hazardous ((materials)) substances, if possible.

(v) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the United States Department of Transportation's Emergency Response Guidebook.

(vi) The ability to realize the need for additional resources and to make appropriate notifications to the communication center.

(b) First responder operations level. First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and protect exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

(i) Knowledge of the basic hazard and risk assessment techniques.

(ii) Know how to select and use proper personal protective equipment provided to the first responder operational level.

(iii) An understanding of basic hazardous materials terms.

(iv) Know how to perform basic control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit.

(v) Know how to implement basic decontamination procedures.

(vi) An understanding of the relevant standard operating procedures and termination procedures.

(c) Hazardous materials technician. Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch, or otherwise stop the release of hazardous substance. Hazardous materials technicians

shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the employer's emergency response plan.

(ii) Know the classification, identification, and verification of known and unknown materials by using field survey instruments and equipment.

(iii) Be able to function within an assigned role in the incident command system.

(iv) Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.

(v) Understand hazard and risk assessment techniques.

(vi) Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.

(vii) Understand and implement decontamination procedures.

(viii) Understand termination procedures.

(ix) Understand basic chemical and toxicological terminology and behavior.

(d) Hazardous materials specialist. Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with federal, state, local, and other government authorities in regard to site activities.

Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the local emergency response plan.

(ii) Understand classification, identification, and verification of known and unknown materials by using advanced survey instruments and equipment.

(iii) Know of the state emergency response plan.

(iv) Be able to select and use proper specialized chemical personal protective equipment provided to the hazardous materials specialist.

(v) Understand in-depth hazard and risk techniques.

(vi) Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available.

(vii) Be able to determine and implement decontamination procedures.

(viii) Have the ability to develop a site safety and control plan.

(ix) Understand chemical, radiological, and toxicological terminology and behavior.

(e) On scene incident commander. Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know and be able to implement the employer's incident command system.

(ii) Know how to implement the employer's emergency response plan.

(iii) Know and understand the hazards and risks associated with employees working in chemical protective clothing.

(iv) Know how to implement the local emergency response plan.

(v) Know of the state emergency response plan and of the Federal Regional Response Team.

(vi) Know and understand the importance of decontamination procedures.

(7) Trainers. Trainers who teach any of the above training subjects shall have satisfactorily completed a training course for teaching the subjects they are expected to teach, such as the courses offered by the United States National Fire Academy, or they shall have the training and/or academic credentials and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter of the courses they are to teach.

(8) Refresher training.

(a) Those employees who are trained in accordance with subsection (6) of this section shall receive annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly.

(b) A statement shall be made of the training or competency, and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

(9) Medical surveillance and consultation.

(a) Members of an organized and designated HAZMAT team and hazardous materials specialists shall receive a baseline physical examination and be provided with medical surveillance as required in WAC 296-62-3050.

(b) Any emergency response employees who exhibit signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident, either immediately or subsequently, shall be provided with medical consultation as required in WAC 296-62-3050 (3)(b).

(10) Chemical protective clothing. Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists, shall meet the requirements of WAC 296-62-3060 (3) through (5).

(11) Postemergency response operations. Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards, and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident, the employer conducting the clean-up shall comply with one of the following:

(a) Meet all of the requirements of WAC 296-62-3010, 296-62-3020, 296-62-3030, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3080, 296-62-3090, 296-62-3100, 296-62-3110, 296-62-3120, 296-62-3130, and 296-62-3138; or

(b) Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of WAC 296-24-567(1), 296-62-071, and 296-62-054, and other appropriate safety and health training made necessary by the tasks that they are expected to be performed such as personal protective equipment and decontamination procedures. All equipment to be used in the performance of the clean-up work shall be in serviceable condition and shall have been inspected prior to use.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3140 CERTAIN OPERATIONS CONDUCTED UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (RCRA). Employers conducting operations at treatment, storage, and disposal (TSD) facilities specified in WAC 296-62-300 (3)(c) (~~(not exempted by WAC 296-62-300 (2)(c))~~) shall provide and implement the programs specified in this section. See the "Notes and Exceptions" of WAC 296-62-300 (2)(c) for employers not covered.

(1) Safety and health program. The employer shall develop and implement a written safety and health program for employees involved in hazardous waste operations that shall be available for inspection by employees, their representatives and WISHA personnel. The program shall be designed to identify, evaluate and control safety and health hazards in their facilities for the purpose of employee protection, to provide for emergency response meeting the requirements of WAC 296-62-3110 and to address as appropriate site analysis, engineering controls, maximum exposure limits, hazardous waste handling procedures and uses of new technologies.

(2) Hazard communication program. The employer shall implement a hazard communication program meeting the requirements of WAC 296-62-054 through 296-62-05427 as part of the employer's safety and health program.

Note: The exemption for hazardous waste provided in WAC 296-62-054 is applicable to this section.

(3) Medical surveillance program. The employer shall develop and implement a medical surveillance program meeting the requirements of WAC 296-62-3050.

(4) Decontamination program. The employer shall develop and implement a decontamination procedure meeting the requirements of WAC 296-62-3100.

(5) New technology programs. The employer shall develop and implement procedures meeting the requirements of WAC 296-62-3138 for introducing new and innovative equipment into the workplace.

(6) Material handling program. Where employees will be handling drums or containers, the employer shall develop and implement procedures meeting the requirements of WAC 296-62-3090 (1)(b) through (h) and (k), as well as WAC 296-62-3090 (3) and (8), prior to starting such work.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3160 APPENDIX A—PERSONAL PROTECTIVE EQUIPMENT TEST METHODS. This appendix sets forth the nonmandatory examples of tests which may be used to evaluate compliance with WAC 296-62-3060. Other tests and other challenge agents may be used to evaluate compliance.

(1) Totally-encapsulating chemical protective suit pressure test.

(a) Scope.

(i) This practice measures the ability of a gas tight totally-encapsulating chemical protective suit material, seams, and closures to maintain a fixed positive pressure. The results of this practice allow the gas tight integrity of a total-encapsulating chemical protective suit to be evaluated.

(ii) Resistance of the suit materials to permeation, penetration, and degradation by specific hazardous substances is not determined by this test method.

(b) Description of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's gloves and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(c) Summary of test method. The TECP suit is visually inspected and modified for the test. The test apparatus is attached to the suit to permit inflation to the pretest suit expansion pressure for removal of suit wrinkles and creases. The pressure is lowered to the test pressure and monitored for three minutes. If the pressure drop is excessive, the TECP suit fails the test and is removed from service. The test is repeated after leak location and repair.

(d) Required supplies.

(i) Source of compressed air.

(ii) Test apparatus for suit testing including a pressure measurement device with a sensitivity of at least 1/4 inch water gauge.

(iii) Vent valve closure plugs or sealing tape.

(vi) Soapy water solution and soft brush.

(v) Stop watch or appropriate timing device.

(e) Safety precautions. Care shall be taken to provide the correct pressure safety devices required for the source of compressed air used.

(f) Test procedure. Prior to each test, the tester shall perform a visual inspection of the suit. Check the suit for seam integrity by visually examining the seams and gently pulling on the seams. Ensure that all air supply lines, fittings, visor, zippers, and valves are secure and show no signs of deterioration.

(i) Seal off the vent valves along with any other normal inlet or exhaust points (such as umbilical air line fittings or facepiece opening) with tape or other appropriate means (caps, plugs, fixture, etc.). Care should be exercised in the sealing process not to damage any of the suit components.

(ii) Close all closure assemblies.

(iii) Prepare the suit for inflation by providing an improvised connection point on the suit for connecting an airline. Attach the pressure test apparatus to the suit to permit suit inflation from a compressed air source equipped with a pressure indicating regulator. The leak tightness of the pressure test apparatus should be tested before and after each test by closing off the end of the tubing attached to the suit and assuring a pressure of three inches water gauge for three minutes can be maintained. If a component is removed for the test, that component shall be replaced and a second test conducted with another component removed to permit a complete test of the ensemble.

(iv) The pretest expansion pressure (A) and the suit test pressure (B) shall be supplied by the suit manufacturer, but in no case shall they be less than (A) = 3 inches water gauge and (B) = 2 inches water gauge. The ending suit pressure (C) shall be no less than eighty percent of the test pressure (B); i.e., the pressure drop shall not exceed twenty percent of the test pressure (B).

(v) Inflate the suit until the pressure inside is equal to pressure (A), the pretest expansion suit pressure. Allow at least one minute to fill out

the wrinkles in the suit. Release sufficient air to reduce the suit pressure to pressure (B), the suit test pressure. Begin timing. At the end of three minutes, record the suit pressure as pressure (C), the ending suit pressure. The difference between the suit test pressure and the ending suit test pressure (B)-(C) shall be defined as the suit pressure drop.

(vi) If the suit pressure drop is more than twenty percent of the suit test pressure (B) during the three minute test period, the suit fails the test and shall be removed from service.

(g) Retest procedure.

(i) If the suit fails the test check for leaks by inflating the suit to pressure (A) and brushing or wiping the entire suit (including seams, closures, lens gaskets, glove-to-sleeve joints, etc.) with a mild soap and water solution. Observe the suit for the formation of soap bubbles, which is an indication of a leak. Repair all identified leaks.

(ii) Retest the TECP suit as outlined in (f) of this subsection.

(h) Report. Each TECP suit tested by this practice shall have the following information recorded.

(i) Unique identification number, identifying brand name, date of purchase, material of construction, and unique fit features; e.g., special breathing apparatus.

(ii) The actual values for test pressures (A), (B), and (C) shall be recorded along with the specific observation times. If the ending pressure (C) is less than eighty percent of the test pressure (B), the suit shall be identified as failing the test. When possible, the specific leak location shall be identified in the test records. Retest pressure data shall be recorded as an additional test.

(iii) The source of the test apparatus used shall be identified and the sensitivity of the pressure gauge shall be recorded.

(iv) Records shall be kept for each pressure test even if repairs are being made at the test location.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked. Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

(2) Totally-encapsulating chemical protective suit qualitative leak test.

(a) Scope.

(i) This practice semiquantitatively tests gas tight totally-encapsulating chemical protective suit integrity by detecting inward leakage of ammonia vapor. Since no modifications are made to the suit to carry out this test, the results from this practice provide a realistic test for the integrity of the entire suit.

(ii) Resistance of the suit materials to permeation, penetration, and degradation is not determined by this test method. ASTM test methods are available to test suit materials for those characteristics and the tests are usually conducted by the manufacturers of the suits.

(b) Definition of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's gloves and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(iv) "Intrusion coefficient." A number expressing the level of protection provided by a gas tight totally-encapsulating chemical protective suit. The intrusion coefficient is calculated by dividing the test room challenge agent concentration by the concentration of challenge agent found inside the suit. The accuracy of the intrusion coefficient is dependent on the challenge agent monitoring methods. The larger the intrusion coefficient, the greater the protection provided by the TECP suit.

(c) Summary of recommended practice. The volume of concentrated aqueous ammonia solution (ammonia hydroxide, NH_4OH) required to generate the test atmosphere is determined using the directions outlined in WAC 296-62-3190 (2)(f)(i). The suit is donned by a person wearing the appropriate respiratory equipment (either a self-contained breathing apparatus or a supplied air respirator) and worn inside the

enclosed test room. The concentrated aqueous ammonia solution is taken by the suited individual into the test room and poured into an open plastic pan. A two-minute evaporation period is observed before the test room concentration is measured using a high range ammonia length of stain detector tube. When the ammonia reaches a concentration of between 1000 and 1200 ppm, the suited individual starts a standardized exercise protocol to stress and flex the suit. After this protocol is completed the test room concentration is measured again. The suited individual exits the test room and his stand-by person measures the ammonia concentration inside the suit using a low range ammonia length of stain detector tube or other more sensitive ammonia detector. A stand-by person is required to observe the test individual during the test procedure, aid the person in donning and doffing the TECP suit and monitor the suit interior. The intrusion coefficient of the suit can be calculated by dividing the average test area concentration by the interior suit concentration. A colorimetric indicator strip of bromophenol blue is placed on the inside of the suit facepiece lens so that the suited individual is able to detect a color change and know if the suit has a significant leak. If a color change is observed the individual should leave the test room immediately.

(d) Required supplies.

(i) A supply of concentrated ammonia (~~((fifty-eight percent ammonia))~~ hydroxide, 58% by weight((3))).

(ii) A supply of bromophenol/blue indicating paper, sensitive to 5-10 ppm ammonia or greater over a two-minute period of exposure [pH 3.0 (yellow) to pH 4.6 (blue)].

(iii) A supply of high range (0.5-10 volume percent) and low range (5-700 ppm) detector tubes for ammonia and the corresponding sampling pump. More sensitive ammonia detectors can be substituted for the low range detector tubes to improve the sensitivity of this practice.

(iv) A shallow plastic pan (PVC) at least 12":14":1" and a half pint plastic container (PVC) with tightly closing lid.

(v) A graduated cylinder or other volumetric measuring device of at least fifty milliliters in volume with an accuracy of at least ± 1 milliliters.

(e) Safety precautions.

(i) Concentrated aqueous ammonium hydroxide, NH_4OH is a corrosive volatile liquid requiring eye, skin, and respiratory protection. The person conducting the test shall review the MSDS for aqueous ammonia.

(ii) Since the established permissible exposure limit for ammonia is ~~((50))~~ 35 ppm as a 15 minute PEL, only persons wearing a self-contained breathing apparatus or a supplied air respirator shall be in the chamber. Normally only the person wearing the total-encapsulating suit will be inside the chamber. A stand-by person shall have a self-contained breathing apparatus, or a positive pressure supplied air respirator available to enter the test area should the suited individual need assistance.

(iii) A method to monitor the suited individual must be used during this test. Visual contact is the simplest but other methods using communication devices are acceptable.

(iv) The test room shall be large enough to allow the exercise protocol to be carried out and then to be ventilated to allow for easy exhaust of the ammonia test atmosphere after the test(s) are completed.

(v) Individuals shall be medically screened for the use of respiratory protection and checked for allergies to ammonia before participating in this test procedure.

(f) Test procedure.

(i) Measure the test area to the nearest foot and calculate its volume in cubic feet. Multiply the test area volume by 0.2 milliliters of concentrated aqueous ammonia per cubic foot of test area volume to determine the approximate volume of concentrated aqueous ammonia required to generate 1000 ppm in the test area.

(A) Measure this volume from the supply of concentrated ammonia and place it into a closed plastic container.

(B) Place the container, several high range ammonia detector tubes and the pump in the clean test pan and locate it near the test area entry door so that the suited individual has easy access to these supplies.

(ii) In a noncontaminated atmosphere, open a presealed ammonia indicator strip and fasten one end of the strip to the inside of the suit face shield lens where it can be seen by the wearer. Moisten the indicator strip with distilled water. Care shall be taken not to contaminate the detector part of the indicator paper by touching it. A small piece of masking tape or equivalent should be used to attach the indicator strip to the interior of the suit face shield.

(iii) If problems are encountered with this method of attachment the indicator strip can be attached to the outside of the respirator facepiece being used during the test.

(iv) Don the respiratory protective device normally used with the suit, and then don the TECP suit to be tested. Check to be sure all openings which are intended to be sealed (zippers, gloves, etc.) are completely sealed. DO NOT, however, plug off any venting valves.

(v) Step into the enclosed test room such as a closet, bathroom, or test booth, equipped with an exhaust fan. No air should be exhausted from the chamber during the test because this will dilute the ammonia challenge concentrations.

(vi) Open the container with the premeasured volume of concentrated aqueous ammonia within the enclosed test room, and pour the liquid into the empty plastic test pan. Wait two minutes to allow for adequate volatilization of the concentrated aqueous ammonia. A small mixing fan can be used near the evaporation pan to increase the evaporation rate of the ammonia solution.

(vii) After two minutes a determination of the ammonia concentration within the chamber should be made using the high range colorimetric detector tube. A concentration of 1000 ppm ammonia or greater shall be generated before the exercises are started.

(viii) To test the integrity of the suit the following four minute exercise protocol should be followed:

(A) Raising the arms above the head with at least fifteen raising motions completed in one minute.

(B) Walking in place for one minute with at least fifteen raising motions of each leg in a one-minute period.

(C) Touching the toes with at least ten complete motions of the arms from above the head to touching of the toes in a one-minute period.

(D) Knee bends with at least ten complete standing and squatting motions in a one-minute period.

(ix) If at any time during the test the colorimetric indicating paper should change colors the test should be stopped and (f)(x) and (xi) of this subsection initiated.

(x) After completion of the test exercise, the test area concentration should be measured again using the high range colorimetric detector tube.

(xi) Exit the test area.

(xii) The opening created by the suit zipper or other appropriate suit penetration should be used to determine the ammonia concentration in the suit with the low range length of stain detector tube or other ammonia monitor. The internal TECP suit air should be sampled far enough from the enclosed test area to prevent a false ammonia reading.

(xiii) After completion of the measurement of the suit interior ammonia concentration the test is concluded and the suit is doffed and the respirator removed.

(xiv) The ventilating fan for the test room should be turned on and allowed to run for enough time to remove the ammonia gas. The fan shall be vented to the outside of the building.

(xv) Any detectable ammonia in the suit interior (5 ppm ammonia (NH₃) or more for the length of stain detector tube) indicates the suit failed the test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

(xvi) By following this test method an intrusion coefficient of approximately two hundred or more can be measured with the suit in a completely operational condition. If the intrusion coefficient is 200 or more, then the suit is suitable for emergency response and field use.

(g) Retest procedures.

(i) If the suit fails this test, check for leaks by following the pressure test in test (A) above.

(ii) Retest the TECP suit as outlined in the test procedure in (f) of this subsection.

(h) Report.

(i) Each gas tight totally-encapsulating chemical protective suit tested by this practice shall have the following information recorded.

(A) Unique identification number, identifying brand name, date of purchase, material of construction, and unique suit features; e.g., special breathing apparatus.

(B) General description of test room used for test.

(C) Brand name and purchase date of ammonia detector strips and color change data.

(D) Brand name, sampling range, and expiration date of the length of stain ammonia detector tubes. The brand name and model of the sampling pump should also be recorded. If another type of ammonia

detector is used, it should be identified along with its minimum detection limit for ammonia.

(E) Actual test results shall list the two test area concentrations, their average, the interior suit concentration, and the calculated intrusion coefficient. Retest data shall be recorded as an additional test.

(ii) The evaluation of the data shall be specified as "suit passed" or "suit failed" and the date of the test. Any detectable ammonia (5 ppm or greater for the length of stain detector tube) in the suit interior indicates the suit fails this test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked.

Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3170 APPENDIX B—GENERAL DESCRIPTION AND DISCUSSION OF THE LEVELS OF PROTECTION AND PROTECTIVE GEAR. (1) This appendix sets forth information about personal protective equipment (PPE) protection levels which may be used to assist employers in complying with the PPE requirements of this section.

(2) As required by the standard, PPE must be selected which will protect employees from the specific hazards which they are likely to encounter during their work on-site.

(3) Selection of the appropriate PPE is a complex process which must take into consideration a variety of factors. Key factors involved in this process are identification of the hazards or suspected hazards, their routes of potential hazard to employees (inhalation, skin absorption, ingestion, and eye or skin contact), and the performance of the PPE materials (and seams) in providing a barrier to these hazards. The amount of protection provided by PPE is material-hazard specific. That is, protective equipment materials will protect well against some hazardous substances and poorly, or not at all, against others. In many instances, protective equipment materials cannot be found which will provide continuous protection from the particular hazardous substance. In these cases the breakthrough time of the protective material should exceed the work durations (~~or the exposure after breakthrough must not pose a hazardous level~~).

(4) Other factors in this selection process to be considered are matching the PPE to the employee's work requirements and task-specific conditions. The durability of PPE materials, such as tear strength and seam strength, must be considered in relation to the employee's tasks. The effects of PPE in relation to heat stress and task duration are a factor in selecting and using PPE. In some cases layers of PPE may be necessary to provide sufficient protection, or to protect expensive PPE inner garments, suits or equipment.

(5) The more that is known about the hazards at the site, the easier the job of PPE selection becomes. As more information about the hazards and conditions at the site becomes available, the site supervisor can make decisions to up-grade or down-grade the level of PPE protection to match the tasks at hand.

(6) The following are guidelines which an employer can use to begin the selection of the appropriate PPE. As noted above, the site information may suggest the use of combinations of PPE selected from the different protection levels (i.e., A, B, C, or D) as being more suitable to the hazards of the work. It should be cautioned that the listing below does not fully address the performance of the specific PPE material in relation to the specific hazards at the job site, and that PPE selection, evaluation and reselection is an ongoing process until sufficient information about the hazards and PPE performance is obtained.

(7) Personal protective equipment has been divided into four categories based on the degree of protection afforded (see subsection (8) of this section for further explanation of Levels A, B, C, and D hazards):

(a) Level A. To be selected when the greatest level of skin, respiratory, and eye protection is required. The following constitute Level A equipment; it may be used as appropriate:

(i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or positive pressure supplied-air respirator with escape SCBA, approved by the National Institute for Occupational Safety and Health (NIOSH).

(ii) Totally-encapsulating chemical-protective suit.

(iii) Coveralls.*

- (iv) Long underwear.*
- (v) Gloves, outer, chemical-resistant.
- (vi) Gloves, inner, chemical-resistant.
- (vii) Boots, chemical-resistant steel toe and shank.
- (viii) Hard hat (under suit).*
- (ix) Disposable protective suit, gloves, and boots. (Depending on suit construction, may be worn over totally-encapsulating suit.)

*Optional, as applicable.

(b) Level B. The highest level of respiratory protection is necessary but a lesser level of skin protection is needed. The following constitute Level B equipment; it may be used as appropriate:

- (i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or positive pressure supplied-air respirator with escape SCBA (NIOSH approved).
- (ii) Hooded chemical-resistant clothing (overalls and long-sleeved jacket, coveralls, one or two-piece chemical-splash suit, disposable chemical-resistant overalls).
- (iii) Coveralls.*
- (iv) Gloves, outer, chemical-resistant.
- (v) Gloves, inner, chemical-resistant.
- (vi) Boots, outer, chemical-resistant steel toe and shank.
- (vii) Boot-covers, outer, chemical-resistant (disposable).*
- (viii) Hard hat.
- (ix) Face shield.*

*Optional, as applicable.

(c) Level C. The concentration(s) and type(s) of airborne substance(s) is known and the criteria for using air purifying respirators are met. The following constitute Level C equipment; it may be used as appropriate.

- (i) Full-face or half-mask, air purifying respirators (NIOSH approved).
- (ii) Hooded chemical-resistant clothing (overalls; two-piece chemical-splash suit; disposable chemical-resistant overalls).
- (iii) Coveralls.*
- (iv) Gloves, outer, chemical-resistant.
- (v) Gloves, inner, chemical-resistant.
- (vi) Boots (outer), chemical-resistant steel toe and shank.*
- (vii) Boot-covers, outer, chemical-resistant (disposable).*
- (viii) Hard hat.
- (ix) Escape mask.*
- (x) Face shield.*

*Optional, as applicable.

(d) Level D. A work uniform affording minimal protection: Used for nuisance contamination only. The following constitute Level D equipment; it may be used as appropriate.

- (i) Coveralls.
- (ii) Gloves.*
- (iii) Boots/shoes, chemical-resistant steel toe and shank.
- (iv) Boots, outer, chemical-resistant (disposable).*
- (v) Safety glasses or chemical splash goggles.*
- (vi) Hard hat.
- (vii) Escape mask.*
- (viii) Face shield.*

*Optional, as applicable.

(8) Part B. The types of hazards for which Levels A, B, C, and D protection are appropriate are described below:

(a) Level A - Level A protection should be used when:

- (i) The hazardous substance has been identified and requires the highest level of protection for skin, eyes, and the respiratory system based on either the measured (or potential for) high concentration of atmospheric vapors, gases, or particulates; or the site operations and work functions involve a high potential for splash, immersion, or exposure to unexpected vapors, gases, or particulates of materials that are harmful to skin or capable of being absorbed through the intact skin;
- (ii) Substances with a high degree of hazard to the skin are known or suspected to be present, and skin contact is possible; or
- (iii) Operations are being conducted in confined, poorly ventilated areas, and the absence of conditions requiring Level A have not yet been determined.

(b) Level B protection should be used when:

- (i) The type and atmospheric concentration of substances have been identified and require a high level of respiratory protection, but less skin protection;

- (ii) The atmosphere contains less than 19.5 percent oxygen; or
- (iii) The presence of incompletely identified vapors or gases is indicated by a direct-reading organic vapor detection instrument, but vapors and gases are not suspected of containing high levels of chemicals harmful to skin or capable of being absorbed through the skin.

Note: This involves atmospheres with IDLH concentrations of specific substances that present severe inhalation hazards and that do not represent a severe skin hazard; or that do not meet the criteria for use of air-purifying respirators.

(c) Level C protection should be used when:

(i) The atmospheric contaminants, liquid splashes, or other direct contact will not adversely affect or be absorbed through any exposed skin;

(ii) The types of air contaminants have been identified, concentrations measured, and an air-purifying respirator is available that can remove the contaminants; and

(iii) All criteria for the use of air-purifying respirators are met.

(d) Level D protection should be used when:

(i) The atmosphere contains no known hazard; and

(ii) Work functions preclude splashes, immersion, or the potential for unexpected inhalation of or contact with hazardous levels of any chemicals.

Note: As stated before combinations of personal protective equipment other than those described for Levels A, B, C, and D protection may be more appropriate and may be used to provide the proper level of protection.

(9) As an aid in selecting suitable chemical protective clothing, it should be noted that the National Fire Protection Association is developing standards on chemical protective clothing. These standards are currently undergoing public review prior to adoption, including:

(a) NFPA 1991 - Standard on Vapor-Protective Suits for Hazardous Chemical Emergencies (EPA Level A Protective Clothing);

(b) NFPA ((1991)) 1992 - Standard on Liquid Splash-Protective Suits for Hazardous Chemical Emergencies (EPA Level B Protective Clothing);

(c) NFPA 1993 - Standard on Liquid Splash-Protective Suits for Nonemergency, Nonflammable Hazardous Chemical Situations (EPA Level B Protective Clothing).

(10) These standards would apply documentation and performance requirements to the manufacture of chemical protective suits. Chemical protective suits meeting these requirements would be labelled as compliant with the appropriate standard. When these standards are adopted by the National Fire Protection Association, it is recommended that chemical protective suits which meet these standards be used.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3180 APPENDIX C-COMPLIANCE GUIDELINES. (1) Occupational safety and health program. Each hazardous waste site clean-up effort will require an occupational safety and health program headed by the site coordinator or the employer's representative. The purpose of the program will be the protection of employees at the site and will be an extension of the employer's overall safety and health program. The program will need to be developed before work begins on the site and implemented as work proceeds as stated in WAC 296-62-3010. The program is to facilitate coordination and communication of safety and health issues among personnel responsible for the various activities which will take place at the site. It will provide the overall means for planning and implementing the needed safety and health training and job orientation of employees who will be working at the site. The program will provide the means for identifying and controlling worksite hazards and the means for monitoring program effectiveness. The program will need to cover the responsibilities and authority of the site coordinator or the employer's manager on the site for the safety and health of employees at the site, and the relationships with contractors or support services as to what each employer's safety and health responsibilities are for their employees on the site. Each contractor on the site needs to have its own safety and health program so structured that it will smoothly interface with the program of the site coordinator or principal contractor. Also those employers involved with treating, storing, or disposal of hazardous waste as covered in WAC 296-62-3140 must have implemented a safety and health plan for their employees. This program is to include the hazard communication program required in WAC 296-62-3140(1) and the training required in WAC 296-62-3140 (4) and (5) as parts

of the employers comprehensive overall safety and health program. This program is to be in writing.

(a) Each site or workplace safety and health program will need to include the following:

(i) Policy statements of the line of authority and accountability for implementing the program, the objectives of the program and the role of the site safety and health officer or manager and staff;

(ii) Means or methods for the development of procedures for identifying and controlling workplace hazards at the site;

(iii) Means or methods for the development and communication to employees of the various plans, work rules, standard operating procedures and practices that pertain to individual employees and supervisors;

(iv) Means for the training of supervisors and employees to develop the needed skills and knowledge to perform their work in a safe and healthful manner;

(v) Means to anticipate and prepare for emergency situations; and

(vi) Means for obtaining information feedback to aid in evaluating the program and for improving the effectiveness of the program. The management and employees should be trying continually to improve the effectiveness of the program thereby enhancing the protection being afforded those working on the site.

(b) Accidents on the site should be investigated to provide information on how such occurrences can be avoided in the future. When injuries or illnesses occur on the site or workplace, they will need to be investigated to determine what needs to be done to prevent this incident from occurring again. Such information will need to be used as feedback on the effectiveness of the program and the information turned into positive steps to prevent any reoccurrence. Receipt of employee suggestions or complaints relating to safety and health issues involved with site or workplace activities is also a feedback mechanism that can be used effectively to improve the program and may serve in part as an evaluative tool(s).

(c) For the development and implementation of the program to be the most effective, professional safety and health personnel should be used. Certified safety professionals, board-certified industrial hygienists, or registered professional safety engineers are good examples of professional stature for safety and health managers who will administer the employer's program.

(2) The training programs for employees subject to the requirements of WAC 296-62-3040 are expected to address: The safety and health hazards employees should expect to find on sites; what control measures or techniques are effective for those hazards; what monitoring procedures are effective in characterizing exposure levels; what makes an effective employer's safety and health program; what a site safety and health plan should include; hands-on training with personal protective equipment and clothing they may be expected to use; the contents of the WISHA standard relevant to the employee's duties and functions; and, employee's responsibilities under WISHA and other regulations. Supervisors will need training in their responsibilities under the safety and health program and its subject areas such as the spill containment program, the personal protective equipment program, the medical surveillance program, the emergency response plan and other areas.

(a) The training programs for employees subject to the requirements of WAC 296-62-3140 should address: The employers safety and health program elements impacting employees; the hazard communication program; the medical surveillance program; the hazards and the controls for such hazards that employees need to know for their job duties and functions. All require annual refresher training.

(b) The training programs for employees covered by the requirements of WAC 296-62-3110(3) will address those competencies required for the various levels of response such as: The hazards associated with hazardous substances; hazard identification and awareness; notification of appropriate persons; the need for and use of personal protective equipment including respirators; the decontamination procedures to be used; preplanning activities for hazardous substance incidents including the emergency response plan; company standard operating procedures for hazardous substance emergency responses; the use of the incident command system and other subjects. Hands-on training should be stressed whenever possible. Critiques done after an incident which include any evaluation of what worked, and what did not, and how can we do better the next time, may be counted as training time.

(c) For hazardous materials specialists (usually members of hazardous materials teams), the training will need to address the care, use and/or testing of chemical protective clothing including totally encapsulating suits, the medical surveillance program, the standard

operating procedures for the hazardous materials team including the use of plugging and patching equipment and other subject areas.

(d) Officers and leaders who may be expected to be in charge at an incident will need to be fully knowledgeable of their company's incident command system. They will need to know where and how to obtain additional assistance and be familiar with the local district's emergency response plan and the state emergency response plan.

(e) Specialist employees such as technical experts, medical experts, or environmental experts that work with hazardous materials in their regular jobs, who may be sent to the incident scene by the shipper, manufacturer or governmental agency to advise and assist the person in charge of the incident will have training on an annual basis. Their training must include the care and use of personal protective equipment including respirators; knowledge of the incident command system and how they are to relate to it; and those areas needed to keep them current in their respective field as it relates to safety and health involving specific hazardous substances.

(f) Those skilled support personnel, such as employees who work for public works departments or equipment operators who operate bulldozers, sand trucks, backhoes, etc., who may be called to the incident scene to provide emergency support assistance, will need to have at least a safety and health briefing before entering the area of potential or actual exposure. These specially skilled support personnel, who have not been a part of the emergency plan and do not meet the training requirements, must be made aware of the hazards they face and be provided all necessary protective clothing and equipment required for their tasks.

(g) There are two National Fire Protection Association standards, NFPA 472—"Standard for Professional Competence of Responders to Hazardous Material Incidents" and NFPA 471—"Recommended Practice for Responding to Hazardous Material Incidents," which are excellent resource documents to aid fire departments and other emergency response organizations in developing their training program materials. NFPA 472 provides guidance on the skills and knowledge needed for first responder awareness level, first responder operations level, hazmat technicians, and hazmat specialist. It also offers guidance for the officer corp who will be in charge of hazardous substance incidents.

(3) Decontamination. Decontamination procedures will be tailored to the specific hazards of the site and will vary in complexity, and number of steps, depending on the level of hazard and the employee's exposure to the hazard. Decontamination procedures and PPE decontamination methods will vary depending upon the specific substance, since one procedure or method will not work for all substances. Evaluation of decontamination methods and procedures should be performed, as necessary, to assure that employees are not exposed to hazards by reusing PPE. References in WAC 296-62-3190, Appendix D, may be used for guidance in establishing an effective decontamination program. In addition, the United States Coast Guard Manual, "Policy Guidance for Response to Hazardous Chemical Releases," United States Department of Transportation, Washington, D.C. (COMDTINST M16465.30), is a good reference for establishing an effective decontamination program.

(4) Emergency response plans. States, along with designated districts within the states, will be developing or have developed emergency response plans. These state and district plans are to be utilized in the emergency response plans called for in this standard. Each employer needs to assure that its emergency response plan is compatible with the local plan. The major reference being used to aid in developing the state and local district plans is the Hazardous Materials Emergency Planning Guide, NRT-1. The current Emergency Response Guidebook from the United States Department of Transportation, CMA's CHEMTREC and the Fire Service Emergency Management Handbook may also be used as resources.

Employers involved with treatment, storage, and disposal facilities for hazardous waste, which have the required contingency plan called for by their permit, would not need to duplicate the same planning elements. Those items of the emergency response plan that are properly addressed in the contingency plan may be substituted into the emergency response plan required in WAC 296-62-3112 or otherwise kept together for employer and employee use.

(5) Personal protective equipment programs. The purpose of personal protective clothing and equipment (PPE) is to shield or isolate individuals from the chemical, physical, and biologic hazards that may be encountered at a hazardous substance site.

(a) As discussed in Appendix B, no single combination of protective equipment and clothing is capable of protecting against all hazards.

Thus PPE should be used in conjunction with other protective methods and its effectiveness evaluated periodically.

(b) The use of PPE can itself create significant worker hazards, such as heat stress, physical and psychological stress, and impaired vision, mobility, and communication. For any given situation, equipment and clothing will be selected that provide an adequate level of protection. However, over-protection, as well as under-protection, can be hazardous and should be avoided where possible.

(c) Two basic objectives of any PPE program will be to protect the wearer from safety and health hazards, and to prevent injury to the wearer from incorrect use and/or malfunction of the PPE. To accomplish these goals, a comprehensive PPE program will include hazard identification, medical monitoring, environmental surveillance, selection, use, maintenance, and decontamination of PPE and its associated training.

(d) The written PPE program will include policy statements, procedures, and guidelines. Copies will be made available to all employees and a reference copy will be made available at the worksite. Technical data on equipment, maintenance manuals, relevant regulations, and other essential information will also be collected and maintained.

(6) Incident command system (ICS). WAC 296-62-3112 (3)(b) requires the implementation of an ICS. The ICS is an organized approach to effectively control and manage operations at an emergency incident. The individual in charge of the ICS is the senior official responding to the incident. The ICS is not much different than the "command post" approach used for many years by the fire service. During large complex fires involving several companies and many pieces of apparatus, a command post would be established. This enables one individual to be in charge of managing the incident, rather than having several officers from different companies making separate, and sometimes conflicting, decisions. The individual in charge of the command post would delegate responsibility for performing various tasks to subordinate officers. Additionally, all communications were routed through the command post to reduce the number of radio transmissions and eliminate confusion. However, strategy, tactics, and all decisions were made by one individual.

(a) The ICS is a very similar system, except it is implemented for emergency response to all incidents, both large and small, that involve hazardous substances.

(b) For a small incident, the individual in charge of the ICS may perform many tasks of the ICS. There may not be any, or little, delegation of tasks to subordinates. For example, in response to a small incident, the individual in charge of the ICS, in addition to normal command activities, may become the safety officer and may designate only one employee (with proper equipment) as a back-up to provide assistance if needed. WISHA does recommend, however, that at least two employees be designated as back-up personnel since the assistance needed may include rescue.

(c) To illustrate the operation of the ICS, the following scenario might develop during a small incident, such as an overturned tank truck with a small leak of flammable liquid.

(d) The first responding senior officer would implement and take command of the ICS. That person would size-up the incident and determine if additional personnel and apparatus were necessary; would determine what actions to take to control the leak; and, determine the proper level of personal protective equipment. If additional assistance is not needed, the individual in charge of the ICS would implement actions to stop and control the leak using the fewest number of personnel that can effectively accomplish the tasks. The individual in charge of the ICS then would designate him or herself as the safety officer and two other employees as a back-up in case rescue may become necessary. In this scenario, decontamination procedures would not be necessary.

(e) A large complex incident may require many employees and difficult, time-consuming efforts to control. In these situations, the individual in charge of the ICS will want to delegate different tasks to subordinates in order to maintain a span of control that will keep the number of subordinates, that are reporting, to a manageable level.

(f) Delegation of tasks at large incidents may be by location, where the incident scene is divided into sectors, and subordinate officers coordinate activities within the sector that they have been assigned.

(g) Delegation of tasks can also be by function. Some of the functions that the individual in charge of the ICS may want to delegate at a large incident are: Medical services; evacuation; water supply; resources (equipment, apparatus); media relations; safety; and, site control (integrate activities with police for crowd and traffic control). Also

for a large incident, the individual in charge of the ICS will designate several employees as back-up personnel; and a number of safety officers to monitor conditions and recommend safety precautions.

(h) Therefore, no matter what size or complexity an incident may be, by implementing an ICS there will be one individual in charge who makes the decisions and gives directions; and, all actions and communications are coordinated through one central point of command. Such a system should reduce confusion, improve safety, organize and coordinate actions, and should facilitate effective management of the incident.

(7) Site safety and control plans.

(a) The safety and security of response personnel and others in the area of an emergency response incident site should be of primary concern to the incident commander. The use of a site safety and control plan could greatly assist those in charge of assuring the safety and health of employees on the site.

(b) A comprehensive site safety and control plan should include the following: Summary analysis of hazards on the site and a risk analysis of those hazards; site map or sketch; site work zones (clean zone, transition or decontamination zone, work or hot zone); use of the buddy system; site communications; command post or command center; standard operating procedures and safe work practices; medical assistance and triage area; hazard monitoring plan (air contaminant monitoring, etc.); decontamination procedures and area; and other relevant areas. This plan should be a part of the employer's emergency response plan or an extension of it to the specific site.

(8) Medical surveillance programs.

(a) Workers handling hazardous substances may be exposed to toxic chemicals, safety hazards, biologic hazards, and radiation. Therefore, a medical surveillance program is essential to assess and monitor workers' health and fitness for employment in hazardous waste operations and during the course of work; to provide emergency and other treatment as needed; and to keep accurate records for future reference.

(b) The Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities developed by the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health Administration (OSHA), the United States Coast Guard (USCG), and the Environmental Protection Agency (EPA); October 1985 provides an excellent example of the types of medical testing that should be done as part of a medical surveillance program.

(9) New technology and spill containment programs. Where hazardous substances may be released by spilling from a container that will expose employees to the hazards of the materials, the employer will need to implement a program to contain and control the spilled material. Diking and ditching, as well as use of absorbents like diatomaceous earth, are traditional techniques which have proven to be effective over the years. However, in recent years new products have come into the marketplace, the use of which complement and increase the effectiveness of these traditional methods. These new products also provide emergency responders and others with additional tools or agents to use to reduce the hazards of spilled materials.

These agents can be rapidly applied over a large area and can be uniformly applied or otherwise can be used to build a small dam, thus improving the workers' ability to control spilled material. These application techniques enhance the intimate contact between the agent and the spilled material allowing for the quickest effect by the agent or quickest control of the spilled material. Agents are available to solidify liquid spilled materials, to suppress vapor generation from spilled materials, and to do both. Some special agents, which when applied as recommended by the manufacturer, will react in a controlled manner with the spilled material to neutralize acids or caustics, or greatly reduce the level of hazard of the spilled material.

There are several modern methods and devices for use by emergency response personnel or others involved with spill control efforts to safely apply spill control agents to control spilled material hazards. These include portable pressurized applicators similar to hand-held portable fire extinguishing devices, and nozzle and hose systems similar to portable fire fighting foam systems which allow the operator to apply the agent without having to come into contact with the spilled material. The operator is able to apply the agent to the spilled material from a remote position.

The solidification of liquids provides for rapid containment and isolation of hazardous substance spills. By directing the agent at run-off points or at the edges of the spill, the reactant solid will automatically create a barrier to slow or stop the spread of the material. Clean-up of hazardous substances as greatly improved when solidifying agents, acid

or caustic neutralizers, or activated carbon adsorbents are used. Properly applied, these agents can totally solidify liquid hazardous substances or neutralize or absorb them, which results in materials which are less hazardous and easier to handle, transport, and dispose of. The concept of spill treatment, to create less hazardous substances, will improve the safety and level of protection of employees working at spill clean-up operations or emergency response operations to spills of hazardous substances.

The use of vapor suppression agents for volatile hazardous substances, such as flammable liquids and those substances which present an inhalation hazard, is important for protecting workers. The rapid and uniform distribution of the agent over the surface of the spilled material can provide quick vapor knockdown. There are temporary and long-term foam-type agents which are effective on vapors and dusts, and activated carbon adsorption agents which are effective for vapor control and soaking-up of the liquid. The proper use of hose lines or hand-held portable pressurized applicators provides good mobility and permits the worker to deliver the agent from a safe distance without having to step into the untreated spilled material. Some of these systems can be recharged in the field to provide coverage of larger spill areas than the design limits of a single charged applicator unit. Some of the more effective agents can solidify the liquid flammable hazardous substances and at the same time elevate the flashpoint above 140 deg.F so the resulting substance may be handled as a nonhazardous waste material if it meets the United States Environmental Protection Agency's 40 CFR part 261 requirements (see particularly Sec. 261.21).

All workers performing hazardous substance spill control work are expected to wear the proper protective clothing and equipment for the materials present and to follow the employer's established standard operating procedures for spill control. All involved workers need to be trained in the established operating procedures; in the use and care of spill control equipment; and in the associated hazards and control of such hazards of spill containment work.

These new tools and agents are the things that employers will want to evaluate as part of their new technology program. The treatment of spills of hazardous substances or wastes at an emergency incident as part of the immediate spill containment and control efforts is sometimes acceptable to EPA and a permit exception is described in 40 CFR 264.1 (g)(8) and 265.1 (c)(11).

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3190 APPENDIX D—REFERENCES. The following references may be consulted for further information on the subject of this notice:

- (1) OSHA Instruction DFO CPL 2.70 - January 29, 1986, Special Emphasis Program: Hazardous Waste Sites.
- (2) OSHA Instruction DFO CPL 2-2.37A - January 29, 1986, Technical Assistance and Guidelines for Superfund and Other Hazardous Waste Site Activities.
- (3) OSHA Instruction DTS CPL 2.74 - January 29, 1986, Hazardous Waste Activity Form, OSHA 175.
- (4) Hazardous Waste Inspections Reference Manual, U.S. Department of Labor, Occupational Safety and Health Administration, 1986.
- (5) Memorandum of Understanding Among the National Institute for Occupational Safety and Health, the Occupational Safety and Health Administration, the United States Coast Guard, and the United States Environmental Protection Agency; Guidance for Worker Protection During Hazardous Waste Site Investigations and Clean-up and Hazardous Substance Emergencies; December 18, 1980.
- (6) National Priorities List, 1st Edition, October 1984; U.S. Environmental Protection Agency, Revised periodically.
- (7) The Decontamination of Response Personnel, Field Standard Operating Procedures (F.S.O.P.) 7; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, December 1984.
- (8) Preparation of a Site Safety Plan, Field Standard Operating Procedures (F.S.O.P.) 9; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, April 1985.
- (9) Standard Operating Safety Guidelines; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, Environmental Response Team; November 1984.

(10) Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, National Institute for Occupational Safety and Health (NIOSH), Occupational Safety and Health Administration (OSHA), U.S. Coast Guard (USCG), and Environmental Protection Agency (EPA); October 1985.

(11) Protecting Health and Safety at Hazardous Waste Sites: An Overview, U.S. Environmental Protection Agency, EPA/625/9-85/006; September 1985.

(12) Hazardous Waste Sites and Hazardous Substance Emergencies, NIOSH Worker Bulletin, U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; December 1982.

(13) Personal Protective Equipment for Hazardous Materials Incidents: A Selection Guide; U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; October 1984.

(14) Fire Service Emergency Management Handbook, International Association of Fire Chiefs Foundation, 101 East Holly Avenue, Unit 10B, Sterling, VA 22170, January 1985.

(15) Emergency Response Guidebook, U.S. Department of Transportation, Washington, D.C., 1987.

(16) Report to the Congress on Hazardous Materials Training, Planning and Preparedness, Federal Emergency Management Agency, Washington, D.C., July 1986.

(17) Workbook for Fire Command, Alan V. Brunacini and J. David Beageron, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1985.

(18) Fire Command, Alan V. Brunacini, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1985.

(19) Incident Command System, Fire Protection Publications, Oklahoma State University, Stillwater, OK 74078, 1983.

(20) Site Emergency Response Planning, Chemical Manufacturers Association, Washington, D.C. 20037, 1986.

(21) Hazardous Materials Emergency Planning Guide, NRT-1, Environmental Protection Agency, Washington, D.C., March 1987.

(22) Community Teamwork: Working Together to Promote Hazardous Materials Transportation Safety. U.S. Department of Transportation, Washington, D.C., May 1983.

(23) Disaster Planning Guide for Business and Industry, Federal Emergency Management Agency, Publication No. FEMA 141, August 1987.

WSR 90-15-066

PROPOSED RULES

DEPARTMENT OF ECOLOGY

{Order 90-29—Filed July 18, 1990, 2:31 p.m.}

Original Notice.

Title of Rule: Chapter 173-340 WAC, The Model Toxics Control Act cleanup regulation.

Purpose: The rule is being amended to incorporate the requirements for establishing cleanup standards and selecting cleanup actions, and sets out the requirements for leaking underground storage tank corrective actions.

Other Identifying Information: Initiative 97 was adopted by the voters in November 1988.

Statutory Authority for Adoption: Initiative 97, the Model Toxics Control Act, chapter 70.105D RCW.

Statute Being Implemented: See Statutory Authority above.

Summary: The act requires the Department of Ecology to adopt regulations. This rule amends WAC 173-340-120, 173-340-200, 173-340-210, 173-340-300, 173-340-350, 173-340-360, 173-340-420, 173-340-430, 173-340-700 and 173-340-830; and adopts new sections WAC 173-340-440, 173-340-450, 173-340-705, 173-340-710, 173-340-720, 173-340-730, 173-340-740, 173-340-750 and 173-340-760.

Reasons Supporting Proposal: To establish cleanup standards, cleanup actions, and requirements for leaking underground storage tank corrective actions.

Name of Agency Personnel Responsible for Drafting: Dave Bradley, Woodland Square, Lacey, 438-3026; **Implementation and Enforcement:** Carol Fleskes, Woodland Square, Lacey, 438-3007.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendments are designed to provide the detailed requirements for establishing cleanup standards and selecting cleanup actions within the overall administrative framework of this chapter. The amended or new sections fall into one of three categories: General requirements for cleanup standards that are applicable to all hazardous substances; detailed procedures for establishing cleanup standards in surface water, ground water, soil and air; and requirements for selecting and implementing cleanup actions. The goal of this chapter is to provide a workable process to accomplish effective and expeditious cleanup of hazardous waste sites in a manner protective of human health and the environment.

Proposal Changes the Following Existing Rules: This rule is designed to meet the requirements mandated by chapter 70.105D RCW that were not included in the original rule or that needed further clarification due to the new sections.

Small Business Economic Impact Statement: PTI Environmental Services, Inc. and ICF Incorporated, under contract with the toxics cleanup program of the state Department of Ecology, prepared a small business economic impact statement (SBEIS) on the amendments to the Model Toxics Control Act cleanup regulation, chapter 173-340 WAC, which the department is proposing to adopt. This document is a summary of the SBEIS.

Purpose: In 1982 the state of Washington adopted the Regulatory Fairness Act (chapter 19.85 RCW). This act defines requirements for state agencies proposing regulatory actions which may have an economic impact on a significant percentage of small businesses. The act directs that a SBEIS be conducted for such proposed state regulations to determine whether they will place disproportionate economic impacts on small businesses. The act instructs that the costs of compliance be considered, analyzed and, to the extent possible, mitigated if found to place a proportionately high burden on small firms. For the purposes of the act, small businesses are defined as those having less than 50 employees.

Study Approach: The Department of Ecology is proposing amendments to the Model Toxics Control Act cleanup regulation (chapter 173-340 WAC) which include the requirements for establishing cleanup standards and selecting cleanup actions within the overall administrative framework provided by other sections of the regulation. The SBEIS summarized here examined the following: Businesses of the state affected by the

amendments; the reporting, recordkeeping, and other compliance requirements of the amendments; any professional services needed to comply with the amendments; and the costs of equipment, supplies, labor, and other compliance costs for small versus large businesses. This evaluation supplements the SBEIS prepared for the other portions of the regulation which were adopted on April 3, 1990.

Findings: The SBEIS concluded that, based on available data and the assumption made for the study: Review of sites listed on the toxics cleanup program's site management information system indicate that the business groups expected to be affected by the proposed amendments include: Metal Mining (SIC 10), Coal Mining (SIC 12), Lumber and Wood Products (SIC 24), Petroleum and Coal Products (SIC 29), Primary Metals (SIC 33), Electroplating (SIC 347), Sanitary Services (SIC 4953), Petroleum Wholesalers (SIC 5172), Convenience Stores (SIC 5411) and Retail Gasoline Dealers (SIC 554); over 10 percent of the businesses in the Lumber and Wood Products (SIC 249), Chemicals and Allied Products (SIC 287), Electroplating (SIC 347) and Retail Gasoline Dealers (SIC 554) industries are expected to be affected by the proposed amendments; and estimated cleanup costs (including capital and operation and maintenance costs) for sites representative of those impacting small businesses in Washington ranged from approximately \$0.9 to \$2.0 million. Cleanup costs for larger, more complex sites could be much higher.

Possible Mitigation Steps: The proposed regulation includes several mitigation measures that ecology could pursue to help reduce the disproportionate impacts on small businesses from the proposed amendments: Mixed funding for selected cleanup actions; flexibility in the level of detail of the remedial investigation/feasibility study process; streamlined procedures for routine cleanup actions including the use of numerical tables; flexibility to consider economic costs when selecting cleanup actions; flexibility to consider economic costs when establishing the timeframe for completing cleanup actions; and enforcement discretion.

Copies of the "Economic Impact Analysis of Proposed Cleanup Standards Under the Model Toxics Control Act" can be obtained from the Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, Attention: Donna Foster.

Hearing Location: Seattle, The Mountaineers Club, Skagit Room, 300 3rd Avenue West on September 6; at Richland, The Federal Building Auditorium, 825 Jawdin Avenue on September 10; and at Spokane, County Health District Conference Room 140 on September 11, at 7:00 p.m.

Submit Written Comments to: Dave Bradley, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, by September 17, 1990.

Date of Intended Adoption: December 4, 1990.

July 18, 1990

Fred Olson
Deputy Director

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-120 OVERVIEW. (1) Purpose. This section provides an overview of the cleanup process that typically will occur at a site where a release of a hazardous substance has been discovered. If there are any inconsistencies between this section and any specifically referenced sections, the referenced section shall govern.

(2) Site discovery. Site discovery includes:

(a) Release reporting. A reporting program is established to help identify potential hazardous waste sites. Owners and operators who know of or discover a release of a hazardous substance due to past activities must report the release to the department under WAC 173-340-300. Most current releases of hazardous substances must be reported to the department under the state's hazardous waste ((and)), underground storage tank, or water quality laws. The term "hazardous substance" includes a broad range of substances as defined by chapter 70.105D RCW.

(b) Initial investigation. Within ninety days of learning of a hazardous substance release, the department will conduct an initial investigation of the site under WAC 173-340-310. For sites that may need further remedial action, an early notice letter will be sent to the owner and operator informing them of the department's decision.

(3) Site priorities. Priorities for further remedial action are set by the following process:

(a) Site hazard assessment. Based on the results of the initial investigation, a site hazard assessment will be performed if necessary, under WAC 173-340-320. The purpose of the site hazard assessment is to gather information to confirm whether a release has occurred and to enable the department to evaluate the relative potential hazard posed by the release. If the department decides that no further action is required, it will notify the public of that decision through the site register.

(b) Hazardous sites list. The department will maintain a list of sites that require further remedial action. Sites will be listed after the completion of a site hazard assessment. Sites placed on the list will be ranked using the department's hazard ranking method. The department may remove a site from the hazardous sites list if the cleanup action at the site has achieved the cleanup standards and all remedial actions except confirmational monitoring have been completed. See WAC 173-340-330.

(c) Biennial program report. Every even-numbered year, the department will prepare a biennial program report for the legislature. The hazard ranking, along with other factors, will be used in this report to identify the projects and expenditures recommended for appropriation. See WAC 173-340-340.

(4) Detailed site investigations and cleanup decisions. The following steps will be taken to ensure that the proper method of cleanup is chosen for the site.

(a) Remedial investigation and feasibility study. A state remedial investigation/feasibility study will be performed at ranked sites under WAC 173-340-350. The state remedial investigation/feasibility study defines the extent of the problems at the site and evaluates alternative cleanup actions.

(b) Selection of cleanup action. The department will evaluate the remedial investigation/feasibility study, establish cleanup standards and the point or points at which they must be complied with in accordance with the procedures provided for in WAC 173-340-700 through 173-340-760 and select a cleanup action that will protect human health and the environment ((consistent with)) and meet the other requirements of WAC 173-340-360. The cleanup action will be set forth in a draft cleanup action plan that addresses cleanup requirements for hazardous substances at the site. After public comment on the draft plan, a final cleanup action plan will be issued by the department.

(5) Site cleanup. Once the appropriate cleanup action has been selected for the site, the actual cleanup will be performed.

(a) Cleanup actions. WAC 173-340-400 describes the design and construction requirements for implementing the cleanup action plan.

(b) Compliance monitoring and review. The cleanup action must include compliance monitoring under WAC 173-340-410 and in some cases periodic review under WAC 173-340-420 to ensure the long-term effectiveness of the cleanup action.

(6) Interim actions. Under certain conditions it may be appropriate to take early actions at a site prior to completing the process described in subsections (2) through (5) of this section. WAC 173-340-430 describes when it is appropriate to take these early or interim actions and the requirements for such actions.

(7) Leaking underground storage tanks. Underground storage tank (UST) owners and underground storage tank operators regulated under chapter 90.76 RCW are required to perform specific actions in addition to what other site owners and operators would do under this chapter. Such additional actions include reporting of a confirmed release within twenty-four hours, follow-up investigation, free product removal and immediate assessment of the threat to human health and the environment at the site. A written report describing the site and the actions taken must be submitted within ninety days of release confirmation. Depending on the results of these actions, additional remedial actions may be required. WAC 173-340-450 describes these and other requirements for leaking underground storage tanks.

(8) Procedures for conducting remedial actions.

(a) Remedial action agreements. The department has authority to take remedial actions or to order persons to conduct remedial actions under WAC 173-340-510 and 173-340-540. However, the department encourages agreements for investigations and cleanups in appropriate cases. These agreements can be agreed orders or consent decrees reached under the procedures of WAC 173-340-520 and 173-340-530.

(b) Independent remedial actions. Persons may decide to perform investigations and cleanups without department approval under this chapter. The department will use the appropriate requirements contained herein in its evaluation of the adequacy of any independent remedial actions performed. Nothing in this chapter prohibits persons from performing such actions before the department is ready to act at the site; however, all interim and cleanup actions must be reported to the department under WAC 173-340-300. Furthermore, independent remedial actions are done at the potentially liable person's own risk and the department may take or require additional remedial actions at these sites at any time. (See WAC 173-340-510.)

(c) Public participation. The public will receive notice and an opportunity to comment on most of the steps in the cleanup process. At many sites, a public participation plan will be prepared to provide opportunities for more extensive public involvement in the cleanup process.

These requirements are described in WAC 173-340-600.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-200 DEFINITIONS. For the purpose of this chapter, the following definitions shall apply:

~~((1)) "Act" means the same as the "Model Toxics Control Act" and "chapter 70.105D RCW."~~

~~(2) "Agreed order" means an order issued under WAC 173-340-530.~~

~~(3) "Cleanup action" means any remedial action, except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with cleanup standards, utilizes permanent solutions to the maximum extent practicable, and includes adequate monitoring to ensure the effectiveness of the cleanup action.~~

~~(4) "Cleanup action plan" means the document prepared by the department under WAC 173-340-360 which selects the cleanup action and specifies cleanup standards and other requirements for the cleanup action.~~

~~(5) "Cleanup process" means the process for identifying, investigating, and cleaning up hazardous waste sites under chapter 70.105D RCW.~~

~~(6) "Cleanup standards" means the standards promulgated under RCW 70.105D.030 (2)(d).~~

~~(7) "Compliance monitoring" means a remedial action that consists of monitoring as described in WAC 173-340-410.~~

~~(8) "Containment" means a container, vessel, barrier, or structure, whether natural or constructed, by which a hazardous substance is prevented or hindered from release to or migration into the environment.~~

~~(9) "Day" means calendar day; however, any document due on the weekend or a holiday may be submitted on the first working day after the weekend or holiday.~~

~~(10) "Decree" means consent decree under WAC 173-340-520. "Consent decree" is synonymous with decree.~~

~~(11) "Department" means the department of ecology.~~

~~(12) "Director" means the director of ecology or the director's designee.~~

~~(13) "Environment" means any plant, animal, natural resource, surface water (including underlying sediments), ground water, drinking~~

water supply, land surface (including tidlands and shorelands) or subsurface strata, or ambient air within the state of Washington or under the jurisdiction of the state of Washington.

(14) "Exposure" means subjection to the action, influence, or effects of a substance or condition.

(15) "Facility" means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works); well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or

(b) Any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

(16) "Food crop" means any domestic plant which is produced for the purpose of, or may be used in whole or in part for, consumption by people or livestock. This shall include nursery, root, or seedstock to be used for the production of food crops.

(17) "Ground water" means water in a saturated zone or stratum beneath the surface of land or water.

(18) "Hazardous sites list" means the list of hazardous waste sites maintained under WAC 173-340-330.

(19) "Hazardous substance" means:

(a) Any dangerous or extremely hazardous waste as defined in RCW 70.105.010 (5) and (6), or any dangerous or extremely dangerous waste as designated by rule under chapter 70.105 RCW;

(b) Any hazardous substance as defined in RCW 70.105.010(14) or any hazardous substance as defined by rule under chapter 70.105 RCW;

(c) Any substance that, on the effective date of this section, is a hazardous substance under section 101(14) of the federal cleanup law, 42 U.S.C., Sec. 9601(14);

(d) Petroleum or petroleum products; and

(e) Any substance or category of substances, including solid waste decomposition products, determined by the director by rule to present a threat to human health or the environment if released into the environment.

The term hazardous substance does not include any of the following when contained in an underground storage tank from which there is not a release: Crude oil or any fraction thereof or petroleum, if the tank is in compliance with all applicable federal, state, and local law.

(20) "Hazardous waste site" means any facility where there has been confirmation of a release or threatened release of a hazardous substance that requires remedial action.

(21) "Independent remedial actions" means remedial actions conducted without department oversight or approval and not under an order or decree.

(22) "Initial investigation" means a remedial action that consists of an investigation under WAC 173-340-310 to determine that a release or threatened release may have occurred that warrants further action under this chapter.

(23) "Interim action" means a remedial action conducted under WAC 173-340-430 that partially addresses the cleanup of a site.

(24) "Mail" means delivery through the United States Postal Service or an equivalent method of delivery or transmittal, including private mail carriers, or personal delivery.

(25) "Mixed funding" means any funding provided to potentially liable persons from the state toxics control account under WAC 173-340-560.

(26) "Model Toxics Control Act" or "act" means the act approved by the voters at the November 1988 general election, also known as Initiative 97 (chapter 70.105D RCW).

(27) "Natural person" means any unincorporated individual or group of individuals.

(28) "Order" means an enforcement order issued under WAC 173-340-540 or an agreed order issued under WAC 173-340-530.

(29) "Owner or operator" means:

(a) Any person with any ownership interest in the facility or who exercises any control over the facility; or

(b) In the case of an abandoned facility, any person who had owned, or operated, or exercised control over the facility any time before its abandonment. The term does not include:

(i) An agency of the state or unit of local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or circumstances in which the government involuntarily acquires title. This exclusion does not apply to an agency

of the state or unit of local government which has caused or contributed to the release or threatened release of a hazardous substance from the facility; or

(ii) A person who, without participating in the management of a facility, holds indicia of ownership primarily to protect the person's security interest in the facility.

(30) "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, unit of local government, federal government agency, or Indian tribe.

(31) "Potentially liable person" means any person whom the department finds, based on credible evidence, to be liable under RCW 70.105D.040.

(32) "Public notice" means, at a minimum, adequate notice mailed to all persons who have made a timely request of the department and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the newspaper of largest circulation in the city or county of the proposed action; and opportunity for interested persons to comment.

(33) "Public participation plan" means a plan prepared under WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular facility.

(34) "Regional office" means one of the regional offices of the department of ecology.

(35) "Release" means any intentional or unintentional entry of any hazardous substance into the environment, including but not limited to the abandonment or disposal of containers of hazardous substances.

(36) "Remedy" or "remedial action" means any action or expenditure consistent with the purposes of chapter 70.105D RCW to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment including any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

(37) "Routine cleanup action" means a remedial action that consists of a cleanup action meeting the requirements in WAC 173-340-130(7).

(38) "Safety and health plan" means a plan prepared under WAC 173-340-810.

(39) "Sampling and analysis plan" means a plan prepared under WAC 173-340-820.

(40) "Science advisory board" means the advisory board established by the department under RCW 70.105D.030(4).

(41) "Sensitive environment" means an area of particular environmental value, where a release could pose a greater threat than in other areas including: Wetlands; critical habitat for endangered or threatened species; national or state wildlife refuge; critical habitat, breeding or feeding area for fish or shellfish; wild or scenic river; rookery; riparian area; big game winter range.

(42) "Site" means the same as facility.

(43) "Site hazard assessment" means a remedial action that consists of an investigation performed under WAC 173-340-320.

(44) "Site register" means the public information document described in WAC 173-340-600.

(45) "State remedial investigation/feasibility study" means a remedial action that consists of activities performed under WAC 173-340-350 to collect, develop, and evaluate sufficient information regarding a site to enable the selection of a cleanup plan.

(46) "Surface water" means lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the state of Washington or under the jurisdiction of the state of Washington.

(47) "Wastewater facility" means all structures and equipment required to collect, transport, treat, reclaim, or dispose of domestic, industrial, or combined domestic/industrial wastewaters.

(48) "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For the purposes of this classification, wetlands must have one or more of the following attributes:

(a) At least periodically, the land supports predominantly hydrophytes;

(b) The substrate is predominately undrained hydric soil; and

(c) The substrate is nonsoil and saturated with water or covered by shallow water at some time during the growing season each year.)

"Act" means the same as the "Model Toxics Control Act" and chapter 70.105D RCW.

"Acute toxicity" means the ability of a hazardous substance to cause injury or death to an organism as a result of a short-term exposure to a hazardous substance.

"Agreed order" means an order issued under WAC 173-340-530.

"All practicable methods of treatment" means all technologies and/or methods currently available and demonstrated to work under similar site circumstances or through pilot studies, and applicable to the site at reasonable cost. These include "all known available and reasonable methods of treatment" (AKART) for discharges to waters of the state, and "best available control technologies" for releases of hazardous substances into the air.

"Applicable state and federal laws" means all legally applicable and relevant and appropriate requirements.

"Area background" means the concentrations of hazardous substances that are consistently present in the environment in the vicinity of a site which are the result of human activities unrelated to releases from that site.

"Bioconcentration factor" means the ratio of the concentration of a hazardous substance in the tissue of an aquatic organism divided by the hazardous substance concentration in the ambient water in which the organism resides.

"Carcinogen" means any substance or agent that produces or tends to produce cancer in humans. For implementation of this chapter, the term carcinogen will apply to substances on the United States Environmental Protection Agency lists of A (known human) and B (probable human) carcinogens, and any substance which causes a significant increased incidence of benign or malignant tumors in a single, well conducted animal bioassay, consistent with the weight of evidence approach specified in the United States Environmental Protection Agency's Guidelines for Carcinogen Risk Assessment as set forth in 51 FR 33992 et seq. as presently published or as subsequently amended or republished.

"Carcinogenic potency factor" or "CPF" means the upper 95th percentile confidence limit of the slope of the dose-response curve and is expressed in units of (mg/kg-day)⁻¹.

"Chronic reference dose" means an estimate (with an uncertainty spanning an order of magnitude or more) of a daily exposure level for the human population, including sensitive subpopulations, that is likely to be without an appreciable risk of adverse effects during a lifetime.

"Chronic toxicity" means the ability of a hazardous substance to cause injury or death to an organism resulting from repeated or constant exposure to the hazardous substance over an extended period of time.

"Cleanup" means the implementation of a cleanup action or interim action.

"Cleanup action" means any remedial action, except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with cleanup standards, utilizes permanent solutions to the maximum extent practicable, and includes adequate monitoring to ensure the effectiveness of the cleanup action.

"Cleanup action plan" means the document prepared by the department under WAC 173-340-360 which selects the cleanup action and specifies cleanup standards and other requirements for the cleanup action.

"Cleanup levels" means compliance cleanup levels or conditional cleanup levels.

"Cleanup process" means the process for identifying, investigating, and cleaning up hazardous waste sites under chapter 70.105D RCW.

"Cleanup standards" means the standards promulgated under RCW 70.105D.030 (2)(d).

"Closure site assessment" means a site assessment required for closure of an underground storage tank pursuant to rules adopted under chapter 90.76 RCW.

"Compliance cleanup level" means the concentration of a hazardous substance in the environment that are protective of human health and the environment under unrestricted site use conditions.

"Conditional cleanup level" means the concentration of a hazardous substance that are protective of human health and the environment under restricted site use conditions.

"Compliance monitoring" means a remedial action that consists of monitoring as described in WAC 173-340-410.

"Containment" means a container, vessel, barrier, or structure, whether natural or constructed, by which a hazardous substance is prevented or hindered from release to or migration into the environment.

"Contaminant" means any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

"Curie" means the measure of radioactivity defined as that quantity of radioactive material which decays at the rate of 3.70×10^{10} transformations per second. This decay rate is nearly equivalent to that exhibited by 1 gram of radium in equilibrium with its disintegration products.

"Day" means calendar day; however, any document due on the weekend or a holiday may be submitted on the first working day after the weekend or holiday.

"Decree" means consent decree under WAC 173-340-520. "Consent decree" is synonymous with decree.

"Department" means the department of ecology.

"Developmental reference dose" means an estimate (with an uncertainty of an order of magnitude or more) of an exposure level for the human population, including sensitive subgroups, that is likely to be without an appreciable risk of developmental effects.

"Director" means the director of ecology or the director's designee.

"Environment" means any plant, animal, natural resource, surface water (including underlying sediments), ground water, drinking water supply, land surface (including tidelands and shorelands) or subsurface strata, or ambient air within the state of Washington or under the jurisdiction of the state of Washington.

"Excess cancer risk of one in 100,000" means the upper 95th percentile confidence limit on the estimated risk of one additional cancer above the background cancer rate per 100,000 individuals.

"Excess cancer risk of one in 1,000,000" means the upper 95th percentile confidence limit on the estimated risk of one additional cancer above the background cancer rate per 1,000,000 individuals.

"Exposure" means subjection to the action, influence, or effects of a substance or condition.

"Exposure parameters" means those parameters used to derive an estimate of the exposure to a hazardous substance.

"Exposure pathway" means the path a hazardous substance takes or could take from a source to an exposed organism. An exposure pathway describes the mechanism by which an individual or population is exposed or has the potential to be exposed to hazardous substances at or originating from a site.

"Facility" means:

Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or

Any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Federal cleanup law" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. 9601 et seq., as presently promulgated or as subsequently amended or repromulgated.

"Fish diet fraction" means the percentage of the total fish or shellfish in an individual's diet that is obtained or has the potential to be obtained from the site.

"Food crop" means any domestic plant which is produced for the purpose of, or may be used in whole or in part for, consumption by people or livestock. This shall include nursery, root, or seedstock to be used for the production of food crops.

"Free product" means a hazardous substance that is present as a nonaqueous phase liquid (that is, liquid not dissolved in water).

"Ground water" means water in a saturated zone or stratum beneath the surface of land or water.

"Hazard index" means the sum of two or more hazard quotients for multiple hazardous substances and/or multiple exposure pathways.

"Hazardous sites list" means the list of hazardous waste sites maintained under WAC 173-340-330.

"Hazardous substance" means:

Any dangerous or extremely hazardous waste as defined in RCW 70.105.010 (5) and (6), or any dangerous or extremely dangerous waste as designated by rule under chapter 70.105 RCW;

Any hazardous substance as defined in RCW 70.105.010(14) or any hazardous substance as defined by rule under chapter 70.105 RCW;

Any substance that, on the effective date of this section, is a hazardous substance under section 101(14) of the federal cleanup law, 42 U.S.C., Sec. 9601(14);

Petroleum or petroleum products; and

Any substance or category of substances, including solid waste decomposition products, determined by the director by rule to present a threat to human health or the environment if released into the environment.

The term hazardous substance does not include any of the following when contained in an underground storage tank from which there is not a release: Crude oil or any fraction thereof or petroleum, if the tank is in compliance with all applicable federal, state, and local law.

"Hazardous waste site" means any facility where there has been confirmation of a release or threatened release of a hazardous substance that requires remedial action.

"Hazard quotient" or "HQ" means the ratio of the dose of a single hazardous substance over a specified time period to a reference dose for that hazardous substance derived for a similar exposure period.

"Highest beneficial use" means the beneficial use of a resource generally requiring the highest quality in the resource; for example, providing protection for the beneficial use of drinking water will generally provide protection for a great variety of other existing and future beneficial uses of ground water.

"Independent remedial actions" means remedial actions conducted without department oversight or approval and not under an order or decree.

"Indicator hazardous substances" means the subset of hazardous substances present at a site selected under WAC 173-340-700(3) that are used to establish cleanup requirements for that site.

"Inhalation correction factor" means a multiplier that is used to adjust exposure estimates based on ingestion of drinking water to take into account exposure to hazardous substances which are volatilized and inhaled during domestic activities.

"Inhalation reference dose" means an estimate (with an uncertainty of an order of magnitude or more) of a daily inhalation exposure for the human population, including sensitive subgroups, that is likely to be without appreciable risk of adverse effects during a lifetime.

"Initial investigation" means a remedial action that consists of an investigation under WAC 173-340-310 to determine that a release or threatened release may have occurred that warrants further action under this chapter.

"Institutional controls" means legal restrictions on the use of a site or natural resource affected by releases of hazardous substances that are required to assure continued protection of human health and the environment.

"Integrated risk information system (IRIS)" means a data base developed by the United States Environmental Protection Agency which provides a summary of information on hazard identification and dose-response assessment for specific hazardous substances.

"Interim action" means a remedial action conducted under WAC 173-340-430 that partially addresses the cleanup of a site.

"Interspecies scaling factor" means the conversion factor used to take into account differences between animals and humans.

"Legally applicable requirement" means those cleanup standards, standards of control, and other human health and environmental protection requirements, criteria, or limitations promulgated under state or federal law that specifically address a hazardous substance, cleanup action, location, or other circumstances at the site.

"Lowest observed adverse effect level" or "LOAEL" means the lowest concentration of a hazardous substance at which there is a statistically or biologically significant increase in the frequency or severity of an adverse effect between a population and a control group.

"Mail" means delivery through the United States Postal Service or an equivalent method of delivery or transmittal, including private mail carriers, or personal delivery.

"Maximum contaminant level" or "MCL" means the maximum concentration of a contaminant established by either the Washington state board of health or the United States Environmental Protection Agency under the Federal Safe Drinking Water Act (42 U.S.C. 300f et seq.) and published in 40 C.F.R. 141 as presently promulgated or subsequently amended or re promulgated.

"Maximum contaminant level goal" or "MCLG" means the maximum concentration of a contaminant established by the United States Environmental Protection Agency under the Federal Safe Drinking Water Act (42 U.S.C. 300f et seq.) and published in 40 C.F.R. 141 as presently promulgated or subsequently amended or re promulgated, for which no known or anticipated adverse effects on human health occur, including an adequate margin of safety.

"Method detection limit" or "MDL" means the minimum concentration of a compound that can be measured and reported with 99% confidence that the value is greater than zero.

"Millirem" or "mrem" means the measure of the dose of any radiation to body tissue in terms of its estimated biological effect relative to a dose received from an exposure to one roentgen (R) of x-rays. One millirem equals 0.001 rem.

"Mixed funding" means any funding provided to potentially liable persons from the state toxics control account under WAC 173-340-560.

"Model Toxics Control Act" or "act" means the act approved by the voters at the November 1988 general election, also known as Initiative 97 (chapter 70.105D RCW).

"Natural background" means the concentration of hazardous substance consistently present in the environment which has not been influenced by localized human activities. For example, several metals naturally occur in the bedrock and soils of Washington state due solely to the geologic processes that formed these materials and the concentration of these metals would be considered natural background. Also, low concentrations of some particularly persistent organic compounds such as polychlorinated biphenyls (PCBs) can be found in surficial soils and sediment throughout much of the state due to global use of these hazardous substances. These low concentrations would be considered natural background. Similarly, concentrations of various radionuclides which are present at low concentrations throughout the state due to global distribution of fallout from bomb testing and nuclear accidents would be considered natural background.

"Natural person" means any unincorporated individual or group of individuals.

"Null hypothesis" means an assumption about hazardous substance concentrations at a site when evaluating compliance with cleanup levels established under this chapter. The null hypothesis is that the site is contaminated at concentrations which exceed cleanup levels.

"No observed adverse effect level" or "NOAEL" means the highest concentration of a hazardous substance which results in no observable adverse effect in an exposed test organism.

"Order" means an enforcement order issued under WAC 173-340-540 or an agreed order issued under WAC 173-340-530.

"Owner or operator" means:

Any person with any ownership interest in the facility or who exercises any control over the facility; or

In the case of an abandoned facility, any person who had owned, or operated, or exercised control over the facility any time before its abandonment. The term does not include:

An agency of the state or unit of local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or circumstances in which the government involuntarily acquires title. This exclusion does not apply to an agency of the state or unit of local government which has caused or contributed to the release or threatened release of a hazardous substance from the facility; or

A person who, without participating in the management of a facility, holds indicia of ownership primarily to protect the person's security interest in the facility.

"PAHs (carcinogenic)" means those PAHs substances identified as A (known human) or B (probable human) carcinogens by the United States Environmental Protection Agency. These include benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, and indeno(1,2,3-cd)pyrene.

"Permanent solution" means a cleanup action in which cleanup standards of WAC 173-340-700 through 173-340-760 are achieved without further action being required at the site being cleaned up or any other site involved with the cleanup action, such as an off-site landfill.

"Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, unit of local government, federal government agency, or Indian tribe.

"Pico curie" or "pCi" means 10⁻¹² curie.

"Point of compliance" means the point or points where compliance cleanup levels or conditional cleanup levels established in accordance with WAC 173-340-720 through 173-340-760 shall be attained.

"Polychlorinated biphenyls" or "PCB mixtures" means those aromatic compounds containing two benzene nuclei with two or more substituted chlorine atoms. For the purposes of this chapter, PCB includes those congeners which are identified using the appropriate Tests Methods for Evaluating Solid Wastes, U.S. EPA, SW-846 and any revisions of amendments thereto, or other test methods approved by the department.

"Polycyclic aromatic hydrocarbons" or "PAH" means those hydrocarbon molecules composed of two or more fused benzene rings. For the purpose of this chapter, PAH includes those compounds which are identified and quantified using the appropriate Test Methods for Evaluating Solid Waste, U.S. EPA, SW-846 and any revisions or amendments thereto, or other test methods approved by the department. The specific compounds generally included are acenaphthene, acenaphthylene, fluorene, naphthalene, anthracene, fluoranthene, phenanthrene, benzo[a]anthracene, benzo[b]fluoranthene, benzo[k]fluoranthene, pyrene, chrysene, benzo[a]pyrene, dibenzo[a,h]anthracene, indeno[1,2,3-cd]pyrene, and benzo[ghi]perylene.

"Potentially liable person" means any person whom the department finds, based on credible evidence, to be liable under RCW 70.105D.040.

"Practical quantitation limit" (PQL) means the lowest concentration that can be reliably achieved within specified limits of precision, accuracy, representativeness, completeness, and comparability during routine laboratory operating conditions, using department approved methods.

"Public notice" means, at a minimum, adequate notice mailed to all persons who have made a timely request of the department and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the newspaper of largest circulation in the city or county of the proposed action; and opportunity for interested persons to comment.

"Public participation plan" means a plan prepared under WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

"Rad" means that quantity of ionizing radiation that results in the absorption of 100 ergs of energy per gram of irradiated material, regardless of the source of radiation.

"Radionuclide" means a type of atom which spontaneously undergoes radioactive decay.

"Recovery by-products" means any hazardous substance, water, sludge or other materials collected in the free product removal process in response to a release from an underground storage tank.

"Reasonable maximum exposure" means the highest exposure that can be reasonably expected to occur for a human or other living organisms at a site under current and potential future site use.

"Reference dose" or "RFD" means a benchmark dose, derived from the NOAEL or LOAEL for a hazardous substance by consistent application of uncertainty factors used to estimate acceptable daily intake doses and an additional modifying factor, which is based on professional judgment when considering all available data about a substance, expressed in units of milligrams per kilogram body weight per day. This includes chronic reference doses, subchronic reference doses, developmental reference doses, and inhalation reference doses.

"Regional office" means one of the regional offices of the department of ecology.

"Release" means any intentional or unintentional entry of any hazardous substance into the environment, including but not limited to the abandonment or disposal of containers of hazardous substances.

"Relevant and appropriate requirements" means those cleanup standards, standards of control, and other human health and environmental requirements, criteria, or limitations established under state and federal law that, while not legally applicable to the hazardous substance, cleanup action, location, or other circumstance at a site, address problems or situations sufficiently similar to those encountered at the site that their use is well suited to the particular site. The criteria specified in WAC 173-340-710(3) shall be used to determine if a requirement is relevant and appropriate.

"Rem" means the unit of radiation dose equivalent that is the dosage in rads multiplied by a factor representing the different biological effects of various types of radiation.

"Remedy" or "remedial action" means any action or expenditure consistent with the purposes of chapter 70.105D RCW to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment including any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

"Restoration time frame" means the period of time needed to achieve the required cleanup levels at the points of compliance established for the site.

"Risk" means the probability that a hazardous substance, when released into the environment, will cause an adverse effect in exposed humans or other living organisms.

"Routine cleanup action" means a remedial action that consists of a cleanup action meeting the requirements in WAC 173-340-130(7).

"Safety and health plan" means a plan prepared under WAC 173-340-810.

"Sample mean" means the arithmetic mean which refers to the average of a set of measurements. The arithmetic mean is defined as the sum of all measurements divided by the number of measurements.

"Sampling and analysis plan" means a plan prepared under WAC 173-340-820.

"Saturated zone" means the area below the water table in which all interstices are filled with water.

"Science advisory board" means the advisory board established by the department under RCW 70.105D.030(4).

"Secondary maximum contaminant level" means the maximum concentration of a secondary contaminant in water established by the United States Environmental Protection Agency under the Federal Safe Drinking Water Act (42 U.S.C. 300f et seq.) and published in 40 C.F.R. 143 as presently promulgated or as subsequently amended or repromulgated.

"Sensitive environment" means an area of particular environmental value where a release could pose a greater threat than in other areas including: Wetlands; critical habitat for endangered or threatened species; national or state wildlife refuge; critical habitat, breeding or feeding area for fish or shellfish; wild or scenic river; rookery; riparian area; or big game winter range.

"Site" means the same as facility.

"Site characterization report" means a written report describing the site and nature of a release from an underground storage tank, as described in WAC 173-340-450 (4)(b).

"Site check" means the investigation conducted pursuant to rules adopted under chapter 90.76 RCW in order to confirm a release from an underground storage tank.

"Site hazard assessment" means a remedial action that consists of an investigation performed under WAC 173-340-320.

"Site register" means the public information document described in WAC 173-340-600.

"Site use restrictions" means access to the site is restricted in a manner that prevents or minimizes actual or potential exposure to hazardous substances present at the site. Measures to limit access may include fencing, natural barriers, or other methods approved by the department.

"Soil" means a mixture of organic and inorganic solids, air, water, and biota which exists on the earth surface above bedrock, including materials of anthropogenic sources such as slag, sludge, etc.

"State remedial investigation/feasibility study" means a remedial action that consists of activities performed under WAC 173-340-350 to collect, develop, and evaluate sufficient information regarding a site to enable the selection of a cleanup plan.

"Status report" means a written or verbal report on the status of the interim actions taken in response to a release from an underground storage tank, as described in WAC 173-340-450 (4)(b).

"Subchronic reference dose" means an estimate (with an uncertainty of an order of magnitude or more) of a daily exposure level for the human population, including sensitive subgroups, that is likely to be without appreciable risk of adverse effects during a portion of a lifetime.

"Surface water" means lakes, rivers, ponds, streams, inland waters, saltwaters, and all other surface waters and water courses within the state of Washington or under the jurisdiction of the state of Washington.

"Technically feasible" means capable of being designed, constructed and implemented in a reliable and effective manner, regardless of cost.

"Technically practicable" means all technologies and/or methods currently available and demonstrated to work under similar site circumstances or through pilot studies that can be applied to the site following consideration of those factors in WAC 173-340-360(7).

"Total petroleum hydrocarbons" or "TPH" means any fraction of crude oil that is contained in plant condensate, crankcase motor oil, gasoline, aviation fuels, kerosene, diesel motor fuel, benzol, fuel oil, and other products derived from the refining of crude oil. For the purposes of this chapter, TPH will generally mean those fractions of the above products that are quantified by EPA Methods 8015 or 418.1 and any revisions or amendments thereto, or other test methods approved by the department.

"Type I error" means the error made when it is concluded that an area of a site is below cleanup levels when it actually exceeds cleanup levels. This is the rejection of a true null hypothesis.

"Type II error" means the error made when it is concluded that an area of a site is above cleanup levels when it actually falls below cleanup levels. This is the acceptance of a false null hypothesis.

"Underground storage tank" (UST) means an underground storage tank and connected underground piping as defined in the rules adopted under chapter 90.76 RCW.

"Underground storage tank operator" means any underground storage tank operator as defined in the rules adopted under chapter 90.76 RCW.

"Underground storage tank owner" means any underground storage tank owner as defined in the rules adopted under chapter 90.76 RCW.

"Underground storage tank release" means a confirmed release from an underground storage tank pursuant to the rules adopted under chapter 90.76 RCW.

"Unrestricted site use conditions" means restrictions on the use of the site or natural resources affected by releases of hazardous substances from the site are not required to ensure continued protection of human health and the environment.

"Volatile organic compound" means a carbon-based compound that easily evaporates at room temperature.

"Wastewater facility" means all structures and equipment required to collect, transport, treat, reclaim, or dispose of domestic, industrial or combined domestic/industrial wastewaters.

"Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For the purposes of this classification, wetlands must have one or more of the following attributes:

At least periodically, the land supports predominantly hydrophytes;
The substrate is predominately undrained hydric soil; and
The substrate is nonsoil and saturated with water or covered by shallow water at some time during the growing season each year.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-210 USAGE. For the purposes of this chapter, the following shall apply:

(1) Unless the context clearly requires otherwise the use of the singular shall include the plural and conversely.

(2) The terms "applicable," "appropriate," "relevant," "unless otherwise directed by the department" and similar terms implying discretion mean as determined by the department, with the burden of proof on other persons to demonstrate the requirements are or are not necessary.

(3) "Approved" means for department conducted or ordered remedial actions, or for potentially liable person conducted cleanups agreed to by the department in an agreed order or decree governing remedial actions at the site.

(4) "Conduct" means to perform or undertake whether directly or through an agent or contractor, unless this chapter expressly provides otherwise.

((4)) (5) "Include" means included but not limited to.

((5)) (6) "May" means the provision is optional and permissive, and does not impose a requirement.

((6)) (7) "Shall" means the provision is mandatory.

((7)) (8) "Threat" means threat or potential threat.

((8)) (9) "Under" means pursuant to, subject to, required by, established by, in accordance with, and similar expressions of legislative or administrative authorization or direction.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-300 SITE DISCOVERY AND REPORTING.

(1) Purpose. As part of a program to identify hazardous waste sites, this section sets forth the requirements for reporting a release of a hazardous substance due to past activities, whether discovered before or after the effective date of this regulation. It also sets forth the requirements for reporting independent cleanup actions. The department may take any other actions it deems appropriate to identify potential hazardous waste sites consistent with chapter 70.105D RCW.

(2) Release report. Any owner or operator who has information that a hazardous substance has been released to the environment at the owner or operator's facility and may be a threat to human health or the environment shall report such information to the department by

June 1, 1990, or for discovery of releases after this date, within ninety days of discovery. Releases from underground storage as described in the rules adopted under chapter 90.76 RCW must be reported within twenty-four hours of release confirmation, in accordance with WAC 173-340-450. To the extent known, the report shall include: The identification and location of the hazardous substance, circumstances of the release and the discovery, and any remedial actions planned, completed, or underway. All other persons are encouraged to report such information to the department.

(3) Exemptions. The following releases are exempt from these notification requirements:

(a) Application of pesticides and fertilizers for their intended purposes and according to label instructions;

(b) Lawful and nonnegligent use of hazardous substances by a natural person for personal or domestic purposes;

(c) A release in accordance with a permit that authorizes the release;

(d) A release previously reported to the department in fulfillment of a reporting requirement in this chapter or in another law or regulation;

(e) A release previously reported to the United States Environmental Protection Agency under CERCLA, Section 103(c) (42 9603(c));

(f) A release to the air;

(g) Releases discovered in public water systems regulated by the department of health; or

(h) A release to a permitted wastewater facility.

An exemption from these notification requirements does not imply a release from liability in future actions by the department.

(4) Report of independent actions.

(a) Report. Any person who conducts an independent interim action or cleanup action shall submit a written report to the department within ninety days of the completion of the action. For the purposes of this section, the department will consider an interim action or cleanup action complete if no remedial action other than compliance monitoring has occurred at the site for ninety days. This is not intended to preclude earlier reporting of such actions. See WAC 173-340-450 for additional requirements for reporting independent interim actions for releases from underground storage tanks.

(b) Contents. The report shall include the information in subsection (2) of this section if not already reported, and results of all site investigations, cleanup actions and compliance monitoring planned or underway. The department may require additional reports on the work performed.

(c) Combined reports. If the independent interim action or cleanup action is completed within ninety days of discovery, a single written report may be submitted on both the release and the action taken. The reports shall contain the information specified in subsections (2) and (4) of this section and shall be submitted within ninety days of completion of the interim action or cleanup action.

(d) Notification. The department shall publish a notice of all reports on independent interim actions and cleanup actions received under this section in the site register.

(5) Department response. Within ninety days of receipt of information under this section, the department shall respond in accordance with WAC 173-340-310. Receipt of information regarding an independent interim action or cleanup action under subsection (3) or (4) of this section shall not obligate the department to take any action beyond that prescribed in WAC 173-340-310 and subsection (4)(d) of this section. Neither submission of information on independent interim action and cleanup actions nor any response by the department shall release the person submitting the report or any other person from liability. The department reserves all rights to pursue any subsequent action it deems appropriate.

(6) Other obligations. Nothing in this section shall eliminate any obligations to comply with reporting requirements that may exist in a permit or under other laws.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-350 STATE REMEDIAL INVESTIGATION AND FEASIBILITY STUDY. (1) Purpose. The purpose of a state remedial investigation/feasibility study is to collect, develop, and evaluate sufficient information regarding a site to enable the selection of a cleanup action under WAC 173-340-360.

(2) Timing. Unless otherwise directed by the department, a state remedial investigation/feasibility study shall be completed before selecting a cleanup action under WAC 173-340-360, except for an emergency or interim action.

(3) Administrative options. A state remedial investigation/feasibility study may be conducted under any of the procedures described in WAC 173-340-510.

(4) Public participation will be accomplished in a manner consistent with WAC 173-340-600.

(5) Scope. The scope of a state remedial investigation/feasibility study will depend on the informational needs of the specific facility. This requires that the process remain flexible, with the scope of the state remedial investigation/feasibility study varying from site to site to avoid the collection of unnecessary information so that the cleanup can proceed in a timely manner. However, in all cases sufficient information must be collected, developed, and evaluated to enable the selection of a cleanup action under WAC 173-340-360. In addition, for facilities on the federal national priorities list, the state remedial investigation/feasibility study shall comply with federal requirements.

(6) Contents. A state remedial investigation/feasibility study shall include the following information as appropriate:

(a) General facility information. General information, including: Project title; name, address, and phone number of project coordinator; legal description of the facility location; dimensions of the facility; present owner and operator; chronological listing of past owners and operators and operational history; and other pertinent information.

(b) Site conditions map. An existing site conditions map which illustrates relevant current site features such as: Property boundaries; proposed facility boundaries; surface topography; surface and subsurface structures; utility lines; well locations; and other pertinent information.

(c) Field investigations. Sufficient investigations to characterize the distribution of hazardous substances present at the site, and threat to human health and the environment. Where applicable to the site, these investigations will need to address the following:

(i) Surface water and sediments. Investigations of surface water and sediments to characterize significant hydrologic features such as: Surface drainage patterns and quantities, areas of erosion and sediment deposition, surface waters, floodplains, and actual or potential hazardous substance migration routes towards and within these features. Sufficient surface water and sediment sampling shall be performed to adequately characterize the areal and vertical distribution and concentrations of hazardous substances. Properties of surface and subsurface sediments which are likely to influence the type and rate of hazardous substance migration, or are likely to affect the ability to implement alternative cleanup actions shall be characterized.

(ii) Soils. Investigations to adequately characterize the areal and vertical distribution and concentrations of hazardous substances in the soil due to the facility. Properties of surface and subsurface soils which are likely to influence the type and rate of hazardous substance migration, or which are likely to affect the ability to implement alternative cleanup actions shall be characterized.

(iii) Geology and ground water system characteristics. Investigations of site geology and hydrogeology to adequately characterize the areal and vertical distribution and concentrations of hazardous substances in the ground water and those features which affect the fate and transport of these hazardous substances. This shall include, as appropriate, the description, physical properties and distribution of bedrock and unconsolidated materials; ground water flow rate and gradient for affected and potentially affected aquifers; ground water divides; areas of ground water recharge and discharge; location of public and private production wells; and ground water quality data.

(iv) Air. An evaluation of air quality impacts, including sampling, where appropriate, and information regarding local and regional climatological characteristics which are likely to affect the hazardous substance migration such as: Seasonal patterns of rainfall; the magnitude and frequency of significant storm events; temperature extremes; prevailing wind direction; and wind velocity.

(v) Land use. Information characterizing human populations exposed or potentially exposed to the hazardous substance released from the facility and present and proposed land uses and zoning for the site and potentially affected areas.

(vi) Natural resources and ecology. Information to determine the impact or potential impact of the hazardous substance from the facility on the natural resources and ecology of the area such as: Sensitive environment, plant and animal species, and other environmental receptors.

(vii) Hazardous substance sources. A description of and sufficient sampling to define the location, quantity, areal and vertical extent,

concentration within and sources of waste disposal areas. Where relevant, information on the physical and chemical characteristics, and the biological effects of hazardous substances shall be provided.

(viii) Regulatory classifications. Regulatory designations classifying affected air, surface water and ground water, if any.

(d) Risk assessment. A risk assessment characterizing the current and potential threats to human health and the environment that may be posed by hazardous substances. This assessment may not be required when the department determines that proposed cleanup standards are obvious and undisputed and allow an ~~((ample))~~ adequate margin of safety for protection of human health and the environment.

(e) Cleanup action alternatives. An evaluation of alternative cleanup actions that protect human health and the environment by eliminating, reducing, or otherwise controlling risks posed through each exposure pathway and migration route, shall be required. The number and types of alternatives to be evaluated shall take into account the characteristics and complexity of the facility. A phased approach for evaluation of alternatives may be required for certain facilities, including an initial screening of alternatives to reduce the number of potential remedies for the final detailed evaluation. The final evaluation of cleanup action alternatives that pass the initial screening shall consider the following factors:

(i) Overall protection of human health and the environment, including the degree to which existing risks are reduced, time required to reduce risk at the facility and attain cleanup standards, and on-site and off-site risks resulting from implementing the alternative;

(ii) Attainment of cleanup standards and compliance with applicable ~~((federat;))~~ state(;) and federal laws and any local ~~((laws))~~ requirements;

(iii) Short-term effectiveness, including protection of human health and the environment during construction and implementation of the alternative, and degree of risk to human health and the environment prior to attainment of cleanup standards;

(iv) Long-term effectiveness, including degree of certainty that the alternative will be successful, long-term reliability, magnitude of residual risk, and effectiveness of controls required to manage treatment residues or remaining wastes;

(v) Permanent reduction of toxicity, mobility and volume through treatment, including adequacy of the alternative in treating or managing the hazardous materials, reduction or elimination of hazardous material releases and sources of releases, degree of irreversibility of waste treatment process, and the characteristics and quantity of treatment residuals generated;

(vi) Ability to be implemented. The ability to be implemented including consideration of ~~((technical feasibility))~~ whether the alternative is technically feasible, availability of needed off-site facilities, services and materials, administrative and regulatory requirements, scheduling, size, complexity, monitoring requirements, access for construction, operations and monitoring, and integration with existing facility operations and other current or potential remedial actions;

(vii) Cost, including consideration of present and future direct and indirect capital, operation ~~((and)),~~ maintenance costs, and other ~~fore-seable costs;~~

(viii) The degree to which community concerns are addressed; and

(ix) The degree to which recycling, reuse, and waste minimization are employed.

(f) Work plans. A sampling and analysis plan, and a safety and health plan shall be prepared as part of state remedial investigation/feasibility study activities. These plans shall conform to the requirements specified in this chapter.

(g) Treatability studies. The department may require treatability studies as necessary to provide sufficient information to develop and evaluate cleanup action alternatives for a site.

(h) Any information needed to fulfill the applicable requirements of the State Environmental Policy Act.

(i) Other information as required by the department.

(7) In appropriate cases the department may allow departure from the requirements of subsection ~~((5))~~ (6) of this section and will allow information to be incorporated by reference to avoid unnecessary duplication.

(8) Report. A report shall be prepared at the completion of the remedial investigation/feasibility study. Additionally, the department may require reports to be submitted following discrete elements of the remedial investigation/feasibility study. Reports prepared under this section and under an order or decree shall be submitted to the department for review and approval.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-360 SELECTION OF CLEANUP ACTIONS.
~~((1) General requirements. All cleanup action plans approved and cleanup actions conducted under this chapter shall meet the following requirements:~~

~~(a) Achieves a degree of cleanup that is protective of human health and the environment;~~

~~(b) Addresses the requirements of applicable state, federal, and local laws;~~

~~(c) Uses permanent solutions to the maximum extent practicable;~~

~~(d) Provides adequate monitoring to ensure the effectiveness of the cleanup action;~~

~~(e) Is appropriate for conditions and circumstances at the facility; and~~

~~(f) Achieves compliance with cleanup standards.~~

~~(2) General considerations:~~

~~(a) Cleanup actions involving treatment which permanently and significantly reduces the volume, toxicity, or mobility of the hazardous substances shall be preferred over cleanup actions not involving such treatment.~~

~~(b) The off-site transport and disposal of hazardous substances or contaminated materials without treatment is the least favored alternative cleanup action where practicable treatment technologies are available.~~

~~(3) Draft cleanup action plan. The department shall issue a draft cleanup action plan for cleanup actions conducted under the provisions of this chapter. The cleanup action plan shall include the following:~~

~~(a) A description of the cleanup action to be implemented, including an explanation of how that action will meet the requirements of RCW 70.105D.030 (1)(b) and (2)(d);~~

~~(b) A brief summary of other cleanup alternatives evaluated in the remedial investigation/feasibility study or comparable documents;~~

~~(c) A brief summary of how the proposed cleanup alternative addresses the factors in WAC 173-340-350 (6)(c);~~

~~(d) A schedule for implementation of the cleanup action plan; and~~

~~(e) Identification of applicable federal, state, and local requirements to be met to complete the cleanup action.~~

~~(4) Public participation. The department will provide public notice and opportunity for comment on the draft cleanup plan as described in WAC 173-340-600.~~

~~(5) Final plan. After completion of the public comment period the department shall issue a final cleanup action plan and publish its availability in the site register and by other appropriate methods.~~

~~(6) For routine actions, the department may use an order or decree to fulfill the requirements of this section, provided that the information of subsection (3) of this section is included therein:)) (1) Purpose. This section describes the requirements for selecting and implementing cleanup actions.~~

~~(2) General requirements. The general requirements for cleanup actions are as follows:~~

~~(a) All cleanup actions conducted under this chapter shall:~~

~~(i) Be protective of human health and the environment, including complying with cleanup standards;~~

~~(ii) Comply with all applicable state and federal laws;~~

~~(iii) Provide for monitoring.~~

~~(b) When evaluating alternative cleanup actions that meet requirements of (a) of this subsection, the cleanup action selected shall:~~

~~(i) Use permanent solutions to the maximum extent practicable;~~

~~(ii) Be technically practicable at the site;~~

~~(iii) Provide for a reasonable restoration time frame; and~~

~~(iv) Consider public concerns.~~

~~(3) Protection. Cleanup actions that achieve compliance cleanup levels shall be presumed to demonstrate compliance with subsection (2)(a)(i) of this section unless the person undertaking the cleanup action can demonstrate that conditional cleanup levels are protective in accordance with WAC 173-340-700 through 173-340-760.~~

~~(4) Applicable state and federal laws.~~

~~(a) To demonstrate compliance with subsection (2)(a)(ii) of this section, all cleanup actions shall comply with all applicable state and federal laws.~~

~~(b) The following are selected applications of specific applicable state and federal laws to cleanup actions:~~

~~(i) Hazardous substances which are directly or indirectly released or proposed to be released to waters of the state shall be provided with all known, available and reasonable methods of treatment consistent with~~

~~the requirements of chapters 90.48 and 90.54 RCW and the regulations that implement these statutes.~~

~~(ii) All known, available and reasonable methods, consistent with the policy stated in RCW 90.48.010 and 90.54.020 to insure the highest possible quality of all waters of the state, shall be used to protect and restore the quality of ground water affected by a release from a site.~~

~~(A) Ground water treatment to achieve the standards in WAC 173-340-720 throughout the ground water shall be required where such treatment is practicable or in the public interest.~~

~~(B) When treatment within an existing ground water plume is not practicable the following measures shall be taken:~~

~~(I) All practicable source control measures shall be implemented to prevent additional releases to the ground water;~~

~~(II) Containment, including barriers or hydraulic control through ground water pumping or both, shall be implemented to the maximum extent practicable to avoid lateral and vertical expansion of the ground water volume affected by the hazardous substance;~~

~~(III) Adequate ground water monitoring to demonstrate control and containment of the hazardous substance shall be conducted;~~

~~(IV) If the ground water has been rendered unusable because of exceedances of cleanup standards in WAC 173-340-720 resulting from releases from a site, the potentially liable person shall provide an alternative water supply or point of use treatment to persons with water supplies rendered unusable by the release; and~~

~~(V) The practicability of treating the ground water affected by the release shall be reevaluated during the periodic review under WAC 173-340-420.~~

~~(C) Appropriate restrictions on the use of ground water shall be placed under WAC 173-340-440 until cleanup standards established under WAC 173-340-720 are achieved.~~

~~(D) The integrity and continued operation of any treatment or containment system shall be assured in accordance with WAC 173-340-440.~~

~~(iii) Best available control technologies consistent with the requirements of chapter 70.94 RCW and the regulations that implement this statute shall be applied to air emissions from a site, including air emissions resulting from cleanup actions at a site.~~

~~(iv) Where the department determines that either chapter 173-303 or 173-304 WAC are applicable state and federal laws for a site, in addition to any other requirements in this chapter, the requirements of that portion of the rules determined to be applicable shall be the minimum requirements for the site.~~

~~(5) Compliance monitoring. In demonstrating compliance with subsection (2)(a)(iii) of this section, the cleanup actions selected shall provide for monitoring in accordance with WAC 173-340-410.~~

~~(6) Permanent solutions.~~

~~(a) A permanent solution is one in which the cleanup standards under WAC 173-340-700 through 173-340-760 are achieved without further action being required at the original site or any other site involved with the cleanup action, such as an off-site landfill.~~

~~(b) In demonstrating compliance with subsection (2)(b)(i) of this section, the technology and method or combination of technologies and methods for site cleanup shall be selected in the following order of decreasing preference:~~

~~(i) Reuse or recycling;~~

~~(ii) Destruction or detoxification;~~

~~(iii) Separation or volume reduction with approved treatment or management of the hazardous substance;~~

~~(iv) Immobilization of hazardous substances;~~

~~(v) On-site or off-site disposal, isolation or containment with attendant engineering controls; and~~

~~(vi) Institutional controls and monitoring.~~

~~(c) A combination of technologies from more than one of the categories under (b) of this subsection may be used at a site. For example, the source of the hazardous substance may be recovered and recycled or destroyed, while containment is used to stop migration of hazardous substances that have reached the ground water.~~

~~(d) Selection of a lower preference technology and method or combination of technologies and methods shall only be allowed where it can be justified based on a balancing of the following criteria:~~

~~(i) Overall protectiveness of human health and the environment including consideration of the factors in WAC 173-340-350 (6)(e)(i);~~

~~(ii) Short-term effectiveness including consideration of the factors in WAC 173-340-350 (6)(e)(iii);~~

~~(iii) Long-term effectiveness including consideration of the factors in WAC 173-340-350 (6)(e)(iv);~~

(iv) Permanent reduction of toxicity, mobility and volume of the hazardous substance including consideration of the factors in WAC 173-340-350 (6)(c)(v); and

(v) Practicability in accordance with subsection (7) of this section.

(e) To ensure a bias toward permanent solutions, the cleanup action selected based on the balancing under (d) of this subsection must comply with the following requirements:

(i) The cleanup action shall prevent or minimize present and future releases and migration of hazardous substances in the environment;

(ii) The cleanup action shall provide for a net reduction in the amount of a hazardous substance being released from the site;

(iii) The cleanup actions shall not rely solely on dilution and dispersion of the hazardous substance;

(iv) Long-term monitoring and appropriate site use restrictions and institutional controls shall be required when on-site isolation, containment or a nonpermanent treatment technology or method is part of the selected cleanup action;

(v) A cleanup action relying only on isolation or containment of hazardous substances shall not be used if a cleanup action alternative that utilizes a higher preference cleanup technology or method for all or a portion of the site is technically practicable;

(vi) A cleanup action relying solely on institutional controls and monitoring shall not be used if a cleanup action alternative that utilizes a higher preference cleanup technology or method for all or a portion of the site is technically practicable; and

(vii) A cleanup action involving off-site transport and disposal of hazardous substances without treatment shall not be used if a practicable treatment technology or method exists which meets the requirements of subsection (2)(a) of this section and is technically practicable.

(7) Practicability. In determining whether a cleanup action meets the requirement of subsection (2)(b)(ii) of this section, the following factors shall be considered:

(a) Technical feasibility;

(b) Ability to be implemented including consideration of the factors in WAC 173-340-350 (6)(e)(vi);

(c) Cost in accordance with the following:

(i) A cleanup action shall not be considered technically practicable if the incremental cost of the cleanup action is substantial and disproportionate to the incremental degree of protection it would achieve over a lower preference cleanup action;

(ii) For cleanup action alternatives which meet the requirements of subsection (2)(a) of this section and which have an equivalent order of preference under subsection (6)(b) of this section, preference shall be given to the cleanup action which cost the least; and

(iii) Costs considered shall include present and future direct and indirect capital, operation and maintenance costs, and other foreseeable costs.

(8) Restoration time frame.

(a) In demonstrating compliance with subsection (2)(b)(iii) of this section the following factors shall be considered:

(i) Potential risks posed by the site to human health and the environment;

(ii) Technical practicability of achieving a shorter restoration time frame;

(iii) Current use of the site, surrounding areas, and associated resources that are, or may be, affected by releases from the site;

(iv) Potential use of the site, surrounding areas, and associated resources that are, or may be, affected by releases from the site;

(v) Whether providing an alternative water supply to water users that may be affected by releases to ground water or surface water is technically feasible;

(vi) Effectiveness and reliability of institutional controls;

(vii) Ability to control and monitor migration of hazardous substances from the site;

(viii) Toxicity of the hazardous substances at the site; and

(ix) Natural degradation processes which will affect the concentration of the hazardous substances at the site during the period of exposure.

(b) A longer period of time may be used for the restoration time frame for a site to achieve cleanup standards at the point of compliance if higher preference cleanup technologies in accordance with subsection (6)(b) of this section are selected instead of on-site or off-site disposal or containment options.

(c) When area background concentrations would result in recontamination of the site to levels which exceed cleanup standards, that portion of the cleanup action which addresses cleanup below area background concentrations may be delayed until the off-site sources of

hazardous substances are controlled. In these cases the remedial action shall be considered an interim action.

(d) Where conditional cleanup levels are below technically feasible concentrations, technically feasible concentrations shall be achieved within a reasonable time frame in consideration of the factors in (a) of this subsection. In these cases the remedial action shall be considered an interim action.

(e) Extending the restoration time frame shall not be used as a substitute for active cleanup actions, when such actions are technically practicable.

(9) Draft clean up action plan. The department shall issue a draft cleanup action plan for cleanup actions conducted by the department or under an order or decree. The level of detail in the draft cleanup action plan shall be commensurate with the complexity of the site and proposed cleanup action.

(a) The draft cleanup action plan shall include the following:

(i) A general description of the proposed cleanup action including compliance monitoring;

(ii) A brief summary of other alternative cleanup actions evaluated in the state remedial investigation/feasibility study or comparable documents;

(iii) Site cleanup standards for each media of concern and the point of compliance for the standards where these have been established at this step in the cleanup process;

(iv) The schedule for implementation of the cleanup action plan including, if known, restoration time frame;

(v) Required institutional controls and site use restrictions, if any, for the proposed cleanup action;

(vi) Justification for selecting a cleanup action that is less preferred than other cleanup actions listed in subsection (6)(b) of this section, when applicable;

(vii) Applicable state and federal laws for the proposed cleanup action, when these are known at this step in the cleanup process (this does not preclude subsequent identification of applicable state and federal laws); and

(viii) A preliminary determination by the department that the proposed cleanup action will comply with subsection (2) of this section.

(b) For routine actions the department may use an order or decree to fulfill the requirements of a cleanup action plan, provided that the information in (a) of this subsection is included therein. The scope of detail for the required information shall be commensurate with the complexity of the site and proposed cleanup action.

(10) Public participation. The department will provide public notice and opportunity for comment on the draft cleanup plan as described in WAC 173-340-600.

(11) Final plan. After completion of the public comment period the department, after review and consideration of the comments received, shall issue a final cleanup action plan and publish its availability in the site register and by other appropriate methods.

(12) Federal cleanup sites. A record of decision prepared under the Federal Cleanup Law may be used by the department to meet the requirements of this section provided:

(a) The cleanup action provided by the record of decision meets the requirements in subsection (2) of this section;

(b) The state has concurred with the record of decision; and

(c) An opportunity was provided for the public to comment on the cleanup action.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-420 PERIODIC REVIEW. If the department selects or approves a cleanup action that results in hazardous substances remaining at a site, at concentrations which exceed compliance cleanup levels established under WAC 173-340-700 through 173-340-760 or if conditional points of compliance have been established, the department shall review such cleanup action no less frequently than every five years after the initiation of such cleanup action to assure that human health and the environment are being protected.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-430 INTERIM ACTIONS. (1) Purpose. The purpose of this section is to describe how certain interim actions can occur prior to the selection and completion of a cleanup action. An interim action is:

(a) An action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; or

(b) An action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; or

(c) An action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study or design of a cleanup action.

Example. A site is identified where oil-based wood preservative has leaked from a tank and is puddled on the ground and is floating on the water table. Run-off from adjacent properties passes through the site. Neighborhood children have been seen on the site. In this case, several interim actions would be appropriate prior to fully defining the extent of the distribution of hazardous substances at the site and selecting a cleanup action. These interim actions might consist of removing the tank, fencing the site, rerouting run-off, and removing the product puddled on the ground and floating on the water table. Further studies would then determine what additional soil and ground water cleanup would be needed.

(2) General requirements.

(a) Interim actions may:

(i) Achieve cleanup standards for a portion of the site; or

(ii) Provide a partial cleanup, that is, cleanup hazardous substances from all or part of the site, but not achieve cleanup standards; or

(iii) Provide a partial cleanup of hazardous substances and not achieve cleanup standards, but provide information on how to achieve cleanup standards for a cleanup. For example, demonstration of an unproven cleanup method.

(b) Relationship to the cleanup action:

(i) If the cleanup action is known, the interim action shall be consistent with the cleanup action.

(ii) If the cleanup action is not known, the interim action shall not foreclose reasonable alternatives for the cleanup action. This is not meant to preclude the destruction or removal of hazardous substances.

(3) Timing.

(a) Interim actions may occur anytime during the cleanup process. Interim actions shall not be used to delay or supplant the cleanup process. An interim action may be done prior to or in conjunction with a site hazard assessment and hazard ranking. However, sufficient technical information must be available regarding the facility to ensure the interim action is appropriate and warranted.

(b) Interim actions shall be followed by additional remedial actions unless compliance with cleanup standards has been confirmed at the site.

(c) The department shall set appropriate deadlines commensurate with the actions taken for completion of the interim action.

(4) Administrative options. Except as provided in WAC 173-340-530, interim cleanup actions may be conducted under any of the procedures described in WAC 173-340-510.

(5) Public participation will be accomplished in a manner consistent with WAC 173-340-600.

(6) Submittal requirements. Unless otherwise directed by the department and except for underground storage tank releases being addressed under WAC 173-340-450 and emergencies, a report shall be prepared prior to conducting an interim action. Reports prepared under an order or decree shall be submitted to the department for review and approval. Reports shall be of a scope and detail commensurate with the work performed and site-specific characteristics, and shall include, as appropriate:

(a) A description of the interim action and how it will meet the criteria identified in subsections (1) and (2) of this section;

(b) Information from the applicable subsections of the remedial investigation/feasibility study of WAC 173-340-350, including at a minimum;

(i) A description of existing site conditions and a summary of all available data related to the interim action;

(ii) Alternative interim actions considered and an explanation why the proposed alternative was selected;

(c) Information from the applicable subsections of the design and construction requirements of WAC 173-340-400;

(d) A compliance monitoring plan meeting the applicable requirements of WAC 173-340-410;

(e) A safety and health plan meeting the requirements of WAC 173-340-810; and

(f) A sampling and analysis plan meeting the requirements of WAC 173-340-820.

(7) Construction. Construction of the interim action shall be in conformance with WAC 173-340-400(~~(5)~~) (7).

NEW SECTION

WAC 173-340-440 INSTITUTIONAL CONTROLS. (1) Purpose. Institutional controls that restrict the use of the site and natural resources affected by releases of hazardous substances from the site shall be required to assure continued protection of human health and the environment or integrity of an interim action or cleanup action in the following circumstances:

(a) Where a cleanup action results in residual concentrations of hazardous substances which exceed compliance cleanup levels established under WAC 173-340-700 through 173-340-750; or

(b) If conditional points of compliance have been established; or

(c) When the department determines they are required to assure continued protection to human health and the environment and integrity of the cleanup action.

These institutional controls shall not be used as a substitute for cleanup actions that would otherwise be technically practicable.

(2) Format. Such restrictions shall be described in a restrictive covenant executed by the property owner and recorded with the register of deeds for the county in which the site is located. This restrictive covenant shall run with the land, and be binding on the owner's successors and assigns.

(3) General requirements. Where required, the restrictive covenant shall:

(a) Prohibit activities on the site that may interfere with a cleanup action, operation and maintenance, monitoring, or other measures necessary to assure the integrity of the cleanup action;

(b) Prohibit activities that may result in the release of a hazardous substance which was contained as a part of the cleanup action;

(c) Require notice to the department of the owner's intent to convey any interest in the site. No conveyance of title, easement, lease, or other interest in the property shall be consummated by the property owner without adequate and complete provision for the continued operation, maintenance and monitoring of the cleanup action and the prevention of releases and exposures described in (b) of this subsection;

(d) Require notice and approval by the department of any proposal to use the site in a manner which is inconsistent with the restrictive covenant. If the department, after public notice and comment approves the proposed change, the restricted covenant shall be amended to reflect the change.

(e) Grant the department and its designated representatives the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan, including the right to take samples, inspect the operation of cleanup action measures, and to inspect records.

(4) Financial assurances. The department may require the potentially liable person to provide financial assurances, through a trust fund or equivalent financial mechanism approved by the department, sufficient to cover all costs of operation and maintenance including compliance monitoring and undertaking appropriate corrective measures.

(5) Removal of restrictions. If the residual hazardous substances remaining at the site are subsequently reduced in concentration such that the compliance cleanup levels established under WAC 173-340-700 through 173-340-760 are met without a conditional point of compliance then the owner may request that the restrictive covenant be eliminated. If after public notice and comment, the department concurs then the restricted covenant shall be removed.

NEW SECTION

WAC 173-340-450 RELEASES FROM UNDERGROUND STORAGE TANKS. (1) Purpose. The purpose of this section is to set forth the requirements for addressing releases which may pose a threat to human health or the environment from USTs defined under chapter 90.76 RCW and rules adopted therein, including heating oil USTs of greater than 1,100 gallons capacity.

(a) Releases from USTs exempted under chapter 90.76 RCW and rules adopted therein are still subject to all other requirements of this chapter.

(b) Unless the department requires otherwise, UST owners and UST operators shall comply with the requirements in this section after confirmation of an UST release which may pose a threat to human health or the environment.

(2) Initial response. Within twenty-four hours of the UST release, the UST owner or the UST operator shall perform the following actions:

(a) Report the UST release to the department and other authorities with jurisdiction, in accordance with rules adopted under chapter 90.76 RCW and any other applicable law;

(b) Remove as much of the hazardous substance from the UST as is necessary to prevent further release to the environment;

(c) Eliminate or reduce any fire, explosion or vapor hazards in such a way as to minimize any release of hazardous substances to surface water and ground water; and

(d) Visually inspect any aboveground releases or exposed belowground releases and prevent the hazardous substance from spreading into surrounding soils, ground water and surface water.

(3) Interim actions.

(a) As soon as possible but no later than twenty days following confirmation of an UST release, the UST owner or the UST operator shall perform the following interim actions:

(i) Continue to monitor and mitigate any additional fire and safety hazards posed by vapors or free product which may have migrated from the UST into structures in the vicinity of the site, such as sewers or basements;

(ii) Reduce the threat to human health and the environment posed by contaminated soils that are excavated or discovered as a result of investigation or cleanup activities. Treatment, storage and disposal of soils must be carried out in compliance with all applicable federal, state and local requirements;

(iii) Test for hazardous substances in the environment where they are most likely to be present. Such testing shall be done in accordance with a sampling and analysis plan prepared under WAC 173-340-820. The sample types, sample locations, and measurement methods shall be based on the nature of the stored substance, type of subsurface soils, depth to ground water and other factors as appropriate for identifying the presence and source of the release. If contaminated soil is found in contact with the ground water or soil contamination appears to extend below the lowest soil sampling depth, then testing shall include the installation of ground water monitoring wells to test for the presence of possible ground water contamination. Information gathered for the site check or closure site assessment conducted pursuant to rules adopted under chapter 90.76 RCW, which sufficiently characterizes the releases at the site, may be substituted for the testing required under this paragraph;

(iv) The testing performed under (a)(iii) of this subsection shall include, at a minimum, the following:

(A) Benzene, toluene, ethylbenzene, xylene, lead, and total petroleum hydrocarbons where leaded gasoline may be present;

(B) Benzene, toluene, ethylbenzene, xylene and total petroleum hydrocarbons where unleaded gasoline may be present;

(C) Total petroleum hydrocarbons and other appropriate indicator hazardous substances where any petroleum product other than gasoline may be present;

(D) The hazardous substance stored and any likely decomposition by-products where a hazardous substance other than petroleum may be present; and

(E) Any other tests required by the department; and

(v) Investigate for the presence of free product.

(b) Free product removal. At sites where investigations indicate free product is present, the UST owner or the UST operator shall conduct, as soon as possible after discovery, an interim action to remove the free product while continuing, as necessary, any other actions required under this section. To accomplish this the UST owner or UST operator shall:

(i) Conduct free product removal to the maximum extent practicable and in a manner which minimizes the spread of hazardous substances, by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site. The objective of free product removal system must be, at a minimum, to stop the free product migration;

(ii) Properly treat, discharge, or dispose of recovery by-products in compliance with all applicable local, state, and federal regulations and permits; and

(iii) Handle all flammable products safely to prevent fires and explosions.

(4) Reporting requirements. The following reports are required to be submitted to the department:

(a) Status report. Within twenty days after an UST release, the UST owner or UST operator shall submit a status report to the department. The status report shall identify if known, the types, amounts, and locations of hazardous substances released, how the release occurred, evidence confirming the release, actions taken under subsections (2) and (3) of this section, any planned remedial actions, and any results of work done up to the time of the report. This report may be provided verbally to the department.

(b) Site characterization reports. Within ninety days after release confirmation, unless directed to do otherwise by the department, the UST owner or UST operator shall submit a report to the department about the site and nature of the release. This report shall be submitted to the department in writing and may be combined with the twenty-day status report, if the information required is available at that time. The site characterization report shall include, at a minimum, the following information:

(i) The information required for the status report under (a) of this subsection;

(ii) A site conditions map indicating approximate boundaries of the property, all areas where hazardous substances are known or suspected to be located, and sampling locations. This map may consist of a sketch of the site at a scale sufficient to illustrate this information;

(iii) Available data regarding surrounding populations, surface and ground water quality, use and approximate location of wells potentially affected by the release, subsurface soil conditions, depth to ground water, direction of ground water flow, proximity to and potential for affecting surface water, locations of sewers and other potential conduits for vapor or free product migration, surrounding land use, and proximity to sensitive environments;

(iv) Results of tests for hazardous substances performed under subsection (3)(a)(iii) and (iv) of this section;

(v) Results of the free product investigation required under subsection (3)(a)(v) of this section;

(vi) Results of all completed site investigations, interim actions and cleanup actions and a description of any remaining investigations, cleanup actions and compliance monitoring which are planned or underway; and

(vii) Information on the free product removal efforts at sites where investigations indicate free product is present. This shall include, at a minimum, the following information:

(A) Name of the person responsible for implementing the free product removal measures;

(B) The estimated quantity, type, and thickness of free product observed or measured in wells, boreholes and excavations;

(C) The type of free product recovery system used;

(D) The location of any on-site or off-site discharge during the recovery operation;

(E) The type of treatment applied to, and the effluent quality expected from, any discharge;

(F) The steps taken and planned to obtain necessary permits for any discharge;

(G) Disposition of recovered free product; and

(viii) Any other information required by the department.

(5) State remedial investigation and feasibility study.

(a) The scope of a state remedial investigation and feasibility study under this chapter will depend on the informational needs at a specific site and will vary from site to site to avoid the collection of unnecessary information. For sites with UST releases, a state remedial investigation and feasibility study must at a minimum address the elements in WAC 173-340-350 (6)(a), (b), (c)(ii), (c)(iii), (c)(v) through (c)(vii) and (e). UST owners and operators shall conduct a state remedial investigation and feasibility study for sites where the following conditions exist:

(i) There is evidence that the release has caused hazardous substances to be present in the ground water in excess of the ground water standards promulgated under chapter 90.48 RCW or cleanup levels in WAC 173-340-720 (Table 1);

(ii) Free product is found; or

(iii) Where otherwise required by the department.

(b) UST owners and UST operators shall submit the information collected for the state remedial investigation/feasibility study to the department as soon as practicable. The information may be included with other reports submitted under this section.

(6) If the department determines, based on the results of the remedial investigation/feasibility study or other information, that additional remedial action is required, the department may require the UST

owner or the UST operator to submit engineering documents as described in WAC 173-340-400.

(7) Unless directed to do otherwise by the department, cleanup actions performed by UST owners or UST operators shall comply with cleanup standards, WAC 173-340-700 through 173-340-750 and the requirements for the selection of cleanup actions, WAC 173-340-360.

(8) Independent cleanup actions. In addition to work performed under subsections (2) through (5), and (7) of this section, UST owners or UST operators performing independent cleanup actions shall:

- (a) Notify the department of their intention to begin cleanup. This can be included with other reports under this section;
- (b) Comply with any conditions imposed by the department; and
- (c) Within ninety days of completion of the cleanup action, submit the results of all investigations, interim and cleanup actions and compliance monitoring not previously submitted to the department.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-700 ((RESERVED)) **GENERAL PROCEDURES.** (1) Purpose. This section defines the decision making process for establishing cleanup under this chapter and how that process relates to the selection of cleanup actions under WAC 173-340-360.

(2) Protection. All cleanup actions performed under this chapter shall attain a degree of cleanup of hazardous substances and control of further releases of hazardous substances that assures protection of present and future human health and the environment. The goal is to establish cleanup levels as close as possible to natural background levels.

(3) Selection of indicator hazardous substances.

(a) When defining cleanup requirements at a site that is contaminated with a large number of hazardous substances, the department may eliminate from consideration those hazardous substances that contribute a small percentage of the overall threat to human health and the environment. The remaining hazardous substances shall serve as indicator hazardous substances for purposes of defining site cleanup requirements.

(b) If the department considers this approach appropriate for a particular site, at a minimum, the following factors shall be evaluated when eliminating individual hazardous substances from further consideration:

- (i) The toxicological characteristics of the hazardous substance that influence its ability to adversely affect human health or the environment relative to the concentrations of the hazardous substance at the site;
 - (ii) The chemical and physical characteristics of the hazardous substance which govern its tendency to persist in the environment relative to other hazardous substances at the site;
 - (iii) The chemical and physical characteristics of the hazardous substance which govern its tendency to move into and through environmental media;
 - (iv) The natural background concentrations of the hazardous substance;
 - (v) The thoroughness of testing for the hazardous substance at the site;
 - (vi) The frequency that the hazardous substance has been detected at the site; and
 - (vii) Degradation by-products of the hazardous substance.
- (c) When the department determines that the use of indicator hazardous substances is appropriate for a particular site, it may also require biological testing to address potential toxic effects associated with hazardous substances eliminated from consideration under this subsection.

(4) Reasonable maximum exposure.

(a) Cleanup levels shall be based on estimates of current and future resource uses and reasonable maximum exposures expected to occur under both current and potential future site use conditions.

(b) The reasonable maximum exposure is defined as the highest exposure that is reasonably expected to occur at a site under current and potential future site use. Sections WAC 173-340-720 through 173-340-760 define the reasonable maximum exposures for ground water, surface water, soil, and air. These reasonable maximum exposures will apply to most sites where individuals or groups of individuals are or could be exposed to hazardous substances. For example, the reasonable maximum exposure for most ground water is defined as exposure to hazardous substances in drinking water and other domestic uses.

(c) Persons performing cleanup actions under this chapter may utilize the evaluation criteria in WAC 173-340-720 through 173-340-

760 to demonstrate that the reasonable maximum exposure scenarios specified in those sections are not appropriate for a particular site. The use of an alternate exposure scenario shall be documented by the person performing the cleanup action. Documentation for the use of alternate exposure scenarios shall be based on the results of investigations performed in accordance with WAC 173-340-350.

(d) Individuals or groups of individuals may be exposed to hazardous substances through more than one exposure pathway. For example, a person may be exposed to hazardous substances from a site by drinking contaminated ground water, eating contaminated fish, and breathing contaminated air. At sites where the same individuals or groups of individuals are or could be consistently exposed through more than one pathway, the reasonable maximum exposure shall represent the total exposure through all of those pathways. At such sites, the cleanup levels derived for individual pathways under WAC 173-340-720 through 173-340-760 shall be adjusted downward to take into account multiple exposure pathways.

(5) Methods for determining cleanup levels.

(a) Compliance cleanup levels are established at concentrations which are protective of human health and the environment and, with the exception of compliance cleanup levels established under WAC 173-340-745, require no restrictions on the use of the site. Compliance cleanup levels shall be established using one of the following two methods:

- (i) Method A; or
- (ii) Method B.

(b) Method A may be used to establish cleanup levels at the following types of sites:

- (i) Sites undergoing routine cleanup actions as defined in WAC 173-340-130; or
- (ii) Sites where numerical standards are available in this chapter or applicable state and federal laws for all indicator hazardous substances in all media of concern.

(c) Method B is applicable to all sites. It shall be used to develop compliance cleanup levels unless one or more of the conditions for using method A are demonstrated to exist and the person conducting the cleanup action elects to utilize method A.

(d) Conditional cleanup levels represent concentrations which are protective of human health and the environment under restricted site use conditions. Conditional cleanup levels may be established where the person undertaking the cleanup action can demonstrate that such levels are consistent with applicable state and federal laws, that all practicable methods of treatment are utilized, that institutional controls are implemented in accordance with WAC 173-340-440, and that one or more of the following conditions exist:

(i) Where compliance cleanup levels established by methods A or B are below area background concentrations, conditional cleanup levels may be established at concentrations that are equal to area background concentrations, but in no case greater than concentrations specified in subsection (8) of this section;

(ii) Where attainment of compliance cleanup levels established using methods A or B has the potential for creating a significantly greater overall threat to human health or the environment than attainment of conditional cleanup levels established under this chapter, conditional cleanup levels may be established at concentrations which minimize those overall threats, but in no case greater than concentrations specified in subsection (8) of this section. At a minimum, the following factors shall be considered in making this determination:

- (A) Results of a site-specific risk assessment;
- (B) Duration of threats;
- (C) Reversibility of threats;
- (D) Magnitude of threats; and
- (E) Nature of affected population.

(iii) Where compliance cleanup levels established using methods A or B are below technically feasible concentrations, conditional cleanup levels may be established at the technically feasible concentrations, but in no case greater than levels specified in subsection (8) of this section; or

(iv) Where compliance cleanup levels established by methods A or B are below technically practicable levels, conditional cleanup levels may be established at concentrations which are at least as stringent as concentrations specified in subsection (8) of this section if the person undertaking the cleanup action can demonstrate all of the following:

(A) The incremental cost of attaining the compliance cleanup level is substantial and disproportionate to the incremental reduction in the threat to human health and the environment; and

(B) Neither containment or isolation of hazardous substances nor institutional controls are a principal component of the cleanup action.

(v) Where attainment of compliance cleanup levels will limit a person's ability to respond to other environmental threats at the site in question or other facilities owned or operated by the person undertaking the cleanup action, conditional cleanup levels may be established at concentrations which are at least as stringent as concentrations specified in subsection (8) of this section if the person undertaking the cleanup action can demonstrate all of the following:

(A) The incremental cost of attaining the compliance cleanup level is substantial and disproportionate to the incremental reduction in the threat to human health and the environment; and

(B) Neither containment or isolation of hazardous substances nor institutional controls are a principal component of the cleanup action.

(C) Financial benefits resulting from the approval of a conditional cleanup level will be utilized to fund actions that are not otherwise required under applicable state and federal laws to eliminate or substantially reduce other environmental threats; and

(D) Requirements for performing such actions are included in an enforceable document with the department.

(e) Cleanup levels shall not exceed concentrations established under subsections (6), (7), (8), (9), and (10) of this section except where the natural background concentration is greater than cleanup levels established under those subsections. In such situations, the cleanup level shall be established at a concentration equal to the natural background concentration.

(f) When a hazardous substance is not detected or is detected below the practical quantitation limit utilizing sampling and analytical procedures approved by the department and the practical quantitation limit is higher than the cleanup levels established under subsections (6), (7), (8), (9), and (10) of this section, the cleanup level shall be considered to have been attained only when the more stringent of the following conditions has been met:

(i) The practical quantitation limit is no greater than ten times the method detection limit; or

(ii) The practical quantitation limit for a particular hazardous substance, medium, and analytical procedure is no greater than the practical quantitation limit established by the United States Environmental Protection Agency and published in 40 CFR 136, 40 CFR 141 through 143, or 40 CFR 260 through 270.

(g) The department shall consider the availability of improved analytical techniques when performing periodic reviews under WAC 173-340-420. Subsequent to those reviews, the department may require the use of improved analytical techniques with lower practical quantitation limits.

(6) Method A compliance cleanup levels.

(a) Method A compliance cleanup levels shall be established in accordance with the procedures in WAC 173-340-720 through 173-340-760. Method A compliance cleanup levels shall be at least as stringent as all of the following:

(i) Concentrations of individual hazardous substances listed in the tables in WAC 173-340-720, 173-340-740, or 173-340-745.

(ii) Concentrations of individual hazardous substances established under applicable state and federal laws; and

(iii) Any other concentrations which the department determines are necessary to protect human health and the environment.

(b) If there are any inconsistencies between this subsection and any specifically referenced sections, the referenced section shall govern.

(7) Method B compliance cleanup levels.

(a) Method B compliance cleanup levels shall be established in accordance with the procedures in WAC 173-340-720 through 173-340-760. Method B compliance cleanup levels shall be at least as stringent as all of the following:

(i) Concentrations of individual hazardous substances established under applicable state and federal laws;

(ii) Concentrations which are expected to result in no adverse effects on the protection and propagation of aquatic and terrestrial life;

(iii) For hazardous substances for which health-based standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined using the following methods:

(A) Concentrations which are anticipated to result in no acute or chronic toxic effects on human health as determined using a hazard quotient of 1.0 and the procedures specified in WAC 173-340-720 through 173-340-750;

(B) For known or suspected carcinogens, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in

1,000,000 as determined using the procedures specified in WAC 173-340-720 through 173-340-750; and

(C) Concentrations which eliminate or substantially reduce the potential for food chain contamination; and

(iv) Any other concentrations which the department determines are necessary to protect human health and the environment.

(b) Concentrations of individual hazardous substances established under (a) of this subsection, including those based on applicable state and federal laws, shall be adjusted downward to take into account exposure to multiple hazardous substances and/or exposure resulting from more than one pathway of exposure. These adjustments shall be made in accordance with subsections (9) and (10) of this section. In making these adjustments, the hazard index shall not exceed 1.0 and the total excess cancer risk shall not exceed 1 in 100,000. These overall limits on the hazard index and total excess cancer risk shall also apply to sites where there is exposure to a single hazardous substance by one exposure pathway.

(c) If there are any inconsistencies between this subsection and any specifically referenced sections, the referenced section shall govern.

(8) Conditional cleanup levels.

(a) Conditional cleanup levels shall be established in accordance with the procedures in WAC 173-340-720 through 173-340-760. Conditional cleanup levels shall be at least as stringent as all of the following:

(i) Concentrations established under applicable state and federal laws;

(ii) Concentrations which are expected to result in no significant adverse effects on the protection and propagation of aquatic and terrestrial life;

(iii) For hazardous substances for which no health based standard has been established under applicable state and federal laws, those concentrations which are protective of human health as determined by the following methods:

(A) Concentrations which are expected to result in no significant adverse acute or chronic toxic effects on human health as estimated using a hazard quotient of 1.0 and the procedures defined in WAC 173-340-720 through 173-340-750;

(B) For known or suspected carcinogens, concentrations which are anticipated to result in a total excess cancer risk less than or equal to 1 in 100,000 as determined using the procedures defined in WAC 173-340-720 through 173-340-750; and

(C) Concentrations which eliminate or minimize the potential for food chain contamination; and

(iv) Any other concentrations which the department determines are necessary to protect human health and the environment.

(b) Concentrations of individual hazardous substances established under (a) of this subsection, including those based on applicable state and federal laws, shall be adjusted downward to take into account exposure to multiple hazardous substances and/or exposure resulting from more than one pathway of exposure. These adjustments shall be made in accordance with subsections (9) and (10) of this section. In making these adjustments, the hazard index shall not exceed 1.0 and the total excess cancer risk shall not exceed 1 in 100,000. These overall limits on the hazard index and total excess cancer risk shall also apply to sites where there is exposure to a single hazardous substance by one exposure pathway.

(c) If there are any inconsistencies between this subsection and any specifically referenced sections, the referenced section shall govern.

(9) Multiple hazardous substances.

(a) Cleanup levels for individual hazardous substances established under subsections (7) and (8) of this section shall be adjusted downward to take into account exposure to multiple hazardous substances. Adverse effects resulting from exposure to two or more hazardous substances with similar types of toxic response are assumed to be additive unless scientific evidence is available to demonstrate otherwise.

(b) Cancer risks resulting from exposure to two or more carcinogens are assumed to be additive unless scientific evidence is available to demonstrate otherwise.

(c) For purposes of establishing cleanup levels for noncarcinogens under subsections (7) and (8) of this section, the health threats resulting from exposure to two or more hazardous substances with similar types of toxic response may be apportioned between those hazardous substances in any combination as long as the requirements of subsections (4), (7), and (8) of this section are met and the hazard index does not exceed 1.0.

(d) For purposes of establishing cleanup levels for carcinogens under subsections (7) and (8) of this section, the cancer risks resulting from

exposure to multiple hazardous substances may be apportioned between hazardous substances in any combination as long as the requirements of subsections (4), (7), and (8) of this section are met and the total excess cancer risk does not exceed 1 in 100,000.

(e) The department may require biological testing to assess the potential interactive effects associated with chemical mixtures.

(10) Multiple pathways of exposure.

(a) Estimated doses of individual hazardous substances resulting from more than one pathway of exposure are assumed to be additive unless scientific evidence is available to demonstrate otherwise.

(b) Cleanup levels based on one pathway of exposure shall be adjusted downward to take into account exposures from more than one exposure pathway. The number of exposure pathways considered at a given site shall be based on the reasonable maximum exposure scenario as defined in WAC 173-340-700(4).

(c) For purposes of establishing cleanup levels for noncarcinogens under subsections (7) and (8) of this section, the health threats associated with exposure via multiple pathways may be apportioned between exposure pathways in any combination as long as the requirements of subsections (4), (7), and (8) of this section are met and the hazard index does not exceed 1.0.

(d) For purposes of establishing cleanup levels for carcinogens under subsections (7) and (8) of this section, the cancer risks associated with exposure via multiple pathways may be apportioned between exposure pathways in any combination as long as the requirements of subsections (4), (7), and (8) of this section are met and the total excess cancer risk does not exceed 1 in 100,000.

(11) Points of compliance.

(a) The point of compliance is the point or points where cleanup levels established in accordance with WAC 173-340-720 through 173-340-750 shall be attained.

(b) The point of compliance under this chapter shall be established throughout the site. Under certain circumstances a conditional point of compliance may be established under WAC 173-340-720 through 173-340-750.

(c) A conditional point of compliance shall not be established unless the person undertaking the cleanup action can demonstrate that all practicable methods of treatment shall be or have been utilized at the site.

(12) Selection of cleanup actions. Cleanup actions which result in compliance with cleanup levels shall be selected in accordance with the requirements in WAC 173-340-360.

NEW SECTION

WAC 173-340-705 GENERAL PRINCIPLES. (1) Purpose. This section defines the policies and principles that the department shall utilize to ensure that cleanup standards under this chapter are established and implemented in a scientifically and technically sound manner.

(2) Relationship to federal cleanup law. When evaluating cleanup actions performed under the federal cleanup law, the department shall consider WAC 173-340-360 and 173-340-700 through 173-340-760 to be a legally applicable requirement under Section 121(d) of the federal cleanup law.

(3) Regulation update. The department shall review and, as appropriate, update WAC 173-340-700 through 173-340-750 no less frequently than once every five years.

(4) Restrictions on site use. Appropriate site use restrictions including institutional controls under WAC 173-340-440 shall be required whenever conditional cleanup levels or conditional points of compliance are approved by the department under WAC 173-340-720 through 173-340-750. Site use restrictions, including institutional controls, shall also be required when cleanup levels are established under WAC 173-340-745.

(5) Burden of proof. Any person responsible for undertaking a cleanup action under this chapter who proposes to establish a conditional clean-up level or a conditional point of compliance shall have the burden of demonstrating to the department that requirements are protective of human health and the environment and that such requirements are allowable under this chapter. The department shall only approve conditional cleanup levels or conditional points of compliance when it determines that the person undertaking the cleanup actions met this burden of proof.

(6) New scientific information. The department shall consider new scientific information when establishing cleanup levels for individual sites. In making a determination on how to use this new information, the department shall, as appropriate, consult with the science advisory

board, the department of health, and the United States Environmental Protection Agency.

(7) Reference doses.

(a) The chronic reference dose and the developmental reference dose shall be used to establish cleanup levels under this chapter. Cleanup levels shall be established using the value which results in the most protective concentration.

(b) Inhalation reference doses shall be used in WAC 173-340-750. Where the inhalation reference dose is reported as a concentration in air, that value shall be converted to a corresponding inhaled intake (mg/kg-day) using a human body weight of 70 kg and an inhalation rate of 20 m³/day.

(c) A subchronic reference dose may be utilized to evaluate potential noncarcinogenic effects resulting from exposure to hazardous substances over short periods of time. This value may be used in place of the chronic reference dose where it can be demonstrated that a particular hazardous substance will degrade to negligible concentrations during the exposure period.

(d) For purposes of establishing cleanup levels for hazardous substances under this chapter, a reference dose established by the United States Environmental Protection Agency and available through the "integrated risk information system" data base shall be used unless the department determines that there is clear and convincing scientific data which demonstrates that the use of this value is inappropriate.

(e) If a reference dose is not available through the "integrated risk information system" or is demonstrated to be inappropriate under (d) of this subsection, a reference dose shall be established utilizing the methods described in Risk Assessment Guidance for Superfund. Human Health Evaluation Manual. Part A. (October 1989).

(f) In estimating a reference dose for a hazardous substance under (e) of this subsection, the department shall consult with the science advisory board, the department of health, and the United States Environmental Protection Agency.

(g) Where a reference dose other than those established under (d) of this subsection is used to establish a cleanup level at individual sites, the department shall summarize the scientific rationale for the use of those values in the cleanup action plan. The department shall provide the opportunity for public review and comment on this value in accordance with the requirements of WAC 173-340-360.

(8) Carcinogenic potency factor.

(a) For purposes of establishing cleanup levels for hazardous substances under this chapter, a carcinogenic potency factor established by the United States Environmental Protection Agency and available through the "integrated risk information system" data base shall be used unless the department determines that there is clear and convincing scientific data which demonstrates that the use of this value is inappropriate.

(b) If a carcinogenic potency factor is not available through the "integrated risk information system" or is demonstrated to be inappropriate under (a) of this subsection, one of the following methods shall be utilized to establish a carcinogenic potency factor:

(i) The carcinogenic potency factor may be derived from appropriate human epidemiology data on a case-by-case basis; or

(ii) The carcinogenic potency factor may be derived from animal bioassay data using the following procedures:

(A) All carcinogenesis bioassays shall be reviewed and data of appropriate quality shall be used for establishing the carcinogenic potency factor.

(B) The linearized multistage extrapolation model shall be utilized to estimate the slope of the dose-response curve unless the department determines that there is clear and convincing scientific data which demonstrates that the use of an alternate extrapolation model is more appropriate;

(C) All doses shall be adjusted to give an average daily dose over the study duration; and

(D) An interspecies scaling factor shall be used to take into account differences between animals and humans. This scaling factor shall be based on the assumption that milligrams per surface area is an equivalent dose between species unless the department determines there is clear and convincing scientific data which demonstrates that an alternate procedure is more appropriate. The slope of the dose response curve for the test species shall be multiplied by this scaling factor to obtain the carcinogenic potency factor. Where adequate pharmacokinetic and metabolism studies are available, data from these studies may be utilized to adjust the interspecies scaling factor.

(c) In estimating a carcinogenic potency factor for a hazardous substance under (b) of this subsection, the department shall consult with

the science advisory board, the department of health, and the United States Environmental Protection Agency.

(d) Where a carcinogenic potency factor other than that established under (a) of this subsection is used to establish cleanup levels at individual sites, the department shall summarize the scientific rationale for the use of that value in the cleanup action plan. The department shall provide the opportunity for public review and comment on this value in accordance with the requirements of WAC 173-340-360.

(9) Bioconcentration factors.

(a) For purposes of establishing cleanup levels for a hazardous substance under WAC 173-340-730, a bioconcentration factor established by the United States Environmental Protection Agency and utilized to establish the ambient water quality criterion for that substance under section 304 of the Clean Water Act shall be used unless the department determines that there is clear and convincing scientific data which demonstrates that the use of an alternate value is more appropriate.

(b) When utilizing a bioconcentration factor other than that utilized to establish the ambient water quality criterion, the department shall consult with the science advisory board, the department of health, and the United States Environmental Protection Agency.

(c) Where a bioconcentration factor other than that established under (a) of this subsection is used to establish cleanup levels at individual sites, the department shall summarize the scientific rationale for the use of that factor in the draft cleanup action plan. The department shall provide the opportunity for public review and comment on the value in accordance with the requirements of WAC 173-340-360.

(10) Exposure parameters.

(a) As a matter of policy, the department has defined the exposure parameters to be used when establishing cleanup levels under this chapter. With the exception of the parameters identified in (b) of this subsection, these parameters shall not be modified for individual hazardous substances or sites in a manner which results in a less stringent cleanup level. The scientific and technical basis for these parameters shall be reviewed when updating WAC 173-340-700 through 173-340-760 under subsection (3) of this section.

(b) The department may approve the use of values other than those specified in WAC 173-340-720 through 173-340-760 where there is clear and convincing scientific data which demonstrates that one or more of the following parameters should be modified for an individual hazardous substance or site:

- (i) Gastrointestinal absorption rate;
- (ii) Inhalation correction factor; or
- (iii) Bioconcentration factor.

(c) Where exposure parameters other than those established under WAC 173-340-720 through 173-340-760 are used to establish cleanup levels at individual sites, the department shall summarize the scientific rationale for the use of those parameters in the cleanup action plan. The department shall provide the opportunity for public review and comment on those values in accordance with the requirements of WAC 173-340-360.

(11) Methods for defining background concentrations.

(a) Sampling of hazardous substances in background areas may be conducted to distinguish site-related concentrations from nonsite related concentrations of hazardous substances or to support the development of a conditional cleanup level under the provisions of WAC 173-340-700 (5) and (8). For purposes of this chapter, two types of background may be determined: Natural background and area background concentrations.

(b) For purposes of defining background concentrations, samples shall be collected from areas that have the same basic characteristics as the medium of concern at the site and have not been influenced by releases from the site and, in the case of natural background concentrations, other localized human activities.

(c) The statistical method used to evaluate available data shall be appropriate for the distribution of each hazardous substance. If the distribution of the hazardous substance data is inappropriate for statistical methods based on a normal distribution, then the data may be transformed. If the distributions of individual hazardous substances differ, more than one statistical method may be required at a site. In general, appropriate statistical methods include the following:

- (i) A tolerance interval procedure in which an interval for each hazardous substance is established from the distribution of background data and the cleanup level of each hazardous substance is compared to the upper tolerance limit; and
- (ii) Other statistical methods proposed by the person undertaking the cleanup action and approved by the department.

(d) If a tolerance interval approach is used to evaluate natural background data, the tolerance interval shall have a coverage of ninety-five percent and a tolerance coefficient of ninety-five percent. When determining natural background concentrations, sample size of ten or more background samples shall be required. When determining area background concentrations, a sample size of twenty or more samples shall be required.

(e) For purposes of estimating background concentrations, values below the method detection limit shall generally be assigned a value equal to one-half of the method detection limit. Measurements above the method detection limit but below the practical quantitation limit shall generally be assigned a value equal to the method detection limit. The department may approve the use of alternate statistical procedures for handling data below the method detection limit or practical quantitation limit.

(12) Analytical considerations.

(a) Analytical methods used to evaluate the effectiveness of a cleanup action shall be approved by the department. Approved analytical methods shall include methods identified in WAC 173-340-830.

(b) If a hazardous substance is not detected or is detected at a concentration below the practical quantitation limit utilizing sampling and analytical procedures approved by the department and the practical quantitation limit is higher than the cleanup level for that substance, the cleanup level shall be considered to have been attained only when the more stringent of the following conditions are met:

(i) The practical quantitation limit is no greater than ten times the method detection limit; or

(ii) The practical quantitation limit for the particular hazardous substance, medium, and analytical procedure is no greater than the practical quantitation limit established by the United States Environmental Protection Agency and used to establish requirements in 40 CFR 136, 40 CFR 141 through 143, or 40 CFR 260 through 270.

(c) In cases where a cleanup level required by this chapter is less than the practical quantitation limit using an approved analytical procedure, the department may also require one or more of the following:

(i) Use of surrogate measures of hazardous substance contamination;

(ii) Use or development of specialized sample collection or analysis techniques to improve the method detection limit or practical quantitation limit for the hazardous substances at the site; or

(iii) Monitoring to assure that the concentration of a hazardous substance does not exceed detectable levels.

(d) The department shall consider the availability of improved analytical techniques when performing periodic reviews under WAC 173-340-420. Subsequent to those reviews, the department may require the use of improved analytical techniques with lower practical quantitation limits.

NEW SECTION

WAC 173-340-710 APPLICABLE STATE AND FEDERAL LAWS. (1) Applicable state and federal laws. For purposes of this chapter, the term "applicable state and federal laws" shall include both legally applicable and relevant and appropriate requirements. The person undertaking a cleanup action shall identify all applicable state and federal laws. The department shall make the final interpretation on whether these requirements have been correctly identified and are legally applicable or relevant and appropriate.

(2) Legally applicable requirements. Legally applicable requirements include those cleanup standards, standards of control, and other environmental protection requirements, criteria, or limitations promulgated under state or federal law that specifically address a hazardous substance, cleanup action, location or other circumstances at the site.

(3) Relevant and appropriate requirements. Relevant and appropriate requirements include those cleanup standards, standards of control, and other environmental requirements, criteria, or limitations established under state or federal law that, while not legally applicable to the hazardous substance, cleanup action, location, or other circumstance at a site, address problems or situations sufficiently similar to those encountered at the site that their use is well suited to the particular site. The following criteria shall be evaluated, where pertinent, to determine whether a requirement is relevant and appropriate:

(a) Whether the purpose for which the statute or regulations under which the requirement was created is similar to the purpose of the cleanup action;

(b) Whether the media regulated or affected by the requirement is similar to the media contaminated or affected at the site;

(c) Whether the hazardous substance regulated by the requirement is similar to the hazardous substance found at the site;

(d) Whether the entities or interests affected or protected by the requirement are similar to the entities or interests affected by the site;

(e) Whether the actions or activities regulated by the requirement are similar to the cleanup action contemplated at the site;

(f) Whether any variance, waiver, or exemption to the requirements are available for the circumstances of the site;

(g) Whether the type of place regulated is similar to the site;

(h) Whether the type and size of structure or site regulated is similar to the type and size of structure or site affected by the release or contemplated by the cleanup action; and

(i) Whether any consideration of use or potential use of affected resources in the requirement is similar to the use or potential use of the resources affected by the site or contemplated cleanup action.

(4) Variances. For purposes of this chapter, a regulatory variance or waiver provision included in an applicable state and federal law shall be considered potentially applicable to interim actions and cleanup actions and the department may determine that a particular regulatory variance or waiver is appropriate if the substantive conditions for such a regulatory variance or waiver are met. In all such cases, interim actions and cleanup actions shall be protective of human health and the environment.

(5) New requirements. The department shall consider new applicable state and federal laws as part of the periodic review under WAC 173-340-420. Cleanup actions shall be evaluated in light of these new requirements to determine whether the cleanup action is still protective of human health and the environment.

NEW SECTION

WAC 173-340-720 GROUND WATER CLEANUP STANDARDS. (1) General considerations.

(a) Ground water cleanup levels shall be based on estimates of the highest beneficial use and the reasonable maximum exposure expected to occur under both current and potential future site use conditions. The department has determined that for most sites drinking water is the beneficial use requiring the highest quality of ground water and that exposure to hazardous substances via ingestion of drinking water and other domestic uses represents the reasonable maximum exposure. In the event of a release of a hazardous substance, treatment, removal, or containment measures shall be implemented to reduce the concentration of the hazardous substance in ground water to concentrations consistent with this use unless the following can be demonstrated:

(i) The ground water does not serve as a current source of drinking water;

(ii) The ground water is not a potential future source of drinking water for any of the following reasons:

(A) The ground water is present in insufficient quantity to yield greater than 0.5 gallon per minute on a sustainable basis to a well constructed in compliance with chapter 173-160 WAC and in accordance with normal domestic water well construction practices for the area in which the site is located;

(B) The ground water contains natural background concentrations of organic or inorganic constituents which make use of the water for drinking not technically practicable. Ground water containing total dissolved solids at concentrations greater than 10,000 mg/l shall normally be considered to have fulfilled this requirement; or

(C) The ground water is situated at a great depth or location which makes recovery of water for drinking water purposes technically infeasible; and

(iii) The department determines it is unlikely that hazardous substances will be transported from the contaminated ground water to ground water that is a current or potential future source of drinking water, as defined in (a)(ii) of this subsection, at concentrations which exceed ground water quality criteria published in chapter 173-200 WAC; or

(iv) More stringent concentrations are necessary to protect human health or the environment.

(b) In making a determination under (a)(iii) of this subsection, the department shall consider site-specific factors including:

(i) The extent of affected ground water;

(ii) The distance to existing water supply wells;

(iii) The likelihood of interconnection due to well construction practices in the area of the state where the site is located;

(iv) The physical and chemical characteristics of the hazardous substance;

(v) The hydrogeologic characteristics of the site;

(vi) The presence of discontinuities in the affected geologic stratum; and

(vii) The degree of confidence in any predictive modeling performed.

(c) Cleanup levels to protect beneficial uses of ground water other than drinking water shall be established by the department on a case-by-case basis.

(d) Releases of hazardous substances to ground waters of the state shall not directly or indirectly cause violations of surface water, sediments, soil, or air cleanup standards established pursuant to this chapter or other applicable state and federal laws.

(2) Method A compliance cleanup levels.

(a) Where the ground water is a current or potential future source of drinking water, compliance cleanup levels established using method A shall be at least as stringent as all of the following:

(i) Concentrations listed in Table 1:

Table 1
Method A Compliance Cleanup Levels – Ground Water

Hazardous Substance	CAS Number	Cleanup Level
Arsenic	7440-38-2	5.0 ug/liter
Benzene	71-43-2	5.0 ug/liter
Cadmium	7440-43-9	5.0 ug/liter
Chromium (Total)	7440-47-3	50.0 ug/liter
DDT	50-29-3	0.1 ug/liter
1,2 Dichloroethane	107-06-2	5.0 ug/liter
Ethylbenzene	100-41-4	20.0 ug/liter
Ethylene dibromide	106-93-4	0.01 ug/liter
Gross Alpha Particle Activity		15.0 pCi/liter
Gross Beta Particle Activity		4.0 mrem/yr
Lead	7439-92-1	5.0 ug/liter
Lindane	58-89-9	0.2 ug/liter
Methylene chloride	75-09-2	5.0 ug/liter
Mercury	7439-97-6	2.0 ug/liter
PAHs (carcinogenic)		0.1 ug/liter
PCB mixtures		0.1 ug/liter
Radium 226 and 228		5.0 pCi/liter
Radium 226		3.0 pCi/liter
Pentachlorophenol (PCP)	87-86-5	30.0 ug/liter
Tetrachloroethylene	127-18-4	5.0 ug/liter
Toluene	108-88-3	40.0 ug/liter
Total Petroleum Hydrocarbons		1000.0 ug/liter
1,1,1 Trichloroethane	71-55-6	200.0 ug/liter
Trichloroethylene	79-01-5	5.0 ug/liter
Vinyl chloride	75-01-4	0.2 ug/liter
Xylenes	1330-20-7	20.0 ug/liter

(ii) Concentrations established under applicable state and federal laws, including the following requirements:

(A) Maximum contaminant levels established under the Safe Drinking Water Act and published in 40 C.F.R. 141, as amended;

(B) Maximum contaminant level goals for noncarcinogens established under the Safe Drinking Water Act and published in 40 C.F.R. 141, as amended;

(C) Secondary maximum contaminant levels established under the Safe Drinking Water Act and published in 40 C.F.R. 143, as amended; and

(D) Maximum contaminant levels established by the state board of health and published in chapter 248-54 WAC, as amended; and

(iii) Any other concentrations which the department determines are necessary to protect human health and the environment.

(b) Method A compliance cleanup levels to protect beneficial uses of ground water other than drinking water shall be established by the department on a case-by-case basis.

(3) Method B compliance cleanup levels.

(a) Where the ground water is a current or potential future source of drinking water, compliance cleanup levels established using method B shall be at least as stringent as all of the following:

(i) Concentrations established under applicable state and federal laws, including, but not limited to the requirements in subsection (2)(a)(ii) of this section;

(ii) For hazardous substances for which human health criteria have not been established under applicable state and federal laws, those concentrations which protect human health as determined by the following methods:

(A) Concentrations which are anticipated to result in no acute or chronic toxic effects on human health as determined using the following equation and standard exposure assumptions:

$$\text{Ground water cleanup level} = \frac{\text{RFD} \times \text{ABW} \times \text{UCF} \times \text{HQ}}{\text{DWIR} \times \text{INH}} \quad (\text{ug/l})$$

Where:

RFD = Reference Dose as specified in WAC 173-340-705(7) (mg/kg-day)
 ABW = Average body weight during the period of exposure (16 kg)
 UCF = Unit conversion factor (1,000 ug/mg)
 HQ = Hazard quotient (1.0)
 DWIR = Drinking water ingestion rate (1.0 liter/day)
 INH = Inhalation correction factor as defined in WAC 173-340-720(7);

(B) For known or suspected carcinogens, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 1,000,000 as determined using the following equation and standard exposure assumptions:

$$\text{Ground water cleanup level} = \frac{\text{RISK} \times \text{ABW} \times \text{LIFE} \times \text{UCF}}{\text{CPF} \times \text{DWIR} \times \text{DUR} \times \text{INH}} \quad (\text{ug/l})$$

Where:

RISK = Acceptable cancer risk level (1 in 1,000,000)
 ABW = Average body weight during the period of exposure (70 kg)
 LIFE = Lifetime (70 years)
 UCF = Unit conversion factor (1,000 ug/mg)
 CPF = Carcinogenic potency factor as specified in WAC 173-340-705(8) (kg-day/mg)
 DWIR = Drinking water ingestion rate (2.0 liters/day)
 DUR = Duration of exposure (30 years)
 INH = Inhalation correction factor as defined in WAC 173-340-720(7);

(iii) Any other concentrations which the department determines are necessary to protect human health and the environment including the following:

(A) Concentrations which are necessary to protect sensitive subgroups;

(B) Concentrations which eliminate or minimize the potential for food chain contamination;

(C) Concentrations which eliminate or minimize the potential for damage to soils or biota in the soils which could impair the use of the soil for agricultural or silvicultural purposes;

(D) Concentrations which eliminate or minimize the potential for the accumulation of vapors in buildings or other structures to concentrations which pose a threat to human health or the environment; and

(E) Concentrations which protect nearby surface waters. In general, these will be based on meeting chronic water quality criteria at the point the ground water discharges to the surface water.

(b) Compliance cleanup levels to protect beneficial uses of ground water other than drinking water shall be established by the department on a case-by-case basis.

(4) Conditional cleanup levels.

(a) Conditional cleanup levels may be approved by the department if the person undertaking the cleanup action can demonstrate that such levels are consistent with applicable state and federal laws, that all practicable methods of treatment have been utilized, that institutional controls are implemented in accordance with WAC 173-340-440, and that one or more of the conditions in WAC 173-340-700(5) exist. Where the ground water is a current or potential future source of drinking water as defined in subsection (1)(a) of this section, conditional cleanup levels for ground water shall be at least as stringent as all of the following:

(i) Concentrations established under applicable state and federal laws, including, but not limited to the requirements in subsection (2)(a)(ii) of this section;

(ii) For hazardous substances for which human health criteria have not been established under applicable state and federal laws, those concentrations that protect human health as determined using the following methods:

(A) Concentrations which are anticipated to result in no significant acute or chronic toxic effects on human health and are estimated in accordance with WAC 173-340-720 (3)(b)(i) except that the average body weight shall be 70 kg and the drinking water intake rate shall be 2 liters/day;

(B) Concentrations which are anticipated to result in a total incremental cancer risk less than or equal to 1 in 100,000 and are estimated in accordance with WAC 173-340-720 (3)(b)(ii);

(iii) Any other concentrations which the department determines are necessary to protect human health and the environment, including consideration of those factors listed in subsection (3)(a)(ii) of this section.

(b) Conditional cleanup levels that protect beneficial uses of ground water other than drinking water shall be established by the department on a case-by-case basis.

(5) Multiple hazardous substances/multiple pathways of exposure. Ground water cleanup levels for individual hazardous substances developed in accordance with subsections (3) and (4) of this section, including those based on applicable state and federal laws, shall be adjusted in accordance with the procedures in WAC 173-340-700 (9) and (10).

(6) Point of compliance.

(a) For ground water, the point of compliance is the point or points where the ground water cleanup levels established under subsections (2), (3), (4), and (5) of this section must be attained. Ground water cleanup levels shall be attained in all ground waters from the point of compliance to the outer boundary of the hazardous substance plume.

(b) The point of compliance shall be established throughout the site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the site.

(c) Where hazardous substances remain on-site as part of the cleanup action, the department may approve a conditional point of compliance which shall be as close as practicable to the source of hazardous substances, not to exceed the property boundary. Where a conditional point of compliance is proposed, the person responsible for undertaking the cleanup action shall demonstrate that all practicable methods of treatment are to be utilized in the site cleanup.

(d) At sites where affected ground water discharges to nearby surface water, the cleanup level may often be based on protection of the surface water. If a conditional point of compliance is approved at such a site, it shall be located within the ground water and at an upland location that is as close as practicable to the interface between the ground water and surface water. At these sites use of a dilution zone under WAC 173-201-035 to demonstrate compliance with surface water cleanup levels shall not be allowed.

(7) Inhalation correction factors.

(a) The inhalation correction factor is an adjustment factor which takes into account exposure to hazardous substances which are volatilized and inhaled during showering and other domestic activities. When available, hazardous substance-specific information shall be used to estimate these values.

(b) Where hazardous substance-specific information is not available, inhalation correction factors shall be one of the following:

(i) For volatile organic hazardous substances, 2.0; or

(ii) Other hazardous substances, 1.0.

(c) A person undertaking a cleanup action may elect to separately estimate the exposure and health hazards associated with the inhalation of hazardous substances in ground water during showering and other domestic activities. If this approach is used, the ground water cleanup level based on ingestion of drinking water shall be modified to take into account multiple exposure pathways in accordance with WAC 173-340-700(10).

(8) Compliance monitoring.

(a) Compliance with ground water cleanup levels shall be determined by analyses of unfiltered ground water samples, unless it can be demonstrated that a filtered sample provides a more representative measure of ground water quality.

(b) Sampling and analysis procedures shall be defined in a compliance monitoring plan prepared under WAC 173-340-410. The sample design shall provide data which are representative of the site.

(c) The data analysis and evaluation procedures used to evaluate compliance with ground water cleanup levels shall be defined in a compliance monitoring plan prepared under WAC 173-340-410. These procedures shall meet the following general requirements:

(i) Methods of data analysis shall be consistent with the sampling design;

(ii) When cleanup levels are based on requirements specified in applicable state and federal laws, the procedures for evaluating compliance that are specified in those requirements shall be utilized to evaluate compliance with cleanup levels unless those procedures conflict with the intent of this section;

(iii) Where procedures for evaluating compliance are not specified in an applicable state and federal law, statistical methods shall be appropriate for the distribution of sampling data for each hazardous substance. If the distribution of sampling data for a hazardous substance

is inappropriate for statistical methods based on a normal distribution, then the data may be transformed. If the distributions for hazardous substances differ, more than one statistical method may be required;

(iv) Compliance with ground water cleanup levels shall be determined for each ground water monitoring well or other monitoring points such as a spring;

(v) The data analysis procedures identified in the compliance monitoring plan shall specify the parameters to be used to determine compliance with ground water cleanup levels. If a hazardous substance has short-term or acute toxic effects on human health or the environment, an upper percentile value is the appropriate test parameter. If the hazardous substance poses a chronic or carcinogenic threat, the mean concentration is the appropriate parameter unless there are large variations in concentrations relative to the mean concentration or a large percentage of concentrations below the detection limit;

(vi) The long-term mean concentrations or long-term upper percentile concentrations shall be used to assess compliance with ground water cleanup levels; and

(vii) Compliance with ground water cleanup levels shall be determined when the general ground water characteristics at the site are no longer influenced by the cleanup action.

(d) Appropriate statistical methods include the following:

(i) A procedure in which a confidence interval for each hazardous substance is established from ground water sampling data and the ground water cleanup level is compared to the upper confidence interval; and

(ii) A method to test the proportion of ground water samples having concentrations less than the ground water cleanup level; or

(iii) Other statistical methods approved by the department.

(e) If a confidence interval approach is used to evaluate compliance with a ground water cleanup level, the decision rule is a one-tailed test of the null hypothesis that the true ground water concentration exceeds the ground water cleanup level. Compliance with a ground water cleanup level shall be determined using the following criteria:

(i) The upper confidence limit on the true ground water concentration shall be less than the ground water cleanup level. Statistical tests shall be performed at a Type I error level of 0.05;

(ii) No single sample concentration shall be greater than two times the ground water cleanup level; and

(iii) Less than ten percent of the sample concentrations shall exceed the ground water cleanup level.

(f) If a method to test the proportion of ground water samples is used to evaluate compliance with a ground water cleanup level, compliance shall be determined using the following criteria:

(i) Less than five percent of the sample concentrations shall exceed the ground water cleanup level; and

(ii) The mean of the ground water concentrations which are above the ground water cleanup level shall be less than twice the ground water cleanup level.

(g) For purposes of demonstrating compliance with ground water cleanup levels, measurements below the method detection limit shall generally be assigned a value equal to one-half the method detection limit. Measurement above the method detection limit but below the practical quantitation limit shall generally be assigned a value equal to the method detection limit. The department may approve alternate statistical procedures for handling nondetected values or values below the practical quantitation limit.

NEW SECTION

WAC 173-340-730 SURFACE WATER CLEANUP STANDARDS. (1) General considerations.

(a) Surface water cleanup levels shall be based on estimates of the highest beneficial use and the reasonable maximum exposure expected to occur under both current and potential future site use conditions. The highest beneficial use of a surface water body shall be determined in accordance with chapter 173-201 WAC, as amended. In the event of a release of a hazardous substance, treatment, removal, or containment measures shall be implemented to reduce the level of hazardous substances in surface water to concentrations consistent with uses specified under this section and chapter 173-201 WAC, as amended.

(b) Surface water cleanup levels established under this section apply to those surface waters of the state affected or potentially affected by releases of hazardous substances from sites addressed under this chapter.

(c) Releases of hazardous substances to surface waters of the state shall not directly or indirectly cause violations of groundwater, soil,

sediment, or air cleanup standards established under this chapter or other applicable state and federal laws.

(2) Method A compliance cleanup levels. Compliance cleanup levels established using method A shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws, including the following requirements:

(i) Acute and chronic water quality criteria published in the water quality standards for surface waters of the state of Washington, chapter 173-201 WAC, as amended;

(ii) Water quality criteria based on the protection of aquatic organisms (acute and chronic criteria) and human health published pursuant to section 304 of the Clean Water Act; and

(b) Any other concentrations which the department determines are necessary to protect human health and the environment.

(3) Method B compliance cleanup levels. Compliance cleanup levels for surface waters established using method B shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws, including the requirements identified in subsection (2)(a) of this section;

(b) Concentrations which are expected to result in no adverse effects on the protection and propagation of wildlife, fish, and other aquatic life;

(c) For hazardous substances for which human health criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health as determined by the following methods:

(i) For surface waters which support fish or shellfish populations, concentrations which are anticipated to result in no acute or chronic toxic effects on human health as determined using the following equations and standard exposure assumptions:

$$\text{Surface water cleanup level} = \frac{\text{RFD} \times \text{ABW} \times \text{C,D,C} \times \text{UCF2} \times \text{HQ}}{(\text{ug/l}) \quad \text{BCF} \times \text{FCR} \times \text{FDF}}$$

Where:

RFD = Reference Dose as specified in WAC 173-340-705(7) (mg/kg-day)

ABW = Average body weight during the exposure period (70 kg)

UCF1 = Unit conversion factor (1,000 ug/mg)

UCF2 = Unit conversion factor (1,000 grams/liter)

BCF = Fish bioconcentration factor as defined in WAC 173-340-705(6) (unitless)

FCR = Fish consumption rate (30 grams/day)

FDF = Diet fraction (0.5)

HQ = Hazard Index (1.0)

(ii) For surface waters which support fish or shellfish populations, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 1,000,000 as determined using the following equation and standard exposure assumptions:

$$\text{Surface water cleanup level} = \frac{\text{RISK} \times \text{ABW} \times \text{LIFE} \times \text{UCF1} \times \text{UCF2}}{(\text{ug/l}) \quad \text{CPF} \times \text{BCF} \times \text{FCR} \times \text{FDF} \times \text{DUR}}$$

Where:

CPF = Cancer Potency Factor as specified in WAC 173-340-705(8) (kg-day/mg)

RISK = Acceptable cancer risk level (1 in 1,000,000)

ABW = Average body weight during the exposure period (70 kg)

LIFE = Lifetime (70 years)

UCF1 = Unit conversion factor (1,000 ug/mg)

UCF2 = Unit conversion factor (1,000 grams/liter)

BCF = Fish bioconcentration factor as defined in WAC 173-340-705(6) (unitless)

FCR = Fish consumption rate (30 grams/day)

FDF = Diet fraction (0.5)

DUR = Duration of exposure (30 years);

(iii) For surface waters which represent a source or potential future source of drinking water, concentrations which are anticipated to result in no adverse impacts on human health as established in accordance with WAC 173-340-720.

(d) Any other concentrations which the department determines are necessary to protect human health and the environment.

(4) Conditional cleanup levels. Conditional cleanup levels may be approved by the department if the person undertaking the cleanup action can demonstrate that such levels are consistent with applicable state and federal laws, that all practicable methods of treatment have been utilized, that institutional controls are implemented in accordance with WAC 173-340-440, and that one or more of the conditions in

WAC 173-340-700(5) exist. Conditional cleanup levels for surface waters shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws, including the requirements identified in subsection (2)(a) of this section;

(b) Concentrations which are expected to result in no significant adverse effects on the protection and propagation of wildlife, fish and other aquatic life;

(c) For hazardous substances for which human health criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health as determined by the following methods:

(i) For surface waters which support fish or shellfish populations, concentrations which are anticipated to result in no significant acute or chronic toxic effects on human health or the environment and are estimated in accordance with WAC 173-340-730 (3)(c)(i) except that the fish diet fraction shall be twenty percent;

(ii) For surface waters which support fish or shellfish populations, concentrations which are anticipated to result in a total incremental cancer risk less than or equal to 1 in 100,000 and are estimated in accordance with WAC 173-340-730 (3)(c)(ii) except that the fish diet fraction shall be twenty percent;

(iii) For surface waters which represent a source or potential future source of drinking water, concentrations which are anticipated to result in no adverse impacts on human health and are established in accordance with WAC 173-340-720; and

(d) Any other concentrations which the department determines are necessary to protect human health and the environment.

(5) Multiple hazardous substances/multiple pathways of exposure. Surface water cleanup levels for individual hazardous substances developed in accordance with subsections (3) and (4) of this section, including those based on applicable state and federal laws, shall be adjusted in accordance with the procedures specified in WAC 173-340-700 (9) and (10).

(6) Point of compliance.

(a) The point of compliance shall be the point or points at which hazardous substances are released to surface waters of the state unless the department has authorized a dilution zone in accordance with WAC 173-201-035.

(b) Where hazardous substances are released to the surface water by a ground water discharge to the surface water no dilution zone shall be allowed to demonstrate compliance with surface water cleanup levels. See WAC 173-340-720 (6)(d) for additional requirements in this situation.

(7) Compliance monitoring.

(a) Compliance with surface water cleanup standards shall be determined by analyses of unfiltered surface water samples, unless it can be demonstrated that a filtered sample provides a more representative measure of surface water quality.

(b) When surface water cleanup levels are based on requirements specified in applicable state and federal laws, the procedures for evaluating compliance that are specified in those requirements shall be utilized to evaluate compliance with surface water cleanup levels unless these procedures conflict with the intent of this section.

(c) Where procedures for evaluating compliance are not specified in an applicable state and federal law, the statistical methods used to evaluate compliance with surface water cleanup levels shall be appropriate for the distribution of the hazardous substance sampling data. If the distribution of the hazardous substance sampling data is inappropriate for statistical methods based on a normal distribution, then the data may be transformed. If the distributions of individual hazardous substances differ, more than one statistical method may be required.

(d) For purposes of demonstrating compliance, measurements below the method detection limit shall generally be assigned a value equal to one-half of the method detection limit. Measurements above the method detection limit but below the practical quantitation limit shall generally be assigned a value equal to the method detection limit. The department may approve alternate statistical procedures for handling nondetected values or values below the practical quantitation limit.

(e) Sampling and analysis of fish tissue or shellfish may be required to supplement water column sampling during compliance monitoring.

NEW SECTION

WAC 173-340-740 SOIL CLEANUP STANDARDS. (1) General considerations.

(a) Soil cleanup levels shall be based on estimates of the reasonable maximum exposure expected to occur under both current and future

site use conditions. The department has determined that residential site use is generally the site use requiring the most protective cleanup levels and that exposure to hazardous substances in the soil via soil ingestion under residential site use conditions represents the reasonable maximum exposure scenario. In the event of a release of a hazardous substance, treatment, removal, or containment measures shall be implemented to reduce the levels of hazardous substances in soils to levels consistent with this use unless the following can be demonstrated:

(i) The site does not serve as a current residential area;

(ii) The site does not have the potential to serve as a future residential area based on the consideration of site zoning, statutory and regulatory restrictions, comprehensive plans, historical site use, adjacent land uses, and other relevant factors; and

(iii) Appropriate site use restrictions are implemented at the site to prohibit residential use; or

(iv) More stringent concentrations are necessary to protect human health and the environment.

(b) Soil cleanup levels for industrial sites shall be established in accordance with the requirements in WAC 173-340-745.

(c) Soil cleanup levels for other nonresidential site uses such as recreational or agricultural uses shall be established on a case-by-case basis. Cleanup levels for these types of sites shall be at least as stringent as conditional cleanup levels established under subsection (4) of this section.

(d) Soil cleanup levels shall be established at concentrations which do not directly or indirectly cause violations of ground water, surface water, sediment, or air cleanup standards established under this chapter or applicable state and federal laws.

(2) Method A compliance cleanup levels. Compliance cleanup levels established using method A shall be at least as stringent as all of the following:

(a) Concentrations in the following table:

Table 2
Method A Compliance Cleanup Levels - Soil

Hazardous Substance	CAS Number	Cleanup Level
Arsenic	7440-38-2	20.0 mg/kg
Benzene	71-43-2	0.5 mg/kg
Cadmium	7440-43-9	2.0 mg/kg
Chromium	7440-47-3	100.0 mg/kg
DDT	50-29-3	1.0 mg/kg
Ethylbenzene	100-41-4	20.0 mg/kg
Ethylene dibromide	106-93-4	0.001 mg/kg
Lead	7439-92-1	250.0 mg/kg
Lindane	58-89-9	1.0 mg/kg
Methylene chloride	75-09-2	0.5 mg/kg
Mercury (inorganic)	7439-97-6	1.0 mg/kg
PAHs (carcinogenic)		1.0 mg/kg
PCB Mixtures		1.0 mg/kg
Pentachlorophenol	87-86-5	10.0 mg/kg
Tetrachloroethylene	127-18-4	0.5 mg/kg
Toluene	108-88-3	40.0 mg/kg
TPH (gasoline)		100.0 mg/kg
TPH (diesel)		200.0 mg/kg
TPH (other)		200.0 mg/kg
1,1,1 Trichloroethane	71-55-6	20.0 mg/kg
Trichloroethylene	79-01-5	0.5 mg/kg
Xylenes	1330-20-7	20.0 mg/kg

(b) Concentrations established under applicable state and federal laws;

(c) Any other concentrations which the department determines are necessary to protect human health or environment.

(3) Method B compliance cleanup levels. Compliance cleanup levels for soils established using method B shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) For those hazardous substances for which human health or environmental protection criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined by the following methods:

(i) Concentrations which will not cause contamination of ground water at levels which exceed ground water cleanup levels established

under WAC 173-340-720 as determined using the following procedures:

(A) For individual hazardous substances or mixtures, concentrations that are equal to or less than one hundred times the ground water compliance cleanup level established in accordance with WAC 173-340-720 unless it can be demonstrated that a higher concentration is protective of ground water at the site;

(B) For total petroleum hydrocarbons, the person undertaking the cleanup may elect to make this demonstration on the basis of data on individual hazardous substances that comprise the total petroleum hydrocarbons.

(ii) Concentrations which are anticipated to result in no acute or chronic toxic effects on human health via direct contact with contaminated soil and are determined using the following equation and standard exposure assumptions:

$$\text{Soil Cleanup Level} = \frac{\text{RFD} \times \text{ABW} \times \text{UCF2} \times \text{HQ}}{\text{SIR} \times \text{ABI} \times \text{FOC}} \quad (\text{mg/kg})$$

Where:

RFD = Reference Dose as defined in WAC 173-340-705(7) (mg/kg-day)
 ABW = Average body weight over the period of exposure (16 kg)
 UCF2 = Units conversion factor (1,000,000 mg/kg)
 SIR = Soil ingestion rate (200 mg/day)
 ABI = Gastrointestinal absorption rate (1.0)
 FOC = Frequency of contact (1.0)
 HQ = Hazard quotient (1.0);

(iii) Concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 1,000,000 via direct contact with contaminated soil and are determined using the following equation and standard exposure assumptions:

$$\text{Soil Cleanup Level} = \frac{\text{RISK} \times \text{ABW} \times \text{LIFE} \times \text{UCF1}}{\text{CPF} \times \text{SIR} \times \text{ABI} \times \text{DUR} \times \text{FOC}} \quad (\text{mg/kg})$$

Where:

RISK = Acceptable cancer risk level (1 in 1,000,000)
 ABW = Average body weight over the period of exposure (16 kg)
 LIFE = Lifetime (70 years)
 UCF1 = Unit conversion factor (1,000,000 mg/kg)
 CPF = Carcinogenic Potency Factor as defined in WAC 173-340-705(8) (kg-day/mg)
 SIR = Soil ingestion rate (200 mg/day)
 ABI = Gastrointestinal absorption rate (1.0)
 DUR = Duration of exposure (6 years)
 FOC = Frequency of contact (1.0);

(c) Any other concentrations which the department determines are necessary to protect human health or environment, including the following:

(i) Concentrations which eliminate or substantially reduce the potential for food chain contamination;

(ii) Concentrations which eliminate or substantially reduce the potential for damage to soils or biota in the soils which could impair the use of soils for agricultural or silvicultural purposes;

(iii) Concentrations which eliminate or substantially reduce the potential for adverse effects on vegetation or wildlife;

(iv) Concentrations more stringent than those in (b) of this subsection where the department determines that such levels are necessary to protect the ground water at a particular site;

(v) Concentrations necessary to protect nearby surface waters from hazardous substances in runoff from the site; and

(vi) Concentrations which eliminate or minimize the potential for the accumulation of vapors in buildings or other structures to concentrations which pose a threat to human health or the environment.

(4) Conditional cleanup levels. Conditional cleanup levels may be approved by the department if the person undertaking the cleanup action can demonstrate that such levels are consistent with applicable state and federal laws, that all practicable methods of treatment have been utilized, that institutional controls are implemented in accordance with WAC 173-340-440, and that one or more of the conditions in WAC 173-340-700(5) exist. Conditional cleanup levels for soils shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) For those hazardous substances for which human health or environmental protection criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined by the following methods:

(i) Concentrations which will not cause contamination of ground water at levels which exceed ground water cleanup levels established under WAC 173-340-720 as determined using the following procedures:

(A) For individual hazardous substances or mixtures, concentrations that are equal to or less than one hundred times the ground water compliance cleanup level established in accordance with WAC 173-340-720 unless it can be demonstrated that a higher soil concentration is protective of ground water at the site;

(B) For total petroleum hydrocarbons, the person undertaking the cleanup may elect to make this demonstration on the basis of data on individual hazardous substances that comprise the total petroleum hydrocarbons;

(ii) Concentrations which are anticipated to result in no significant acute or chronic toxic effects on human health or the environment and estimated in accordance with WAC 173-340-740 (3)(b)(ii) except that the frequency of contact shall be 0.5, the soil ingestion rate shall be 100 milligrams per day, and the average body weight shall be 16 kilograms;

(iii) For known or suspected carcinogens, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 100,000 and are estimated in accordance with WAC 173-340-740 (3)(b)(iii) except that the frequency of contact shall be 0.5 and the soil ingestion rate shall be 100 milligrams per day; and

(iv) Any other concentrations which the department determines are necessary to protect human health and the environment, including consideration of those factors listed in subsection (3)(c) of this section.

(5) Multiple hazardous substances/multiple pathways of exposure. Soil cleanup levels for individual hazardous substances developed in accordance with subsections (3) and (4) of this section, including cleanup levels based on state and federal laws, shall be adjusted in accordance with the procedures specified in WAC 173-340-700 (9) and (10).

(6) Point of compliance.

(a) The point of compliance is the point or points where the soil cleanup levels established under subsections (2), (3), (4), and (5) of this section shall be attained.

(b) For soil cleanup levels based on the protection of ground water, the point of compliance shall be established in the soils throughout the site.

(c) For soil cleanup levels based on human exposure via soil ingestion, the point of compliance shall be established in the soils throughout the site from the soil surface to the lowest depth which could potentially result in human exposure via soils ingestion.

(d) In making the determination under subsection (6)(c) of this section, the presumption shall be that the point of compliance is fifteen feet beneath the ground surface. This represents a reasonable estimate on the depth of soil that may contain hazardous substances that could be excavated and distributed at the soil surface as a result of site development activities.

(e) The person undertaking the cleanup action may demonstrate that a conditional point of compliance for soil at a depth other than fifteen feet is more appropriate for an individual site. In no case shall the depth be less than one foot below the ground surface. Factors to be considered in establishing a conditional point of compliance for soil of less than fifteen feet shall include the following:

(i) Depth to ground water and bedrock;

(ii) Site topography;

(iii) Type of soil treatment or containment measures to be utilized;

(iv) Depth of building foundations or utilities;

(v) Type of cap material;

(vi) Toxicological characteristics of hazardous substances;

(vii) Extent of areas containing highly contaminated soils (hotspots);

(viii) Site use restrictions and institutional controls;

(ix) The degree of use of higher preference technologies and methods than containment or isolation under WAC 173-340-360.

(7) Compliance monitoring.

(a) Compliance with soil cleanup levels shall be based on total analyses of the soil fraction less than two millimeters in size. When it is reasonable to expect that larger soil particles could be reduced to two millimeters or less during current or future site use and this reduction could cause an increase in the concentrations of hazardous substances in the soil, soil cleanup levels shall also apply to these larger soil particles. Compliance with soil cleanup levels shall be based on dry weight concentrations.

(b) Sampling and analysis procedures shall be defined in a compliance monitoring plan prepared under WAC 173-340-410. The sample

design shall provide data which are representative of the area where exposure to hazardous substances may occur.

(c) The data analysis and evaluation procedures used to evaluate compliance with soil cleanup levels shall be defined in a compliance monitoring plan prepared under WAC 173-340-410. These procedures shall meet the following general requirements:

(i) Methods of data analysis shall be consistent with the sampling design;

(ii) When cleanup levels are based on requirements specified in applicable state and federal laws, the procedures for evaluating compliance that are specified in those requirements shall be utilized to evaluate compliance with cleanup levels unless those procedures conflict with the intent of this section;

(iii) Where procedures for evaluating compliance are not specified in an applicable state and federal law, statistical methods shall be appropriate for the distribution of sampling data for each hazardous substance. If the distribution of sampling data for a hazardous substance is inappropriate for statistical methods based on a normal distribution, then the data may be transformed. If the distributions for hazardous substances differ, more than one statistical method may be required; and

(iv) The data analysis plan shall specify which parameters are to be used to determine compliance with soil cleanup levels. If a hazardous substance has short-term or acute toxic effects on human health or the environment, an upper percentile value is the appropriate parameter. If the hazardous substance poses a chronic or carcinogenic threat, the mean concentration is the appropriate parameter unless there are large variations in hazardous substance concentrations relative to the mean hazardous substance concentration or a large percentage of concentrations are below the detection limit.

(d) Appropriate statistical methods include the following:

(i) A procedure in which a confidence interval for each hazardous substance is established from site sampling data and the soil cleanup level is compared to the upper confidence interval;

(ii) A method to test the proportion of soil samples having concentrations less than the soil cleanup level; or

(iii) Other statistical methods approved by the department.

(e) If a confidence interval approach is used to evaluate compliance with a soil cleanup level, the decision rule is a one-tailed test of the null hypothesis that the true soil concentration of a hazardous substance exceeds the soil cleanup level. Compliance with soil cleanup levels shall be determined using the following criteria:

(i) The upper confidence interval on the true soil concentration is less than the soil cleanup level. Statistical tests shall be performed at a Type I error level of 0.05;

(ii) No single sample concentration shall be greater than two times the soil cleanup level; and

(iii) Less than ten percent of the sample concentrations shall exceed the soil cleanup level.

(f) If a method to test the proportion of soil samples is used to evaluate compliance with a soil cleanup level, compliance shall be determined using the following criteria:

(i) Less than five percent of the sample concentrations exceed the soil cleanup level; and

(ii) The mean of the soil concentrations which are above the soil cleanup level is less than twice the soil cleanup level.

(g) For purposes of demonstrating compliance with soil cleanup levels, measurements below the method detection limit shall generally be assigned a value equal to one-half the method detection limit. Detectable levels below the practical quantitation limit shall generally be assigned a value equal to the method detection limit. The department may approve alternate statistical procedures for handling nondetected values or values below the practical quantitation limit.

NEW SECTION

WAC 173-340-745 SOIL CLEANUP STANDARDS FOR INDUSTRIAL SITES. (1) General considerations.

(a) This section shall be used to establish soil cleanup levels where the department has determined that industrial site use represents the reasonable maximum exposure.

(b) To demonstrate industrial site use the site shall: Be zoned industrial or commercial; be currently used for industrial or commercial purposes; have a history of use for industrial or commercial purposes; be expected to continue to remain in industrial or commercial use for the foreseeable future due to site zoning, statutory or regulatory restrictions, comprehensive plans, adjacent land use, and other relevant factors; and has appropriate site use restrictions including institutional

controls implemented in accordance with WAC 173-340-440 to insure continued industrial or commercial site use.

(c) Soil cleanup levels established under this section shall be as close as practicable to compliance cleanup levels established in accordance with WAC 173-340-740, but in no case higher than the concentrations established under subsections (2) and (5) of this section.

(d) Soil cleanup levels for areas beyond the industrial site boundary shall be established in accordance with WAC 173-340-740.

(e) Soil cleanup levels shall be established at concentrations which do not directly or indirectly cause violations of ground water, surface water, or air cleanup standards established under this chapter.

(2) Method A compliance cleanup levels. Compliance cleanup levels established using method A shall be at least as stringent as all of the following:

(a) Concentrations in the following table:

**Table 3
Method A Industrial Soil Cleanup Levels - Industrial Soil**

Hazardous Substance	CAS Number	Cleanup Level
Arsenic	7440-38-2	200.0 mg/kg
Benzene	71-43-2	0.5 mg/kg
Cadmium	7440-43-9	10.0 mg/kg
Chromium (Total)	7440-47-3	500.0 mg/kg
DDT	50-29-3	5.0 mg/kg
Ethylbenzene	100-41-4	20.0 mg/kg
Ethylene dibromide	106-93-4	0.001 mg/kg
Lead	7439-92-1	1000.0 mg/kg
Lindane	58-89-9	20.0 mg/kg
Methylene chloride	75-09-2	0.5 mg/kg
Mercury (inorganic)	7439-97-6	1.0 mg/kg
PAHs (carcinogenic)		20.0 mg/kg
PCB Mixtures		10.0 mg/kg
Pentachlorophenol	87-86-5	10.0 mg/kg
Tetrachloroethylene	127-18-4	0.5 mg/kg
Toluene	108-88-3	40.0 mg/kg
TPH (gasoline)		100.0 mg/kg
TPH (diesel)		200.0 mg/kg
TPH (other)		200.0 mg/kg
1,1,1 Trichloroethane	71-55-6	20.0 mg/kg
Trichloroethylene	79-01-5	0.5 mg/kg
Xylenes	1330-20-7	20.0 mg/kg

(b) Concentrations established under applicable state and federal laws;

(c) Any other concentrations which the department determines are necessary to protect human health or environment, including consideration of the factors in WAC 173-340-740 (3)(c).

(3) Method B compliance cleanup levels. Compliance cleanup levels for soils established using method B shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) For those hazardous substances for which human health or environmental protection criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined by the following methods:

(i) Concentrations which will not cause contamination of ground water to concentrations which exceed ground water cleanup levels established under WAC 173-340-720 as determined using the following procedures:

(A) For individual hazardous substances or mixtures, concentrations that are equal to or less than one hundred times the ground water compliance cleanup level established in accordance with WAC 173-340-720 unless it can be demonstrated that higher soil concentrations are protective of ground water at the site;

(B) For total petroleum hydrocarbons, the person undertaking the cleanup action may elect to make this demonstration on the basis of data on individual hazardous substances that comprise the total petroleum hydrocarbons;

(ii) Concentrations which are anticipated to result in no acute or chronic toxic effects on human health via direct contact with contaminated soil and are determined using the following equation and standard exposure assumptions:

$$\text{Soil Cleanup Level} = \frac{\text{RFD} \times \text{ABW} \times \text{UCF2} \times \text{HQ}}{\text{SIR} \times \text{ABI} \times \text{FOC}} \text{ (mg/kg)}$$

Where:

- RFD = Reference Dose as specified in WAC 173-340-705(7) (mg/kg-day)
- ABW = Average body weight over the period of exposure (70 kg)
- UCF2 = Unit conversion factor (1,000,000 mg/kg)
- SIR = Soil ingestion rate (50 mg/day)
- ABI = Gastrointestinal absorption rate (1.0)
- FOC = Frequency of contact (1.0)
- HQ = Hazard quotient (1.0);

(iii) Concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 100,000 via direct contact with contaminated soil and are determined using the following equation and standard exposure assumptions:

$$\text{Soil Cleanup Level} = \frac{\text{RISK} \times \text{ABW} \times \text{LIFE} \times \text{UCF1}}{\text{CPF} \times \text{SIR} \times \text{ABI} \times \text{DUR} \times \text{FOC}} \text{ (mg/kg)}$$

Where:

- RISK = Acceptable cancer risk level (1 in 100,000)
- ABW = Average body weight over the period of exposure (70 kg)
- LIFE = Lifetime (70 years)
- UCF1 = Units conversion factor (1,000,000 mg/kg)
- CPF = Carcinogenic Potency Factor as specified in WAC 173-340-705(8) (kg-day/mg)
- SIR = Soil ingestion rate (50 mg/day)
- ABI = Gastrointestinal absorption rate (1.0)
- DUR = Duration of exposure (20 years)
- FOC = Frequency of contact (0.3);

(c) Any other concentrations which the department determines are necessary to protect human health or environment, including consideration of the factors in WAC 173-340-740 (3)(c).

(4) Multiple hazardous substances/multiple pathways of exposure. Soil cleanup levels for individual hazardous substances developed in accordance with subsection (3) of this section, including cleanup levels based on state and federal laws, shall be adjusted in accordance with the procedures specified in WAC 173-340-700 (9) and (10).

(5) Point of compliance.

(a) The point of compliance is the point or points where the soil cleanup levels established under subsections (2), (3), and (4) of this section shall be attained.

(b) For soil cleanup levels based on the protection of ground water, the point of compliance shall be established throughout the site.

(c) For soil cleanup levels based on human exposure via soil ingestion, the point of compliance shall be established throughout the site from the soil surface to the lowest depth which could potentially result in human exposure via soil ingestion.

(d) In making the determination under subsection (5)(c) of this section, the presumption shall be that the point of compliance is fifteen feet beneath the ground surface. This represents a reasonable estimate on the depth of soil that may contain contaminated soils that could be excavated and distributed at the soil surface as a result of site development activities.

(e) The person undertaking the cleanup action may demonstrate that a conditional point of compliance for soil at a depth other than fifteen feet is more appropriate for an individual site. In no case shall the depth be less than one foot beneath the ground surface. The factors listed in WAC 173-340-740 (6)(c) shall be considered in establishing a conditional point of compliance for soil at a depth of less than fifteen feet.

(6) Compliance monitoring. Compliance monitoring shall be performed in accordance with WAC 173-340-410 and 173-340-740(7).

(7) Conditional cleanup levels. Conditional cleanup levels for soils at industrial sites are not allowed. The compliance cleanup levels for soils at industrial sites are conditioned upon continued industrial site use.

NEW SECTION

WAC 173-340-750 CLEANUP STANDARDS TO PROTECT AIR QUALITY. (1) General considerations.

(a) Cleanup levels to protect air quality shall be based on estimates of the reasonable maximum exposure expected to occur under both current and future site use conditions. The department has determined that residential site use will generally require the most protective ambient air cleanup levels and that exposure to hazardous substances under these conditions represents the reasonable maximum exposure. In the event of a release or potential release of hazardous substances into

the ambient air, treatment, removal, or containment measures shall be implemented to reduce the levels of hazardous substances in the ambient air to levels consistent with this use unless all of the following can be demonstrated:

(i) The site does not serve as a current residential area;

(ii) The site is not likely to become a residential area in the future based on a review of site zoning, statutory or regulatory restrictions, comprehensive plans, historic site use, adjacent land uses, and other relevant factors; and

(iii) Appropriate site use restrictions and institutional controls are implemented at the site to prohibit residential use;

(iv) Air emissions from the site will not reduce the air quality in adjacent residential areas; or

(v) More stringent concentrations are necessary to protect human health and the environment.

(b) Ambient air cleanup levels for nonresidential site uses shall be established on a case-by-case basis. Cleanup levels for these types of sites shall be at least as stringent as conditional cleanup levels established under subsection (4) of this section.

(c) Ambient air cleanup levels shall be established at concentrations which do not directly or indirectly cause violations of ground water, surface water, or soil cleanup standards established under this chapter.

(2) Method A compliance cleanup levels. Compliance cleanup levels for ambient air established using method A shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) Any other concentrations which the department determines are necessary to protect human health and the environment.

(3) Method B compliance cleanup levels. Compliance cleanup levels for ambient air established using method B shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) For hazardous substances for which human health or environmental protection criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined by the following methods:

(i) Concentrations which are expected to result in no acute or chronic toxic effects on human health and are determined using the following equation and standard exposure assumptions:

$$\text{Ambient air cleanup level} = \frac{\text{RFD} \times \text{ABW} \times \text{UCF} \times \text{HQ}}{\text{BR} \times \text{ABS}} \text{ (ug/m3)}$$

Where:

- RFD = Reference Dose as specified in WAC 173-340-705(7) (mg/kg-day)
- BW = Body weight (16 kg)
- UCF = Units conversion factor (1,000 ug/mg)
- BR = Breathing rate (10 m3/day)
- ABS = Absorption percentage (1.0)
- HQ = Hazard Index (1.0)

(ii) For known or suspected carcinogens, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 1,000,000 and are determined using the following equation and standard exposure assumptions:

$$\text{Ambient air cleanup level} = \frac{\text{RISK} \times \text{BW} \times \text{LIFE} \times \text{UCF}}{\text{CPF} \times \text{BR} \times \text{ABS} \times \text{DUR}} \text{ (ug/m3)}$$

Where:

- RISK = Acceptable cancer risk level (1 in 1,000,000)
- BW = Body weight (70 kg)
- LIFE = Lifetime (70 years)
- UCF = Units conversion factor (1,000 ug/mg)
- CPF = Carcinogenic potency factor as specified in WAC 173-340-705(8) (kg-day/mg)
- BR = Breathing rate (20 m3/day)
- ABS = Absorption percentage (1.0)
- DUR = Duration of exposure (30 years);

(c) Any other concentrations which the department determines are necessary to protect human health and the environment.

(4) Conditional cleanup levels. Conditional cleanup levels may be approved by the department if the person undertaking the cleanup action can demonstrate that such levels are consistent with applicable state and federal laws, that best available control technology has been

utilized, and that one or more of the conditions in WAC 173-340-700(5) exist. Conditional cleanup levels for ambient air shall be at least as stringent as all of the following:

(a) Concentrations established under applicable state and federal laws;

(b) For hazardous substances for which human health or environmental protection criteria or standards have not been established under applicable state and federal laws, those concentrations which protect human health and the environment as determined by the following methods:

(i) Concentrations which are anticipated to result in no significant acute or chronic effects on human health and are estimated in accordance with WAC 173-340-750 (3)(b)(i) except that the average body weight shall be 70 kg and the estimated breathing rate shall be 20 m³/day;

(ii) For known or suspected carcinogens, concentrations which are anticipated to result in an excess cancer risk less than or equal to 1 in 100,000 and are determined in accordance with WAC 173-340-750 (3)(b)(ii).

(c) Any other concentrations which the department determines are necessary to protect human health and the environment.

(5) Multiple hazardous substances/multiple pathways of exposure. Cleanup levels for individual hazardous substances developed in accordance with subsections (2), (3), and (4) of this section including cleanup levels based on applicable state and federal laws, shall be adjusted in accordance with the procedures in WAC 173-340-700 (10) and (11).

(6) Points of compliance. Cleanup levels established under subsections (2), (3), (4), and (5) of this section shall be attained in the ambient air throughout the site. For sites determined to be industrial sites under the criteria in WAC 173-340-745, the department may approve a conditional point of compliance not to exceed the property boundary.

(7) Compliance monitoring. Compliance with ambient air cleanup levels for noncarcinogens shall be based on twenty-four hour time weighted averages. Compliance with ambient air cleanup levels for carcinogens shall be based on annual averages.

NEW SECTION

WAC 173-340-760 SEDIMENT CLEANUP STANDARDS. RESERVED.

AMENDATORY SECTION (Amending WSR 90-08-086, filed 4/3/90, effective 5/4/90)

WAC 173-340-830 (~~LABORATORY ANALYSIS~~) ANALYTICAL PROCEDURES. (~~Reserved~~) (1) Purpose. This section specifies acceptable analytical methods and other testing requirements for sites where remedial action is being conducted under this chapter.

(2) General requirements.

(a) All hazardous substance analyses shall be conducted by a laboratory accredited under chapter 173-50 WAC, unless otherwise approved by the department.

(b) All analytical procedures used shall be done in accordance with a sampling and analysis plan prepared under WAC 173-340-820.

(c) Tests for which methods have not been specified in this section shall be performed using standard methods or procedures such as those specified by the American Society for Testing of Materials, when available, unless otherwise approved by the department.

(d) Samples shall be analyzed consistent with methods appropriate for the site, the media being analyzed, the hazardous substances being analyzed for, and the anticipated use of the data.

(e) The department may require or approve modifications to the standard analytical methods identified in subsection (4) of this section to provide lower quantitation limits, improved accuracy, greater precision, or to address the factors in (d) of this subsection.

(f) Limits of quantitation. Laboratories shall achieve the lowest practical quantitation limits consistent with the selected method and WAC 173-340-705 (9)(b), (c), and (d).

(3) Multiple methods.

(a) Where there is more than one method specified in subsection (4) of this section with a practical quantitation limit less than the cleanup standard, any of the methods may be selected. In these situations, considerations in selecting a particular method may include confidence in the data, analytical costs, and considerations relating to quality assurance or analysis efficiencies.

(b) The department may require an analysis to be conducted by more than one method in order to provide higher data quality. For example, the department may require that different separation and detection techniques be used to verify the presence of a hazardous substance ("qualification") and determine the concentration of the hazardous substance ("quantitation").

(4) Analytical methods.

(a) The methods used for sample collection, sample preservation, transportation, allowable time before analysis, sample preparation, analysis, method detection limits, practical quantitation limits, quality control, quality assurance and other technical requirements and specifications shall comply with the following requirements, as applicable:

(i) Method 1. Test Methods for Evaluating Solid Waste, U.S. EPA, SW-846 and any revisions or amendments thereto;

(ii) Method 2. Methods for Chemical Analysis of Water and Wastes, U.S. EPA, EPA-600/4-79-020 and any revisions or amendments thereto;

(iii) Method 3. Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act, 40 CFR 136, and Appendix A, B, and C, U.S. EPA and any revisions or amendments thereto;

(iv) Method 4. Standard Methods for the Examination of Water and Wastewater, American Public Health Association, American Water Works Association, and Water Pollution Control Federation and any revisions or amendments thereto;

(v) Method 5. Recommended Protocols for Measuring Selected Environmental Variables in Puget Sound, Puget Sound Estuary Program/Tetra Tech, 1986 and any revisions or amendments thereto;

(vi) Method 6. Quality Assurance Interim Guidelines for Water Quality Sampling and Analysis, Groundwater Management Areas Program, Washington Department of Ecology, Water Quality Investigations Section, December 1986 and any revisions or amendments thereto;

(vii) Equivalent methods subject to approval by the department.

(b) The methods used for a particular hazardous substance at a site shall be selected in consideration of the factors in subsection (2) of this section.

(c) Ground water. Methods 1, 2, 3 and 4, as described in (a) of this subsection, may be used to determine compliance with WAC 173-340-720.

(d) Surface water. Methods 1, 2, 3, 4 and 5 as described in (a) of this subsection, may be used to determine compliance with WAC 173-340-730.

(e) Soil. Method 1, as described in (a) of this subsection, may be used to determine compliance with WAC 173-340-740 and 173-340-745.

(f) Air. Appropriate methods for determining compliance with WAC 173-340-750 shall be selected on a case-by-case basis, in consideration of the factors in subsection (2) of this section.

WSR 90-15-067

PROPOSED RULES

POLLUTION LIABILITY INSURANCE AGENCY

[Order 90-6—Filed July 18, 1990, 3:26 p.m.]

Original Notice.

Title of Rule: Practice and procedure.

Purpose: To establish rules for petitions, appeals and other formal actions by or before the agency.

Statutory Authority for Adoption: RCW 70.148.040.

Statute Being Implemented: RCW 34.05.250.

Summary: The rule adopts by reference the model rules of procedure, chapter 10-08 WAC, with certain modifications.

Reasons Supporting Proposal: Required by RCW 34.05.250.

Name of Agency Personnel Responsible for Drafting: William Bafus, 1015 10th Avenue S.E., Olympia, 586-

5997; Implementation and Enforcement: James M. Sims, 1015 10th Avenue S.E., Olympia, 586-5997.

Name of Proponent: Pollution Liability Insurance Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule formally adopts the model rules of procedure, chapter 10-08 WAC, to govern formal proceedings involving the agency. Additions to the model rules include restrictions on who may appear in a representative capacity, and upon activities in such proceedings by former employees of the agency or the Attorney General's Office.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The proposed rule is entirely procedural. No significant differences in economic impacts upon small businesses versus large businesses will result from it.

Hearing Location: 1015 10th Avenue S.E., Mailstop EN-12, Olympia, WA 98504, on August 21, 1990, at 2:00 p.m.

Submit Written Comments to: William Bafus, 1015 10th Avenue S.E., Mailstop EN-12, Olympia, WA 98504, by August 28, 1990.

Date of Intended Adoption: August 31, 1990.

July 18, 1990
James M. Sims
Director

Chapter 374-40 WAC
PRACTICE AND PROCEDURE

NEW SECTION

WAC 374-40-010 ADOPTION OF MODEL RULES. The model rules of procedure contained in chapter 10-08 WAC, as they exist now or may be hereafter amended are, to the extent they are not inconsistent with the rules contained in this chapter, adopted as the rules of procedure before this agency. The rules in this chapter will, to the extent of any conflict with the model rules of procedure, be deemed to supersede the conflicting model rules of procedure.

NEW SECTION

WAC 374-40-020 AGENCY DEFINED. Unless the context requires otherwise, "agency" means the pollution liability insurance agency created pursuant to chapter 70.148 RCW.

NEW SECTION

WAC 374-40-030 APPEARANCE AND PRACTICE BEFORE AGENCY—WHO MAY APPEAR. No person may appear in a representative capacity before the agency or its designated hearing officer other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington;

(2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by Washington state law;

(3) A bona fide officer, partner, or full-time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership, or corporation.

NEW SECTION

WAC 374-40-040 APPEARANCE AND PRACTICE BEFORE AGENCY—APPEARANCE BY FORMER EMPLOYEE OF

AGENCY OR FORMER MEMBER OF ATTORNEY GENERAL'S STAFF. No former employee of the agency or member of the attorney general's staff may at any time after severing his or her employment with the agency or the attorney general appear in a representative capacity on behalf of other parties in a formal proceeding wherein he or she previously took an active part as a representative of the agency as provided by RCW 42.22.040.

NEW SECTION

WAC 374-40-050 APPEARANCE AND PRACTICE BEFORE AGENCY—FORMER EMPLOYEE AS EXPERT WITNESS. No former employee of the agency shall at any time after severing his or her employment with the state of Washington appear, except with the written permission of the agency, as an expert witness on behalf of other parties in a formal proceeding wherein he or she previously took an active part in the investigation as a representative of the agency.

WSR 90-15-068
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed July 18, 1990, 4:00 p.m.]

Original Notice.

Title of Rule: WAC 392-121-436 Finance—General apportionment.

Purpose: To amend rules to set up method of determining amount of emergency advance payments.

Statutory Authority for Adoption: RCW 28A.150.400 and 28A.150.290.

Statute Being Implemented: RCW 28A.150.400 and 28A.150.290.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Old Capitol Building, Olympia, Washington, 753-2298; Implementation: Thomas J. Case, Old Capitol Building, Olympia, Washington, 753-6708; and Enforcement: David Moberly, Old Capitol Building, Olympia, Washington, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 21, 1990.

Date of Intended Adoption: August 29, 1990.

July 18, 1990
Judith A. Billings
Superintendent of
Public Instruction

NEW SECTION

WAC 392-121-436 EMERGENCY ADVANCE PAYMENTS—SCHOOL DISTRICT APPLICATION. The board of directors of a school district may apply for any emergency advance on the school district's basic education allocation. The application shall take the form of a resolution adopted by the board of directors setting forth the following:

- (1) The nature of the unforeseen condition requiring the advance;
- (2) The amount requested to be advanced;
- (3) The net cash and investment balance of the general fund as of the date of the resolution;
- (4) A forecast of the general fund receipts, disbursements, and net cash and investment balance for each month remaining in the fiscal year; and
- (5) A disclosure of any existing or planned general fund revenue anticipation notes.
- (6) A disclosure of any existing or planned general fund loan to or from another fund of the school district.

NEW SECTION

WAC 392-121-438 EMERGENCY ADVANCE PAYMENTS—APPROVAL CRITERIA. The superintendent of public instruction shall approve requests for an emergency advance if the following conditions are met:

- (1) The unforeseen condition causing the need for the emergency advance could not have been anticipated by a reasonably prudent person.
- (2) It is probable that if the emergency advance is not made that the school district will be on:
 - (a) An interest-bearing, warrant-issuing basis within two months following the receipt of the resolution; and
 - (b) Warrant interest for at least three months from September through June.
- (3) The school district shall not have:
 - (a) Cash investments of the general fund during the months it estimates that it would pay warrant interest except for the emergency advance; or
 - (b) Inter-fund loans from the general fund to any other funds during the months it estimates that it would pay warrant interest; or
 - (c) Any existing or anticipated general fund revenue anticipation notes.

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-440 EMERGENCY ADVANCE PAYMENTS—DETERMINATION OF AMOUNT. ~~((A school district may petition))~~ The superintendent of public instruction ~~((for an))~~ shall calculate the emergency advance on the school district's basic education allocation as the lessor of:

- (1) ~~The amount set forth in the school district's resolution;~~
- (2) ~~An amount not to exceed ten percent of the total amount to become due and apportionable to the district from September 1 through ((June 30)) August 31 of the school year. ((Emergency advances may be granted under the following conditions:~~
 - (1) ~~It is probable that the district will be on an interest-bearing, warrant-issuing basis two months following the petition if an advance is not paid.~~
 - (2) ~~It is probable that the district will be on warrant interest for at least three months during the period September through June if an advance is not paid.~~
 - (3) ~~The district shall not have cash investments of the general fund or an interfund loan from the general fund during the months it expects to be on warrant interest.~~
 - (4) ~~The board of directors of the school district has adopted a petition for the emergency advance which sets forth the following:~~
 - (a) ~~The nature of the emergency requiring the advance;~~
 - (b) ~~The net cash balance of the general fund as of the date of petition;~~
 - (c) ~~A forecast of the general fund net cash balance for each month remaining in the fiscal year; and~~
 - (d) ~~The percentage requested to be advanced.))~~
 - (3) ~~The highest negative monthly cash and investment balance of the general fund between the date of the resolution and May 31st of the school year less any redirection of a school district's basic education allocation to the capital projects fund, debt service fund, or both.~~

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-442 EMERGENCY ADVANCE PAYMENTS—FORFEITURE OF EARNINGS ON EMERGENCY ADVANCE. The superintendent of public instruction shall deduct from a school district's basic education allocation apportionment entitlement the amount of any earnings by the school district on the investment of a temporary cash surplus due to a previously obtained emergency advance.

NEW SECTION

WAC 392-121-443 EMERGENCY ADVANCE PAYMENTS—REPAYMENT OF ADVANCES. Repayments of advances will be accomplished by a reduction in the school district's apportionment payments on or before June in the current school year.

WSR 90-15-069**PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed July 18, 1990, 4:01 p.m.]

Original Notice.

Title of Rule: Chapter 392-129 WAC, Finance—Emergency school closures—Definition—Prior school year.

Purpose: To clarify the definition of prior school year.
Statutory Authority for Adoption: RCW 28A.150.290(2).

Statute Being Implemented: RCW 28A.335.030.

Summary: Clarifies the definition of prior school year by replacing the word "prior" with "preceding."

Reasons Supporting Proposal: Technical correction.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Old Capitol Building, Olympia, Washington, 753-2298; Implementation: Thomas J. Case, Old Capitol Building, Olympia, Washington, 753-6708; and Enforcement: David Moberly, Old Capitol Building, Olympia, Washington, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Superintendent of Public Instruction, Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 21, 1990.

Date of Intended Adoption: August 29, 1990.

July 18, 1990
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 22, filed 12/20/89, effective 1/20/90)

WAC 392-129-040 **DEFINITION—PRIOR SCHOOL YEAR.** As used in this chapter, "prior school year" means any one of nine school years immediately preceding the ((prior)) preceding school year.

WSR 90-15-070
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed July 18, 1990, 4:02 p.m.]

Original Notice.

Title of Rule: Chapter 392-137 WAC, Finance—Nonresident attendance.

Purpose: To formalize the principles applicable to adjudication of cases related to nonresident school attendance.

Statutory Authority for Adoption: RCW 28A.58.240 and 28A.58.242.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Bob Schley, Superintendent of Public Instruction, Old Capitol Building, (206) 753-1717; and Enforcement: David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by August 21, 1990.

Date of Intended Adoption: August 29, 1990.

July 18, 1990
 Judith A. Billings
 Superintendent of
 Public Instruction

NEW SECTION

WAC 392-137-100 **AUTHORITY.** The authority for this chapter is RCW 28A.225.230 which authorizes the superintendent of public instruction to review through formal adjudication school district decisions to not release resident students and to not accept nonresident students. This authority is buttressed by RCW 34.05.220(4) which authorizes the state agency charged with the adjudication of individual cases, in this case the superintendent of public instruction, to adopt rules formalizing the general principles applicable to deciding such cases.

NEW SECTION

WAC 392-137-105 **PURPOSE.** The purpose of this chapter is to formalize the principles applicable to adjudication of cases related to nonresident school attendance.

NEW SECTION

WAC 392-137-110 **NONRESIDENT ATTENDANCE EXEMPT FROM ADJUDICATION.** The following nonresident attendance arrangements and entitlements are exempt from the adjudication provisions of this chapter:

(1) Interdistrict cooperation programs conducted in accordance with RCW 28A.335.160 or 28A.225.250 and chapter 392-135 WAC.

(2) Programs temporarily conducted in behalf of another district in accordance with RCW 28A.225.200

(3) Reciprocity programs with continuous out-of-state school districts conducted pursuant to RCW 28A.225.260.

(4) The attendance of students from other districts who, by operation of law, have a statutory entitlement to attend school in a nonresident district—to wit the following:

(a) Children who reside within certain federal lands or Indian reservations as provided in RCW 28A.225.170.

(b) Children who reside in school districts which do not provide the grade in which the student is eligible to enroll as provided in RCW 28A.225.210.

(c) Children who are defined to be at risk pursuant to RCW 28A.175.090.

NEW SECTION

WAC 392-137-115 **STUDENT RESIDENCE—DEFINITION.** As used in this chapter, the term "student residence" means the physical location of a student's principal abode—i.e., the home, house, apartment, facility, structure, or location, etc.—where the student lives the majority of the time. The following shall be considered in applying this section:

(1) The mailing address of the student—e.g., parent's address or post office box—may be different than the student's principal abode.

(2) The student's principal abode may be different than the principal abode of the student's parent(s).

(3) The lack of a mailing address for a student does not preclude residency under this section.

NEW SECTION

WAC 392-137-120 **RESIDENT DISTRICT—DEFINITION.** As used in this chapter, the term "resident district" means the district in which the student's residence is located.

NEW SECTION

WAC 392-137-125 **NONRESIDENT DISTRICT—DEFINITION.** As used in this chapter, the term "nonresident district" means the district in which the student is enrolled or is seeking entrance and in which the student's residence is not located.

NEW SECTION

WAC 392-137-130 **RELEASE OF STUDENTS TO NONRESIDENT DISTRICTS.** A resident district shall release a student to a nonresident district if the student meets each of the following conditions:

(1) The nonresident district agrees to accept the student.

(2) The student demonstrates a ground for release as specified in WAC 392-137-135, 392-137-140, or 392-137-145.

(3) The resident district has not denied the release for desegregation reasons as specified in WAC 392-137-150.

NEW SECTION

WAC 392-137-135 **AFFECTING CONDITION—GROUND FOR RELEASE.** A district shall release a student if a financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer. The following shall be considered in applying this section:

(1) The term "condition affecting the student" means a financial, educational, safety, or health benefit which can not be met or achieved by attendance in the student's resident district.

(2) The term "would likely be reasonably improved" means it is probable, in the judgment of a reasonable person, that the nature and effect of the benefit to be received will be real and meaningful.

NEW SECTION

WAC 392-137-140 ACCESSIBILITY TO WORK OR CHILD CARE—GROUND FOR RELEASE. A district shall release a student if attendance in the nonresident district is more accessible to the parent's place of work or to the location of child care. The following shall be considered in applying this section:

(1) The term "parent" means one or more adults with custodial responsibility for the child.

(2) The term "more accessible" means a difference to an extent which is more than de minimis.

(3) The term "child care" means any form of adult supervision for a child who is in need of such adult supervision.

NEW SECTION

WAC 392-137-145 SPECIAL CONDITION—GROUND FOR RELEASE. A district shall release a student if there is a special hardship or detrimental condition. The following shall be considered in applying this section:

(1) The term "special" means a circumstance or factor which is generally not applicable to other students or families.

(2) The terms "hardship" and "detrimental condition" apply to any circumstance or factor harmfully affecting the student or student's immediate family and is not restricted to a financial, educational, safety, or health condition.

(3) The following are judged by the superintendent of public instruction to constitute a special hardship or detrimental condition, the proof of which is a per se hardship or condition for the order of a release:

(a) A student who was enrolled the previous school year in a nonresident district who is scheduled to complete in the same nonresident district during the next school year the highest grade offered in the resident district.

(b) A student who has completed two or more school years in a nonresident district without a release but with the knowledge of such nonresident attendance by the superintendent or any member of the board of directors of the resident district.

NEW SECTION

WAC 392-137-150 DESEGREGATION—GROUND FOR DENIAL OF RELEASE. A district may deny a release if the release would adversely affect the district's existing desegregation plan.

NEW SECTION

WAC 392-137-155 APPEAL TO SPI—DENIAL OF RELEASE. The decision of a resident school district to not release a resident student may be appealed to the superintendent of public instruction. The right of appeal is subject to each of the following conditions:

(1) The appeal is filed by the student's parent or a custodial adult or by the student if the student is eighteen years of age or older.

(2) The resident district has denied the release or has failed to consider the request for the release. The following shall apply:

(a) For the purpose of this subsection, a denial is established by one of the following:

(i) A copy of the minutes of the board of directors of the resident district which establishes that the board has denied a request to release the resident student.

(ii) A written statement by the superintendent of the resident district that the board has taken action denying the release.

(b) For the purpose of this subsection a refusal to consider a request for a release is established by:

(i) Copy of correspondence addressed to the superintendent of the resident district requesting a release and which sets forth the grounds for the release.

(ii) An affidavit by the appellant indicating the resident district board of directors has failed to act on the request and that at least forty-five calendar days has transpired since the request for the release was mailed or delivered to the superintendent of the resident district.

(3) The nonresident district has agreed to accept the student. For the purpose of this subsection an acceptance is established by one of the following:

(a) A copy of minutes of the board of directors of the nonresident district that establishes that the nonresident student has been accepted.

(b) A written statement by the superintendent of the district that the nonresident student has been accepted.

(c) Any documentation that the nonresident district has a policy of accepting one or more of the following categories of nonresident students:

(i) All nonresident students.

(ii) All nonresident students who are released by the resident school district.

(iii) All nonresident students who are released by order of the superintendent of public instruction or by the court.

NEW SECTION

WAC 392-137-160 ADMISSION BY NONRESIDENT DISTRICT—RELEASED STUDENTS. A nonresident district may admit, subject to the annual transfer fee provision in WAC 392-137-220, all nonresident students who are released by a resident district, the superintendent of public instruction, or a court of law. The provisions of RCW 28A.225.240 shall apply for apportionment and other purposes.

NEW SECTION

WAC 392-137-190 APPEAL NOTICE—DENIAL OF RELEASE OR ADMISSION. Requests for an appeal shall be addressed to the superintendent of public instruction and shall contain the following:

(1) The name, age, grade level, and residence address, if any, of the student.

(2) The name, mailing address, if any, and the legal relationship of the person, if any, filing the notice of appeal on behalf of the student.

(3) In the case of denial of release, documentation indicating the conditions of WAC 392-137-155 have been met and a copy of all documents or other written evidence submitted to the resident district which indicates the grounds for the requested release.

(4) In the case of denial of admission, documentation that the nonresident district has failed to comply with the standards and procedures specified in WAC 392-137-205.

NEW SECTION

WAC 392-137-195 FILING OF NOTICES OF APPEAL. There is no prescribed method for transmitting appeals to the superintendent of public instruction but receipt of such written appeals by the superintendent of public instruction is a condition precedent to jurisdiction. The material may be hand-delivered or mailed to the following address:

Legal Services
Office of the Superintendent of Public Instruction
Old Capitol Building FG-11
Olympia, Washington 98504

NEW SECTION

WAC 392-137-200 APPEAL TO SPI—DENIAL OF APPLICATION BY NONRESIDENT DISTRICT. RCW 28A.225.230 requires the superintendent of public instruction to hear and adjudicate appeals from denials by nonresident school districts to accept a nonresident student if the nonresident district fails to comply with the standards and procedures prescribed in section 203, chapter 9, Laws of 1990 1st ex. sess. The grounds for such an appeal are noted in WAC 392-137-205.

NEW SECTION

WAC 392-137-205 NONCOMPLIANCE WITH STANDARDS AND PROCEDURES—GROUND FOR ADMISSION. A nonresident student who is denied admission to a nonresident district shall be ordered admitted by the superintendent of public instruction if the district does not comply with the standards and procedures specified in section 203, chapter 9, Laws of 1990 1st ex. sess.—to wit the following:

(1) "All districts accepting applications from nonresident students for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of

applications by June 30, 1990." The following shall be considered in applying this subsection:

(a) Applications from nonresident students for the purpose of this section do not include students who are attending the district pursuant to arrangements or entitlements noted in WAC 392-137-110.

(b) The requirement to consider all applications equally does not preclude the establishment of a priority system that is fair and equitable under equal protection standards.

(c) The failure of a district to have adopted an admission policy at the time of the student's denial of admission, not the June 30, 1990 deadline, will govern an order to admit for failure to adopt any policy regarding admission.

(2) "The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3)." The following shall be considered in applying this subsection:

(a) All applications must be acted upon by accepting or denying the application within forty-five calendar days of receipt by the nonresident district or the application will be deemed to have been denied for purposes of this section.

(b) The district must make reasonable effort to deliver the written notification of denial to the applicant.

NEW SECTION

WAC 392-137-220 ANNUAL TRANSFER FEE. Until the legislature appropriates funds for payment of all or a selective portion of the excess costs associated with the transfer of students, including low-income students, the receiving district shall have the option of charging the student a transfer fee. Such fee, if charged, shall be charged all nonresident students transferring pursuant to this chapter and shall be established on the basis of one of the following standards:

(1) A uniform rate which may be pro-rated per days of enrollment.

(2) A uniformly applied formula—e.g., tuition based upon the difference between the cost of educating a student in the district or at the grade level of attendance and state and federal funds accruing to the district as a result of the student's enrollment and/or attendance.

NEW SECTION

WAC 392-137-225 LENGTH OF RELEASE. All releases of resident students, whether granted by the resident district or ordered by the superintendent of public instruction, shall state the length of the release or the condition subsequent which would cause the release to be terminated. The termination of a release, for the purpose of this chapter, shall be adjudicated as per the provisions regarding a request for a release.

NEW SECTION

WAC 392-137-230 LENGTH OF ACCEPTANCE. All acceptances of nonresident students, whether granted by the nonresident district or ordered by the superintendent of public instruction, shall state the length of the acceptance or the condition subsequent which would cause the acceptance to be terminated. The termination of an acceptance, for the purpose of this chapter, shall be adjudicated as per the provisions regarding a denial of acceptance.

NEW SECTION

WAC 392-137-235 RESIDENCY OF HANDICAPPED CHILDREN—SPECIAL CONDITION. Notwithstanding the definitions of resident and nonresident district pursuant to this chapter, in the event a student who is eligible for special education pursuant to chapter 392-171 WAC transfers pursuant to this chapter from a resident school district to a nonresident district, the nonresident district shall be deemed the resident district for the purposes of chapter 392-171 WAC and shall be required to perform all legal duties as otherwise required by the resident district, including the transportation of the transferring handicapped student if so required as a related service.

NEW SECTION

WAC 392-137-240 TRANSPORTATION OF STUDENTS—FUNDING—COOPERATIVE AGREEMENTS. Chapter 28A.160 RCW, School transportation authorizes state funding for transportation of students transported from outside of district boundaries and

furthermore authorizes cooperative arrangements among districts regarding the transportation of students from one district to another.

NEW SECTION

WAC 392-137-245 HEARINGS. The hearings provided for in this chapter shall be conducted in compliance with chapter 392-101 WAC.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-137-001 PURPOSES.

WAC 392-137-002 ARRANGEMENTS DEEMED APPROVED—RETENTION AND FILING OF.

WAC 392-137-003 NONRESIDENT ATTENDANCE EXEMPT FROM CHAPTER PROVISIONS.

WAC 392-137-010 DEFINITIONS.

WAC 392-137-015 PERSONS ENTITLED TO ATTEND—TUITION—FREE.

WAC 392-137-020 NONRESIDENT STUDENTS UNDER THE AGE OF TWENTY-ONE—MUTUAL AGREEMENT BETWEEN RESIDENT AND NONRESIDENT DISTRICT REQUIRED.

WAC 392-137-025 NONRESIDENT STUDENTS TWENTY-ONE YEARS OF AGE OR OLDER—AGREEMENT BETWEEN STUDENT AND NONRESIDENT DISTRICT REQUIRED.

WAC 392-137-030 RESIDENT STUDENTS TWENTY-ONE YEARS OF AGE OR OLDER—AGREEMENT BETWEEN STUDENT AND RESIDENT DISTRICT REQUIRED.

WAC 392-137-035 CONTENTS OF AGREEMENTS.

WAC 392-137-040 DISTRICT POLICIES—PROCEDURES AND CRITERIA FOR RELEASE OF RESIDENT STUDENTS AND ADMISSION OF NONRESIDENT STUDENTS.

WAC 392-137-045 TUITION—ENROLLMENT IN COMPLIANCE OR NONCOMPLIANCE WITH AN ARRANGEMENT.

WAC 392-137-051 RIGHT OF APPEAL.

WAC 392-137-055 APPEAL NOTICE.

WAC 392-137-060 HEARING.

WAC 392-137-065 GROUNDS FOR ORDER OF RELEASE.

WAC 392-137-070 PER SE SPECIAL HARDSHIP OR DETRIMENTAL HARDSHIPS.

WSR 90-15-071

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed July 18, 1990, 4:03 p.m.]

Original Notice.

Title of Rule: Chapter 392-202 WAC, School personnel—Excellence in education awards.

Purpose: To set forth policies, selection, criteria, and administrative procedures for establishing an annual Washington award for excellence in education to teachers, principals, administrators, superintendents, school boards and classified staff.

Statutory Authority for Adoption: RCW 28A.03.532.

Statute Being Implemented: RCW 28A.03.532.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: Ted Andrews, Superintendent of Public Instruction, Old Capitol Building, (206) 753-3222; and Enforcement: Doyle Winter, Superintendent of Public Instruction, Old Capitol Building, (206) 753-1880.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, on August 24, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 59840 [98504], by August 21, 1990.

Date of Intended Adoption: August 21 [29], 1990.

July 18, 1990
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-003 AUTHORITY. The authority for this chapter is RCW 28A.03.532 which authorizes the superintendent of public instruction to adopt rules relating to administration of a Washington award for excellence in education for teachers, principals, administrators, superintendents, ~~(and)~~ school boards, and classified staff.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-005 PURPOSE. The purpose of this chapter is to set forth policies, selection, criteria, and administrative procedures for establishing an annual Washington award for excellence in education to teachers, principals, administrators, superintendents, ~~(and)~~ school boards, and classified staff.

NEW SECTION

WAC 392-202-027 CLASSIFIED STAFF—DEFINITION. Reserved.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-070 SELECTION OF RECIPIENTS—ANNUAL RECOGNITION. Annual recognition criteria are as follows:

- (1) Five teachers from each congressional district of the state. One individual must be an elementary teacher, one must be a junior high or middle school level teacher, and one must be a secondary teacher;
- (2) Five principals or administrators from each congressional district of the state;
- (3) One school district superintendent from the state; ~~(and)~~
- (4) One school district board of directors from the state; and
- (5) Three classified staff from each congressional district of the state.

Not more than five teachers ~~(and)~~, five principals or administrators, and three classified staff from each congressional district and one superintendent and one school board from the state may be recognized and receive awards in any school year.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-075 SELECTION OF RECIPIENTS—NOMINATION. Nomination of persons shall be as follows:

- (1) Any person may nominate a classified staff member, teacher, principal, administrator, superintendent, or school board for the award

by submitting the form provided by the superintendent of public instruction for that purpose. The nomination form and information about the awards program shall be disseminated to the public, to educators, and to members of professional education associations through newsletters, bulletins, and other media which the superintendent of public instruction may deem appropriate.

(2) The nomination form shall include at a minimum:

- (a) The name of the person/board nominated.
- (b) The school building/district name and address where the person works.
- (c) The congressional district in which the district is located.
- (d) The grade level and category, where appropriate, for which the nomination is made.
- (e) The address to which the form should be returned and the date by which it must be received.

AMENDATORY SECTION (Amending Order 14, filed 9/14/89, effective 10/15/89)

WAC 392-202-080 SELECTION OF RECIPIENTS—APPLICATION. Selection of recipients shall require submission of an application as follows:

(1) Candidates nominated on forms provided by and returned to the superintendent of public instruction shall receive an application form from the superintendent of public instruction to be completed and returned if the candidate wishes to be considered for the award. The application shall be adapted to each category of award, — i.e., classified staff member, teacher, principal, or administrator, superintendent, and school board, — and shall require that the candidate provide evidence of leadership in, and contributions and commitment to educational excellence.

(2) Classified staff member applications shall include recommendations from a building administrator, teacher, and a student or parent/guardian.

(3) Teacher award applications shall include recommendations from a superintendent, a community member, and a student or parent/guardian.

~~((3))~~ (4) Principal or administrator award applications shall include recommendations from a member of the staff in his or her building, a superintendent, and a student or parent or guardian.

~~((4))~~ (5) Superintendent award applications shall include recommendations from a community representative, chair of the school board, and a member of the school district staff.

~~((5))~~ (6) School board award applications shall include recommendations from the local education association president, the superintendent, and a representative of a parent support group.

NEW SECTION

WAC 392-202-087 SELECTION CRITERIA—CLASSIFIED STAFF MEMBERS. The three broad criteria of leadership, commitment, and contribution to excellence shall be adapted to classified staff as follows:

- (1) Leadership among classified staff and with students or community;
- (2) Commitment evidenced by special efforts to foster student success;
- (3) Contributions to the staff, school, or community.

NEW SECTION

WAC 392-202-113 AWARD FOR CLASSIFIED STAFF. The award for educational excellence for classified staff shall include a certificate presented by the governor and superintendent of public instruction in public ceremony(ies).

WSR 90-15-072
PROPOSED RULES
DEPARTMENT OF WILDLIFE
[Filed July 18, 1990, 4:20 p.m.]

Supplemental Notice to WSR 90-14-106.

Title of Rule: Adopting WAC 232-28-61809 1990-92 Washington game fish seasons and catch limits—Cashmere Pond (Chelan County).

This is a correction notice to WSR 90-14-106.

Purpose: To establish a juvenile-only fishery on Cashmere Pond in Chelan County.

Summary: Establishes a juvenile-only fishery on Cashmere Pond effective April 21, 1991, through October 31, 1991.

Reasons Supporting Proposal: This regulation is intended to implement the legislative policy to maximize recreational fishing opportunities for juvenile citizens. This fishery was requested from local citizens. Department of Transportation has agreed to provide foot access to this fishery subject to Department of Wildlife implementing the proposed juvenile-only regulations.

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule would establish a juvenile-only fishery. Department of Wildlife does not currently stock this pond, but intends to release catchable rainbow annually if this proposal is implemented. This will provide a new fishing opportunity for juvenile citizens.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on October 6, 1990, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 10, 1990.

Date of Intended Adoption: October 6, 1990.

July 18, 1990

Lee S. Smith

Administrative Regulations Officer

NEW SECTION

WAC 232-28-61809 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - CASHMERE POND (CHELAN COUNTY). Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to the game fishing season for Cashmere Pond (Chelan County):

CASHMERE POND: Juveniles only (under 15 yrs. old).

WSR 90-15-073

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed July 18, 1990, 4:26 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-22001 1990-91 Elk hunting seasons—GMU 472 (White River)—(King and Pierce counties).

Purpose: To amend WAC 232-28-22001 (1990-91 Elk hunting seasons) closing GMU 472 (White River) to elk hunting on December 16, 1990.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: The proposed regulation closes that portion of GMU 472 (White River) east of Mud Mountain Dam

to elk hunting effective December 16, 1990. The proposed closure will prevent depletion of the herd and reduce the need for more restrictive measures in the future. The proposed closure will provide for a harvest of about 80 bulls and 80 cows in GMU 472.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Department of Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, on August 21, 1990, at 11:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 14, 1990.

Date of Intended Adoption: August 21, 1990.

July 18, 1990

Lee S. Smith

Administrative Regulations Officer

NEW SECTION

WAC 232-28-22001 1990-91 ELK HUNTING SEASONS - GMU 472 (WHITE RIVER) - (KING AND PIERCE COUNTIES) Notwithstanding the provisions of WAC 232-28-220, effective 12:01 a.m. on December 16, 1990, it is unlawful for any person to hunt or take elk in that part of Game Management Unit 472 (White River) east of Mud Mountain Dam. This is an all citizen closure.

WSR 90-15-074

PROPOSED RULES

DEPARTMENT OF WILDLIFE

[Filed July 18, 1990, 4:29 p.m.]

Original Notice.

Title of Rule: Repealing WAC 232-28-21810 Amendment to 1989 Hunting seasons and rules—GMU 472—White River (King and Pierce counties).

Purpose: To repeal WAC 232-28-21810 Amendment 1989 Hunting seasons and rules—GMU 472—White River (King and Pierce counties).

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: This rule repeals the elk hunting closure in that part of GMU 472 (White River) east of Mud Mountain Dam effective December 15, 1989. Last winter's closure enabled sufficient bull and cow elk escapement to allow hunting in 1990. State and tribal hunting seasons for hunting elk can be reopened in GMU 472.

Reasons Supporting Proposal: Last year state and tribal governments agreed to reduce elk harvest by at least 20 percent in GMU 472 (White River). Elk harvest in state seasons was reduced 32 percent and tribal harvest is also believed to have been reduced.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal changes the following existing rules: It repeals it.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Department of Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, on August 21, 1990, at 11:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by August 14, 1990.

Date of Intended Adoption: August 21, 1990.

July 18, 1990

Lee S. Smith

Administrative Regulations Officer

the applicability of dress codes for employees of the state.

Effective Date of Rule: Immediately.

July 13, 1990

Moyes Lucas

Chairman

NEW SECTION

WAC 352-32-011 DRESS STANDARDS. (1) In order to identify temporary field operations personnel to the public for their safety and welfare, it is necessary for selected employees to furnish and wear apparel that will comply with a generally accepted dress standard common to the outdoor recreation industry.

(2) The apparel for male and female park aides shall consist of green full length trousers of varying style, tan long or short sleeve shirt/blouse, and agency supplied logos must be applied as directed. If approved by the park manager, green walking/hiking shorts may be substituted for the full length trousers when appropriate for public contact type work.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-21810 AMENDMENT TO 1989 HUNTING SEASONS AND RULES - GMU 472 - WHITE RIVER (KING AND PIERCE COUNTIES)

WSR 90-15-075
EMERGENCY RULES
PARKS AND RECREATION
COMMISSION

[Filed July 18, 1990, 4:49 p.m.]

Date of Adoption: July 13, 1990.

Purpose: To bring state parks into compliance with labor and industries' rules regarding dress standards for park aides.

Citation of Existing Rules Affected by this Order: Amending WAC 352-32-011.

Statutory Authority for Adoption: RCW 43.51.040.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: An emergency rule brings the agency into immediate compliance with labor and industries' rule, WAC 296-126-001, which addresses

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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16-318-390	NEW	90-03-026	16-557-050	NEW-W	90-13-073	51-06-070	AMD	90-02-108
16-318-395	NEW	90-03-026	16-557-060	NEW-W	90-05-068	51-06-080	REP	90-02-108
16-318-400	NEW	90-03-026	16-557-060	NEW-W	90-13-073	51-06-090	REP	90-02-108
16-318-405	NEW	90-03-026	16-557-070	NEW-W	90-05-068	51-06-100	REP	90-02-108
16-318-410	NEW	90-03-026	16-557-070	NEW-W	90-13-073	51-06-110	REP	90-02-108
16-318-415	NEW	90-03-026	16-557-080	NEW-W	90-05-068	51-06-120	AMD	90-02-108
16-318-420	NEW	90-03-026	16-557-080	NEW-W	90-13-073	51-08-010	AMD	90-02-108
16-400-010	AMD-E	90-03-034	16-570-040	AMD-P	90-03-071	51-10	AMD	90-02-110
16-400-010	AMD-P	90-05-065	16-570-040	AMD	90-07-013	51-12-201	AMD-P	90-05-064
16-400-010	AMD	90-09-031	16-622-001	NEW	90-08-069	51-12-201	AMD-C	90-11-020
16-400-100	AMD-E	90-03-034	16-622-005	NEW	90-08-069	51-12-201	AMD-W	90-13-040
16-400-100	AMD-P	90-05-065	16-622-010	NEW	90-08-069	51-12-202	AMD-P	90-05-064
16-400-100	AMD	90-09-031	16-622-015	NEW	90-08-069	51-12-202	AMD-C	90-11-020
16-400-210	AMD-E	90-03-034	16-622-020	NEW	90-08-069	51-12-202	AMD-W	90-13-040
16-400-210	AMD-P	90-05-065	16-622-025	NEW	90-08-069	51-12-204	AMD-P	90-05-064
16-400-210	AMD	90-09-031	16-622-030	NEW	90-08-069	51-12-204	AMD-C	90-11-020
16-403-142	AMD-W	90-03-036	16-622-035	NEW	90-08-069	51-12-204	AMD-W	90-13-040
16-403-142	AMD-P	90-05-066	16-622-040	NEW	90-08-069	51-12-220	AMD	90-02-110
16-403-142	AMD-P	90-05-067	16-622-045	NEW	90-08-069	51-12-403	AMD	90-02-110
16-403-142	AMD	90-09-032	16-622-050	NEW	90-08-069	51-12-404	AMD	90-02-110
16-403-142	AMD-W	90-11-009	16-622-055	NEW	90-08-069	51-12-411	AMD-P	90-05-064
16-403-155	AMD-W	90-03-036	16-622-900	NEW	90-08-069	51-12-411	AMD-C	90-11-020
16-403-155	AMD-P	90-05-066	16-752-400	NEW-P	90-11-089	51-12-411	AMD-W	90-13-040
16-403-155	AMD-P	90-10-086	16-752-400	NEW	90-15-062	51-12-426	AMD	90-02-110
16-403-155	AMD-W	90-11-009	16-752-405	NEW-P	90-11-089	51-12-601	AMD	90-02-110
16-403-155	AMD	90-13-078	16-752-405	NEW	90-15-062	51-12-602	AMD-P	90-05-064
16-403-190	AMD-E	90-03-035	16-752-410	NEW-P	90-11-089	51-12-602	AMD-C	90-11-020
16-403-190	AMD-W	90-03-036	16-752-410	NEW	90-15-062	51-12-602	AMD-W	90-13-040
16-403-190	AMD-P	90-05-066	16-752-415	NEW-P	90-11-089	51-12-608	AMD	90-02-110
16-403-190	AMD-P	90-05-067	16-752-415	NEW	90-15-062	51-16-030	AMD	90-02-110
16-403-190	AMD	90-09-032	16-752-420	NEW-P	90-11-089	51-16-050	AMD	90-02-110
16-403-190	AMD-W	90-11-009	16-752-420	NEW	90-15-062	51-16-080	AMD-P	90-07-083
16-403-220	AMD-W	90-03-036	44-10-090	AMD-E	90-11-033	51-16-080	AMD	90-13-033
16-403-220	AMD-P	90-05-066	44-10-090	AMD-P	90-11-034	51-16-090	REP-P	90-07-083
16-403-220	AMD-W	90-11-009	44-10-160	AMD-P	90-11-034	51-16-090	REP	90-13-033
16-403-280	AMD-W	90-03-036	44-10-200	AMD-P	90-11-034	51-18-010	NEW	90-02-110
16-403-280	AMD-P	90-05-066	44-10-215	REP-P	90-11-034	51-18-020	NEW	90-02-110
16-403-280	AMD-W	90-11-009	44-10-235	NEW-P	90-11-034	51-18-030	NEW	90-02-110
16-462-060	NEW-P	90-06-050	50-12-040	REP-P	90-09-090	51-18-040	NEW	90-02-110
16-462-060	NEW	90-10-043	50-12-040	REP	90-12-008	51-18-050	NEW	90-02-110
16-470-700	NEW-P	90-11-100	50-12-045	NEW-P	90-09-090	67-25-560	AMD	90-11-047
16-470-700	NEW-E	90-13-010	50-12-045	NEW	90-12-008	67-25-570	AMD	90-11-047
16-470-700	NEW	90-15-042	50-12-310	NEW	90-10-074	72-100-001	NEW-P	90-10-101

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
72-108-010	NEW-P	90-10-102	72-280-015	NEW-P	90-10-108
72-108-020	NEW-P	90-10-102	72-280-020	NEW-P	90-10-108
72-108-030	NEW-P	90-10-102	72-280-025	NEW-P	90-10-108
72-108-040	NEW-P	90-10-102	72-280-030	NEW-P	90-10-108
72-108-060	NEW-P	90-10-102	72-280-040	NEW-P	90-10-108
72-108-070	NEW-P	90-10-102	72-280-050	NEW-P	90-10-108
72-108-080	NEW-P	90-10-102	72-280-055	NEW-P	90-10-108
72-108-090	NEW-P	90-10-102	72-280-060	NEW-P	90-10-108
72-108-100	NEW-P	90-10-102	72-280-070	NEW-P	90-10-108
72-120-010	NEW-P	90-10-103	72-325-010	NEW-P	90-10-109
72-120-015	NEW-P	90-10-103	82-30-010	NEW	90-12-009
72-120-100	NEW-P	90-10-103	82-30-020	NEW	90-12-009
72-120-200	NEW-P	90-10-103	82-30-030	NEW	90-12-009
72-120-205	NEW-P	90-10-103	82-30-040	NEW	90-12-009
72-120-210	NEW-P	90-10-103	82-30-050	NEW	90-12-009
72-120-220	NEW-P	90-10-103	82-30-060	NEW	90-12-009
72-120-225	NEW-P	90-10-103	82-50-021	AMD-P	90-14-077
72-120-230	NEW-P	90-10-103	98-14-200	NEW-P	90-13-105
72-120-234	NEW-P	90-10-103	113-12-104	NEW-P	90-09-077
72-120-236	NEW-P	90-10-103	113-12-104	NEW-P	90-14-130
72-130-010	NEW-P	90-10-104	113-12-130	REP-P	90-04-029
72-130-020	NEW-P	90-10-104	113-12-130	REP	90-08-035
72-130-030	NEW-P	90-10-104	113-12-160	REP-P	90-04-029
72-130-035	NEW-P	90-10-104	113-12-160	REP	90-08-035
72-130-040	NEW-P	90-10-104	113-12-161	REP-P	90-04-029
72-130-050	NEW-P	90-10-104	113-12-161	REP	90-08-035
72-140-010	NEW-P	90-10-105	113-12-200	AMD-P	90-04-029
72-140-020	NEW-P	90-10-105	113-12-200	AMD-C	90-08-036
72-140-030	NEW-P	90-10-105	114-12-136	AMD	90-04-094
72-140-040	NEW-P	90-10-105	114-12-155	AMD-P	90-11-045
72-140-050	NEW-P	90-10-105	114-12-190	AMD-P	90-11-045
72-140-060	NEW-P	90-10-105	130-14-010	NEW-P	90-12-110
72-140-070	NEW-P	90-10-105	130-14-020	NEW-P	90-12-110
72-140-080	NEW-P	90-10-105	130-14-030	NEW-P	90-12-110
72-171-001	NEW-P	90-10-106	130-14-040	NEW-P	90-12-110
72-171-010	NEW-P	90-10-106	130-14-050	NEW-P	90-12-110
72-171-015	NEW-P	90-10-106	130-14-060	NEW-P	90-12-110
72-171-016	NEW-P	90-10-106	130-14-070	NEW-P	90-12-110
72-171-100	NEW-P	90-10-106	131-16-055	NEW-E	90-04-066
72-171-110	NEW-P	90-10-106	131-16-450	NEW-E	90-15-004
72-171-120	NEW-P	90-10-106	131-16-500	NEW-E	90-09-069
72-171-130	NEW-P	90-10-106	131-16-500	NEW-P	90-13-095
72-171-140	NEW-P	90-10-106	131-16-500	NEW-E	90-15-003
72-171-150	NEW-P	90-10-106	132D-108-010	NEW	90-05-045
72-171-200	NEW-P	90-10-106	132D-108-020	NEW	90-05-045
72-171-210	NEW-P	90-10-106	132D-108-030	NEW	90-05-045
72-171-220	NEW-P	90-10-106	132D-108-040	NEW	90-05-045
72-171-230	NEW-P	90-10-106	132D-108-050	NEW	90-05-045
72-171-240	NEW-P	90-10-106	132D-108-060	NEW	90-05-045
72-171-400	NEW-P	90-10-106	132D-108-070	NEW	90-05-045
72-171-410	NEW-P	90-10-106	132D-108-080	NEW	90-05-045
72-171-420	NEW-P	90-10-106	132D-108-090	NEW	90-05-045
72-171-430	NEW-P	90-10-106	132D-130-010	NEW	90-05-045
72-171-500	NEW-P	90-10-106	132D-130-020	NEW	90-05-045
72-171-510	NEW-P	90-10-106	132D-130-030	NEW	90-05-045
72-171-600	NEW-P	90-10-106	132D-130-035	NEW	90-05-045
72-171-610	NEW-P	90-10-106	132D-130-040	NEW	90-05-045
72-171-620	NEW-P	90-10-106	132D-130-045	NEW	90-05-045
72-171-630	NEW-P	90-10-106	132D-130-050	NEW	90-05-045
72-171-640	NEW-P	90-10-106	132D-130-055	NEW	90-05-045
72-171-650	NEW-P	90-10-106	132D-130-060	NEW	90-05-045
72-276-010	NEW-P	90-10-107	132D-130-070	NEW	90-05-045
72-276-020	NEW-P	90-10-107	132D-130-075	NEW	90-05-045
72-276-030	NEW-P	90-10-107	132D-130-080	NEW	90-05-045
72-276-040	NEW-P	90-10-107	132D-130-085	NEW	90-05-045
72-276-050	NEW-P	90-10-107	132D-130-090	NEW	90-05-045
72-276-060	NEW-P	90-10-107	132D-130-095	NEW	90-05-045
72-276-070	NEW-P	90-10-107	132D-130-100	NEW	90-05-045
72-276-080	NEW-P	90-10-107	132D-133-020	NEW	90-05-045
72-276-090	NEW-P	90-10-107	132D-400-010	NEW	90-05-045
72-276-100	NEW-P	90-10-107	132D-400-020	NEW	90-05-045
72-276-110	NEW-P	90-10-107	132D-400-030	NEW	90-05-045
72-276-120	NEW-P	90-10-107	132D-400-040	NEW	90-05-045
72-276-130	NEW-P	90-10-107	132E-108-010	NEW-P	90-03-012
72-276-140	NEW-P	90-10-107	132E-108-010	NEW	90-09-006
72-280-010	NEW-P	90-10-108	132E-108-020	NEW-P	90-03-012
72-280-011	NEW-P	90-10-108	132E-108-020	NEW	90-09-006
132E-108-030	NEW-P	90-03-012	132E-108-030	NEW	90-09-006
132E-108-030	NEW	90-09-006	132E-108-040	NEW-P	90-03-012
132E-108-040	NEW-P	90-03-012	132E-108-040	NEW	90-09-006
132E-108-040	NEW	90-09-006	132E-108-050	NEW-P	90-03-012
132E-108-050	NEW-P	90-03-012	132E-108-050	NEW	90-09-006
132E-108-050	NEW	90-09-006	132E-108-060	NEW-P	90-03-012
132E-108-060	NEW-P	90-03-012	132E-108-060	NEW	90-09-006
132E-108-060	NEW	90-09-006	132E-108-070	NEW-P	90-03-012
132E-108-070	NEW-P	90-03-012	132E-108-070	NEW	90-09-006
132E-108-070	NEW	90-09-006	132E-108-080	NEW-P	90-03-012
132E-108-080	NEW-P	90-03-012	132E-108-080	NEW	90-09-006
132E-108-080	NEW	90-09-006	132E-108-090	NEW-P	90-03-012
132E-108-090	NEW-P	90-03-012	132E-108-090	NEW	90-09-006
132E-108-090	NEW	90-09-006	132E-108-100	NEW-P	90-03-012
132E-108-100	NEW-P	90-03-012	132E-108-100	NEW	90-09-006
132E-108-100	NEW	90-09-006	132E-108-110	REP-P	90-03-077
132E-108-110	REP-P	90-03-077	132E-108-110	REP-E	90-03-079
132E-108-110	REP-E	90-03-079	132H-108-110	REP	90-09-066
132E-108-110	REP	90-09-066	132H-108-110	REP-P	90-03-077
132E-108-120	REP-P	90-03-077	132H-108-120	REP-E	90-03-079

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132H-108-120	REP-E	90-03-079	132H-108-450	NEW-P	90-03-077	132L-30-230	REP-P	90-14-111
132H-108-120	REP	90-09-066	132H-108-450	NEW-E	90-03-079	132L-30-240	REP-P	90-14-111
132H-108-130	REP-P	90-03-077	132H-108-450	NEW	90-09-066	132L-30-250	REP-P	90-14-111
132H-108-130	REP-E	90-03-079	132H-108-460	NEW-P	90-03-077	132L-30-260	REP-P	90-14-111
132H-108-130	REP	90-09-066	132H-108-460	NEW-E	90-03-079	132L-30-270	REP-P	90-14-111
132H-108-140	REP-P	90-03-077	132H-108-460	NEW	90-09-066	132L-30-280	REP-P	90-14-111
132H-108-140	REP-E	90-03-079	132H-108-470	NEW-P	90-03-077	132L-30-290	REP-P	90-14-111
132H-108-140	REP	90-09-066	132H-108-470	NEW-E	90-03-079	132L-30-300	REP-P	90-14-111
132H-108-150	REP-P	90-03-077	132H-108-470	NEW	90-09-066	132L-108-010	NEW-E	90-03-074
132H-108-150	REP-E	90-03-079	132H-108-480	NEW-P	90-03-077	132L-108-010	NEW	90-05-005
132H-108-150	REP	90-09-066	132H-108-480	NEW-E	90-03-079	132L-108-020	NEW-E	90-03-074
132H-108-160	REP-P	90-03-077	132H-108-480	NEW	90-09-066	132L-108-020	NEW	90-05-005
132H-108-160	REP-E	90-03-079	132H-200-040	NEW-P	90-03-076	132L-108-030	NEW-E	90-03-074
132H-108-160	REP	90-09-066	132H-200-040	NEW-E	90-03-080	132L-108-030	NEW	90-05-005
132H-108-170	REP-P	90-03-077	132H-200-040	NEW	90-09-065	132L-108-040	NEW-E	90-03-074
132H-108-170	REP-E	90-03-079	132H-400-005	NEW-P	90-03-078	132L-108-040	NEW	90-05-005
132H-108-170	REP	90-09-066	132H-400-005	NEW-E	90-03-081	132L-108-050	NEW-E	90-03-074
132H-108-180	REP-P	90-03-077	132H-400-005	NEW	90-09-067	132L-108-050	NEW	90-05-005
132H-108-180	REP-E	90-03-079	132H-400-010	NEW-P	90-03-078	132L-108-060	NEW-E	90-03-074
132H-108-180	REP	90-09-066	132H-400-010	NEW-E	90-03-081	132L-108-060	NEW	90-05-005
132H-108-190	REP-P	90-03-077	132H-400-010	NEW	90-09-067	132L-108-070	NEW-E	90-03-074
132H-108-190	REP-E	90-03-079	132H-400-020	NEW-P	90-03-078	132L-108-070	NEW	90-05-005
132H-108-190	REP	90-09-066	132H-400-020	NEW-E	90-03-081	132L-108-080	NEW-E	90-03-074
132H-108-200	REP-P	90-03-077	132H-400-020	NEW	90-09-067	132L-108-080	NEW	90-05-005
132H-108-200	REP-E	90-03-079	132H-400-030	NEW-P	90-03-078	132L-116-010	NEW-P	90-14-111
132H-108-200	REP	90-09-066	132H-400-030	NEW-E	90-03-081	132L-116-020	NEW-P	90-14-111
132H-108-210	REP-P	90-03-077	132H-400-030	NEW	90-09-067	132L-116-030	NEW-P	90-14-111
132H-108-210	REP-E	90-03-079	132H-400-040	NEW-P	90-03-078	132L-116-040	NEW-P	90-14-111
132H-108-210	REP	90-09-066	132H-400-040	NEW-E	90-03-081	132L-116-050	NEW-P	90-14-111
132H-108-220	REP-P	90-03-077	132H-400-040	NEW	90-09-067	132L-116-060	NEW-P	90-14-111
132H-108-220	REP-E	90-03-079	132J-108-010	NEW-P	90-12-109	132L-116-070	NEW-P	90-14-111
132H-108-220	REP	90-09-066	132J-108-020	NEW-P	90-12-109	132L-116-080	NEW-P	90-14-111
132H-108-230	REP-P	90-03-077	132J-108-030	NEW-P	90-12-109	132L-116-090	NEW-P	90-14-111
132H-108-230	REP-E	90-03-079	132J-108-040	NEW-P	90-12-109	132L-116-100	NEW-P	90-14-111
132H-108-230	REP	90-09-066	132J-108-050	NEW-P	90-12-109	132L-116-110	NEW-P	90-14-111
132H-108-240	REP-P	90-03-077	132J-108-060	NEW-P	90-12-109	132L-116-120	NEW-P	90-14-111
132H-108-240	REP-E	90-03-079	132J-108-070	NEW-P	90-12-109	132L-116-130	NEW-P	90-14-111
132H-108-240	REP	90-09-066	132J-108-110	NEW-P	90-12-012	132L-116-140	NEW-P	90-14-111
132H-108-250	REP-P	90-03-077	132J-108-110	NEW-W	90-12-108	132L-116-150	NEW-P	90-14-111
132H-108-250	REP-E	90-03-079	132J-108-120	NEW-P	90-12-012	132L-116-160	NEW-P	90-14-111
132H-108-250	REP	90-09-066	132J-108-120	NEW-W	90-12-108	132L-116-170	NEW-P	90-14-111
132H-108-260	REP-P	90-03-077	132J-108-130	NEW-P	90-12-012	132L-116-180	NEW-P	90-14-111
132H-108-260	REP-E	90-03-079	132J-108-130	NEW-W	90-12-108	132L-116-190	NEW-P	90-14-111
132H-108-260	REP	90-09-066	132J-108-140	NEW-P	90-12-012	132L-116-200	NEW-P	90-14-111
132H-108-270	REP-P	90-03-077	132J-108-140	NEW-W	90-12-108	132L-116-210	NEW-P	90-14-111
132H-108-270	REP-E	90-03-079	132J-108-150	NEW-P	90-12-012	132L-116-220	NEW-P	90-14-111
132H-108-270	REP	90-09-066	132J-108-150	NEW-W	90-12-108	132L-116-230	NEW-P	90-14-111
132H-108-280	REP-P	90-03-077	132J-108-160	NEW-P	90-12-012	132L-116-240	NEW-P	90-14-111
132H-108-280	REP-E	90-03-079	132J-108-160	NEW-W	90-12-108	132L-116-250	NEW-P	90-14-111
132H-108-280	REP	90-09-066	132J-108-170	NEW-P	90-12-012	132L-116-260	NEW-P	90-14-111
132H-108-290	REP-P	90-03-077	132J-108-170	NEW-W	90-12-108	132L-116-270	NEW-P	90-14-111
132H-108-290	REP-E	90-03-079	132J-108-180	NEW-P	90-12-012	132L-116-280	NEW-P	90-14-111
132H-108-290	REP	90-09-066	132J-108-180	NEW-W	90-12-108	132L-116-290	NEW-P	90-14-111
132H-108-300	REP-P	90-03-077	132J-108-180	NEW-P	90-12-109	132L-116-300	NEW-P	90-14-111
132H-108-300	REP-E	90-03-079	132L-20-090	REP	90-05-004	132L-133-020	NEW-E	90-03-074
132H-108-300	REP	90-09-066	132L-30-010	REP-P	90-14-111	132L-133-020	NEW	90-05-005
132H-108-310	REP-P	90-03-077	132L-30-020	REP-P	90-14-111	132L-280-010	NEW	90-05-004
132H-108-310	REP-E	90-03-079	132L-30-030	REP-P	90-14-111	132L-280-015	NEW	90-05-004
132H-108-310	REP	90-09-066	132L-30-040	REP-P	90-14-111	132L-280-020	NEW	90-05-004
132H-108-320	REP-P	90-03-077	132L-30-050	REP-P	90-14-111	132L-280-030	NEW	90-05-004
132H-108-320	REP-E	90-03-079	132L-30-060	REP-P	90-14-111	132L-280-040	NEW	90-05-004
132H-108-320	REP	90-09-066	132L-30-070	REP-P	90-14-111	132L-280-050	NEW	90-05-004
132H-108-330	REP-P	90-03-077	132L-30-080	REP-P	90-14-111	132L-280-060	NEW	90-05-004
132H-108-330	REP-E	90-03-079	132L-30-090	REP-P	90-14-111	132L-280-070	NEW	90-05-004
132H-108-330	REP	90-09-066	132L-30-100	REP-P	90-14-111	132L-280-080	NEW	90-05-004
132H-108-410	NEW-P	90-03-077	132L-30-110	REP-P	90-14-111	132L-280-090	NEW	90-05-004
132H-108-410	NEW-E	90-03-079	132L-30-120	REP-P	90-14-111	132L-280-100	NEW	90-05-004
132H-108-410	NEW	90-09-066	132L-30-130	REP-P	90-14-111	132L-280-110	NEW	90-05-004
132H-108-420	NEW-P	90-03-077	132L-30-140	REP-P	90-14-111	132L-280-120	NEW	90-05-004
132H-108-420	NEW-E	90-03-079	132L-30-150	REP-P	90-14-111	132L-400-010	NEW-E	90-03-073
132H-108-420	NEW	90-09-066	132L-30-160	REP-P	90-14-111	132L-400-010	NEW	90-05-009
132H-108-430	NEW-P	90-03-077	132L-30-170	REP-P	90-14-111	132L-400-020	NEW	90-05-009
132H-108-430	NEW-E	90-03-079	132L-30-180	REP-P	90-14-111	132L-400-030	NEW	90-05-009
132H-108-430	NEW	90-09-066	132L-30-190	REP-P	90-14-111	132L-400-040	NEW	90-05-009
132H-108-440	NEW-P	90-03-077	132L-30-200	REP-P	90-14-111	132N-400-010	NEW-P	90-04-079
132H-108-440	NEW-E	90-03-079	132L-30-210	REP-P	90-14-111	132N-400-010	NEW-C	90-10-026
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132N-400-030	NEW-C	90-10-026	132S-05-020	NEW-P	90-03-082	132Y-133-020	NEW-P	90-02-063
132N-400-040	NEW-P	90-04-079	132S-05-020	NEW	90-07-006	132Y-133-020	NEW	90-08-022A
132N-400-040	NEW-C	90-10-026	132S-30-037	NEW-P	90-03-082	136-01-010	AMD	90-07-071
132P-136-040	AMD-P	90-07-058	132S-30-037	NEW	90-07-006	136-01-030	AMD	90-07-071
132P-136-040	AMD	90-11-077	132S-40-130	NEW-P	90-03-082	136-01-040	REP	90-07-071
132Q-01-005	REP-P	90-14-114	132S-40-130	NEW	90-07-006	136-04-020	AMD	90-07-072
132Q-01-006	NEW-P	90-14-115	132S-40-135	NEW-P	90-03-082	136-04-030	AMD	90-07-072
132Q-04-055	REP-P	90-14-116	132S-40-135	NEW	90-07-006	136-04-040	AMD	90-07-072
132Q-04-200	AMD-P	90-14-117	132S-40-140	NEW-P	90-03-082	136-04-060	AMD	90-07-072
132Q-04-210	AMD-P	90-14-117	132S-40-140	NEW	90-07-006	136-04-080	AMD	90-07-072
132Q-04-220	AMD-P	90-14-117	132S-40-145	NEW-P	90-03-082	136-04-090	AMD	90-07-072
132Q-04-230	AMD-P	90-14-117	132S-40-145	NEW	90-07-006	136-04-100	AMD	90-07-072
132Q-04-240	AMD-P	90-14-117	132S-40-150	NEW-P	90-03-082	136-10-010	AMD	90-07-073
132Q-05-060	AMD-P	90-14-118	132S-40-150	NEW	90-07-006	136-10-020	AMD	90-07-073
132Q-05-080	AMD-P	90-14-118	132S-40-155	NEW-P	90-03-082	136-10-030	AMD	90-07-073
132Q-06-020	AMD-P	90-14-119	132S-40-155	NEW	90-07-006	136-10-040	AMD	90-07-073
132Q-06-025	AMD-P	90-14-119	132T-104-010	REP	90-03-065	136-10-050	AMD	90-07-073
132Q-06-030	AMD-P	90-14-119	132T-104-020	REP	90-03-065	136-10-060	AMD	90-07-073
132Q-09-001	REP-P	90-14-120	132T-104-030	REP	90-03-065	136-12-010	AMD	90-07-074
132Q-09-005	REP-P	90-14-120	132T-104-040	REP	90-03-065	136-12-020	AMD	90-07-074
132Q-09-010	REP-P	90-14-120	132T-104-060	REP	90-03-065	136-12-030	AMD	90-07-074
132Q-09-080	REP-P	90-14-120	132T-104-070	REP	90-03-065	136-12-060	AMD	90-07-074
132Q-09-090	REP-P	90-14-120	132T-104-080	REP	90-03-065	136-12-070	AMD	90-07-074
132Q-09-100	REP-P	90-14-120	132T-104-090	REP	90-03-065	136-12-080	AMD	90-07-074
132Q-09-110	REP-P	90-14-120	132T-104-100	REP	90-03-065	136-14-010	AMD	90-07-075
132Q-09-120	REP-P	90-14-120	132T-104-110	REP	90-03-065	136-14-020	AMD	90-07-075
132Q-09-130	REP-P	90-14-120	132T-104-120	REP	90-03-065	136-14-030	AMD	90-07-075
132Q-09-140	REP-P	90-14-120	132T-104-121	REP	90-03-065	136-14-040	AMD	90-07-075
132Q-09-230	REP-P	90-14-120	132T-104-130	REP	90-03-065	136-14-050	AMD	90-07-075
132Q-09-240	REP-P	90-14-120	132T-104-200	REP	90-03-065	136-14-060	AMD	90-07-075
132Q-09-250	REP-P	90-14-120	132T-104-210	REP	90-03-065	136-16-010	AMD	90-07-076
132Q-09-260	REP-P	90-14-120	132T-104-240	REP	90-03-065	136-16-018	AMD	90-07-076
132Q-09-270	REP-P	90-14-120	132T-104-250	REP	90-03-065	136-16-022	AMD	90-07-076
132Q-09-280	REP-P	90-14-120	132T-104-260	REP	90-03-065	136-16-042	AMD	90-07-076
132Q-09-290	REP-P	90-14-120	132T-104-265	REP	90-03-065	136-16-050	AMD	90-07-076
132Q-09-300	REP-P	90-14-120	132T-104-270	REP	90-03-065	136-20-010	AMD-P	90-13-003
132Q-09-310	REP-P	90-14-120	132T-104-280	REP	90-03-065	136-20-020	AMD-P	90-13-003
132Q-09-320	REP-P	90-14-120	132U-03-010	NEW	90-05-043	136-20-030	AMD-P	90-13-003
132Q-09-330	REP-P	90-14-120	132U-03-020	NEW	90-05-043	136-20-040	AMD-P	90-13-003
132Q-09-340	REP-P	90-14-120	132U-03-030	NEW	90-05-043	136-20-060	AMD-P	90-13-003
132Q-09-350	REP-P	90-14-120	132U-108-010	NEW	90-05-043	136-28-010	AMD-P	90-13-002
132Q-09-360	REP-P	90-14-120	132U-108-020	NEW	90-05-043	136-28-020	AMD-P	90-13-002
132Q-09-400	REP-P	90-14-120	132U-108-021	NEW	90-05-043	136-28-030	AMD-P	90-13-002
132Q-09-410	REP-P	90-14-120	132U-108-030	NEW	90-05-043	136-36-010	REP	90-07-077
132Q-09-420	REP-P	90-14-120	132U-116-030	AMD	90-05-043	136-36-020	REP	90-07-077
132Q-09-430	REP-P	90-14-120	132U-400-010	NEW	90-05-043	136-36-030	REP	90-07-077
132Q-09-440	REP-P	90-14-120	132V-400-010	NEW-P	90-03-094	136-36-040	REP	90-07-077
132Q-09-450	REP-P	90-14-120	132V-400-010	NEW	90-07-038	136-40-010	AMD-C	90-13-001
132Q-09-460	REP-P	90-14-120	132V-400-020	NEW-P	90-03-094	136-40-020	AMD-C	90-13-001
132Q-09-470	REP-P	90-14-120	132V-400-020	NEW	90-07-038	136-40-030	AMD-C	90-13-001
132Q-09-480	REP-P	90-14-120	132V-400-030	NEW-P	90-03-094	136-40-040	AMD-C	90-13-001
132Q-16-045	AMD-P	90-14-121	132V-400-030	NEW	90-07-038	136-40-044	REP-C	90-13-001
132Q-20-110	AMD-P	90-14-122	132V-400-040	NEW-P	90-03-094	136-40-048	REP-C	90-13-001
132Q-94-010	AMD-P	90-14-123	132V-400-040	NEW	90-07-038	136-40-050	NEW-C	90-13-001
132Q-94-150	NEW-P	90-14-124	132X-60-160	NEW-P	90-10-041	136-40-052	REP-C	90-13-001
132S-01-010	NEW-P	90-03-082	132X-60-160	NEW	90-13-064	136-40-060	NEW-C	90-13-001
132S-01-010	NEW	90-07-006	132X-60-170	NEW-P	90-10-041	136-40-100	REP-C	90-13-001
132S-01-020	NEW-P	90-03-082	132X-60-170	NEW	90-13-064	136-40-104	REP-C	90-13-001
132S-01-020	NEW	90-07-006	132X-60-180	NEW-P	90-10-041	136-40-108	REP-C	90-13-001
132S-01-030	NEW-P	90-03-082	132X-60-180	NEW	90-13-064	136-40-112	REP-C	90-13-001
132S-01-030	NEW	90-07-006	132X-60-190	NEW-P	90-10-041	136-40-116	REP-C	90-13-001
132S-01-040	NEW-P	90-03-082	132Y-108-010	NEW-P	90-02-062	136-40-120	REP-C	90-13-001
132S-01-040	NEW	90-07-006	132Y-108-010	NEW	90-08-022	136-40-124	REP-C	90-13-001
132S-01-050	NEW-P	90-03-082	132Y-108-020	NEW-P	90-02-062	136-40-128	REP-C	90-13-001
132S-01-050	NEW	90-07-006	132Y-108-020	NEW	90-08-022	136-40-132	REP-C	90-13-001
132S-01-060	NEW-P	90-03-082	132Y-108-030	NEW-P	90-02-062	136-40-136	REP-C	90-13-001
132S-01-060	NEW	90-07-006	132Y-108-030	NEW	90-08-022	136-40-140	REP-C	90-13-001
132S-01-070	NEW-P	90-03-082	132Y-108-040	NEW-P	90-02-062	136-40-200	REP-C	90-13-001
132S-01-070	NEW	90-07-006	132Y-108-040	NEW	90-08-022	136-40-204	REP-C	90-13-001
132S-01-080	NEW-P	90-03-082	132Y-108-050	NEW-P	90-02-062	136-40-208	REP-C	90-13-001
132S-01-080	NEW	90-07-006	132Y-108-050	NEW	90-08-022	136-40-212	REP-C	90-13-001
132S-01-090	NEW-P	90-03-082	132Y-108-060	NEW-P	90-02-062	136-40-300	REP-C	90-13-001
132S-01-090	NEW	90-07-006	132Y-108-060	NEW	90-08-022	136-40-304	REP-C	90-13-001
132S-05-010	NEW-P	90-03-082	132Y-108-070	NEW-P	90-02-062	136-40-308	REP-C	90-13-001
132S-05-010	NEW	90-07-006	132Y-108-070	NEW	90-08-022	136-40-312	REP-C	90-13-001

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136-40-400	REP-C 90-13-001	148-171-130	NEW-P 90-10-114	154-12-110	AMD 90-05-078
136-40-404	REP-C 90-13-001	148-171-140	NEW-P 90-10-114	154-24-010	AMD-P 90-02-086
136-40-408	REP-C 90-13-001	148-171-150	NEW-P 90-10-114	154-24-010	AMD 90-05-078
136-40-412	REP-C 90-13-001	148-171-200	NEW-P 90-10-114	154-32-010	AMD-P 90-02-086
136-40-416	REP-C 90-13-001	148-171-210	NEW-P 90-10-114	154-32-010	AMD 90-05-078
136-40-500	REP-C 90-13-001	148-171-220	NEW-P 90-10-114	154-32-020	AMD-P 90-02-086
136-40-504	REP-C 90-13-001	148-171-230	NEW-P 90-10-114	154-32-020	AMD 90-05-078
136-40-508	REP-C 90-13-001	148-171-240	NEW-P 90-10-114	154-40	AMD-P 90-02-086
136-40-512	REP-C 90-13-001	148-171-400	NEW-P 90-10-114	154-40	AMD 90-05-078
136-40-600	REP-C 90-13-001	148-171-410	NEW-P 90-10-114	154-40-010	AMD-P 90-02-086
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136-40-608	REP-C 90-13-001	148-171-430	NEW-P 90-10-114	154-44-010	AMD-P 90-02-086
136-40-612	REP-C 90-13-001	148-171-500	NEW-P 90-10-114	154-44-010	AMD 90-05-078
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136-40-620	REP-C 90-13-001	148-171-600	NEW-P 90-10-114	154-64-050	AMD 90-05-078
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136-40-700	REP-C 90-13-001	148-171-620	NEW-P 90-10-114	162-08-091	REP-W 90-15-024
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148-140-020	NEW-P 90-10-113	154-12-080	AMD-P 90-02-086	173-19-360	AMD 90-13-089
148-140-030	NEW-P 90-10-113	154-12-080	AMD 90-05-078	173-19-3601	AMD-P 90-05-075
148-140-040	NEW-P 90-10-113	154-12-085	AMD-P 90-02-086	173-19-3601	AMD-C 90-08-122
148-140-050	NEW-P 90-10-113	154-12-085	AMD 90-05-078	173-19-3601	AMD 90-11-072
148-140-060	NEW-P 90-10-113	154-12-086	AMD-P 90-02-086	173-19-390	RE-AD 90-07-025
148-140-070	NEW-P 90-10-113	154-12-086	AMD 90-05-078	173-19-3910	RE-AD 90-07-028
148-140-080	NEW-P 90-10-113	154-12-087	AMD-P 90-02-086	173-19-3910	AMD-P 90-15-058
148-171-001	NEW-P 90-10-114	154-12-087	AMD 90-05-078	173-19-420	AMD-C 90-05-077
148-171-010	NEW-P 90-10-114	154-12-090	AMD-P 90-02-086	173-19-420	AMD-C 90-08-122
148-171-015	NEW-P 90-10-114	154-12-090	AMD 90-05-078	173-19-420	AMD 90-11-072

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
173-19-4201	AMD-P	90-05-076	173-158-040	AMD-P	90-11-059	173-224-015	RE-AD	90-07-015
173-19-4201	AMD-C	90-08-122	173-158-045	NEW-P	90-11-059	173-224-020	RE-AD	90-07-015
173-19-4201	AMD	90-11-072	173-158-060	RE-AD	90-06-059	173-224-030	RE-AD	90-07-015
173-19-4202	AMD-P	90-05-076	173-158-060	REP-P	90-11-059	173-224-040	RE-AD	90-07-015
173-19-4202	AMD-C	90-08-122	173-158-064	NEW-P	90-11-059	173-224-050	RE-AD	90-07-015
173-19-4202	AMD	90-11-072	173-158-070	AMD-P	90-11-059	173-224-060	RE-AD	90-07-015
173-19-4203	AMD-P	90-05-076	173-158-084	NEW-P	90-11-059	173-224-070	RE-AD	90-07-015
173-19-4203	AMD-C	90-08-122	173-158-086	NEW-P	90-11-059	173-224-080	RE-AD	90-07-015
173-19-4203	AMD	90-11-072	173-158-100	REP-P	90-11-059	173-224-090	RE-AD	90-07-015
173-19-4204	AMD-P	90-05-076	173-158-110	REP-P	90-11-059	173-224-100	RE-AD	90-07-015
173-19-4204	AMD-C	90-08-122	173-158-120	AMD-P	90-11-059	173-224-110	RE-AD	90-07-015
173-19-4204	AMD	90-11-072	173-160-215	RE-AD	90-07-016	173-224-120	RE-AD	90-07-015
173-19-4205	AMD-P	90-05-076	173-166	AMD-P	90-02-096	173-303	PREP	90-06-002
173-19-4205	AMD-C	90-08-122	173-166	AMD-C	90-05-048	173-303-281	AMD-P	90-10-085
173-19-4205	AMD	90-11-072	173-166	AMD-C	90-06-010	173-303-282	NEW-P	90-10-085
173-19-4205	AMD-P	90-15-057	173-166	AMD-C	90-08-080	173-303-355	NEW-P	90-10-085
173-19-4206	AMD-P	90-05-076	173-166	AMD-W	90-15-052	173-303-420	REP-P	90-10-085
173-19-4206	AMD-C	90-08-122	173-166-010	AMD-P	90-02-096	173-303-806	AMD-P	90-10-085
173-19-4206	AMD	90-11-072	173-166-010	AMD-W	90-15-052	173-305-010	AMD-E	90-15-025
173-19-450	AMD-P	90-13-090	173-166-020	AMD-P	90-02-096	173-305-015	AMD-E	90-15-025
173-19-4507	AMD	90-07-063	173-166-020	AMD-W	90-15-052	173-305-020	AMD-E	90-15-025
173-32-010	AMD-P	90-11-122	173-166-030	AMD-P	90-02-096	173-305-030	AMD-E	90-15-025
173-32-020	AMD-P	90-11-122	173-166-030	AMD-W	90-15-052	173-305-040	AMD-E	90-15-025
173-32-030	AMD-P	90-11-122	173-166-040	AMD-P	90-02-096	173-305-050	AMD-E	90-15-025
173-32-040	AMD-P	90-11-122	173-166-040	AMD-W	90-15-052	173-305-060	AMD-E	90-15-025
173-50-010	RE-AD	90-07-017	173-166-050	AMD-P	90-02-096	173-305-070	AMD-E	90-15-025
173-50-020	RE-AD	90-07-017	173-166-050	AMD-W	90-15-052	173-305-080	AMD-E	90-15-025
173-50-030	RE-AD	90-07-017	173-166-060	AMD-P	90-02-096	173-305-090	AMD-E	90-15-025
173-50-040	RE-AD	90-07-017	173-166-060	AMD-W	90-15-052	173-306-010	NEW-P	90-10-047
173-50-040	AMD-P	90-12-086	173-166-070	AMD-P	90-02-096	173-306-010	NEW	90-10-047
173-50-050	RE-AD	90-07-017	173-166-070	AMD-W	90-15-052	173-306-050	NEW-P	90-02-088
173-50-050	AMD-P	90-12-086	173-166-080	NEW-P	90-02-096	173-306-050	NEW	90-10-047
173-50-060	RE-AD	90-07-017	173-166-080	NEW-W	90-15-052	173-306-100	NEW-P	90-02-088
173-50-060	AMD-P	90-12-086	173-166-090	NEW-P	90-02-096	173-306-100	NEW	90-10-047
173-50-070	RE-AD	90-07-017	173-166-090	NEW-W	90-15-052	173-306-150	NEW-P	90-02-088
173-50-070	AMD-P	90-12-086	173-166-100	NEW-P	90-02-096	173-306-150	NEW	90-10-047
173-50-080	RE-AD	90-07-017	173-166-100	NEW-W	90-15-052	173-306-200	NEW-P	90-02-088
173-50-080	AMD-P	90-12-086	173-166-110	NEW-P	90-02-096	173-306-200	NEW	90-10-047
173-50-090	RE-AD	90-07-017	173-166-110	NEW-W	90-15-052	173-306-300	NEW-P	90-02-088
173-50-090	AMD-P	90-12-086	173-166-120	NEW-P	90-02-096	173-306-300	NEW	90-10-047
173-50-100	RE-AD	90-07-017	173-166-120	NEW-W	90-15-052	173-306-310	NEW-P	90-02-088
173-50-100	AMD-P	90-12-086	173-166-130	NEW-P	90-02-096	173-306-310	NEW	90-10-047
173-50-110	RE-AD	90-07-017	173-166-130	NEW-W	90-15-052	173-306-320	NEW-P	90-02-088
173-50-110	AMD-P	90-12-086	173-170-010	NEW-P	90-13-104	173-306-320	NEW	90-10-047
173-50-120	RE-AD	90-07-017	173-170-020	NEW-P	90-13-104	173-306-330	NEW-P	90-02-088
173-50-120	AMD-P	90-12-086	173-170-030	NEW-P	90-13-104	173-306-330	NEW	90-10-047
173-50-130	RE-AD	90-07-017	173-170-040	NEW-P	90-13-104	173-306-340	NEW-P	90-02-088
173-50-130	AMD-P	90-12-086	173-170-050	NEW-P	90-13-104	173-306-340	NEW	90-10-047
173-50-140	RE-AD	90-07-017	173-170-060	NEW-P	90-13-104	173-306-345	NEW-P	90-02-088
173-50-140	AMD-P	90-12-086	173-170-070	NEW-P	90-13-104	173-306-345	NEW	90-10-047
173-50-150	RE-AD	90-07-017	173-170-080	NEW-P	90-13-104	173-306-350	NEW-P	90-02-088
173-50-150	AMD-P	90-12-086	173-170-090	NEW-P	90-13-104	173-306-350	NEW	90-10-047
173-50-160	RE-AD	90-07-017	173-170-100	NEW-P	90-13-104	173-306-400	NEW-P	90-02-088
173-50-170	RE-AD	90-07-017	173-170-110	NEW-P	90-13-104	173-306-400	NEW	90-10-047
173-50-180	RE-AD	90-07-017	173-170-120	NEW-P	90-13-104	173-306-405	NEW-P	90-02-088
173-50-190	RE-AD	90-07-017	173-200-010	NEW-P	90-11-074	173-306-405	NEW	90-10-047
173-50-190	AMD-P	90-12-086	173-200-020	NEW-P	90-11-074	173-306-410	NEW-P	90-02-088
173-50-200	RE-AD	90-07-017	173-200-030	NEW-P	90-11-074	173-306-410	NEW	90-10-047
173-50-200	AMD-P	90-12-086	173-200-040	NEW-P	90-11-074	173-306-440	NEW-P	90-02-088
173-50-210	RE-AD	90-07-017	173-200-050	NEW-P	90-11-074	173-306-440	NEW	90-10-047
173-50-210	AMD-P	90-12-086	173-200-060	NEW-P	90-11-074	173-306-450	NEW-P	90-02-088
173-50-220	NEW	90-12-086	173-200-070	NEW-P	90-11-074	173-306-450	NEW	90-10-047
173-142-010	REP-P	90-11-059	173-200-080	NEW-P	90-11-074	173-306-470	NEW-P	90-02-088
173-142-020	REP-P	90-11-059	173-200-090	NEW-P	90-11-074	173-306-470	NEW	90-10-047
173-142-030	REP-P	90-11-059	173-200-100	NEW-P	90-11-074	173-306-480	NEW-P	90-02-088
173-142-040	REP-P	90-11-059	173-216-125	NEW-P	90-12-086	173-306-480	NEW	90-10-047
173-142-050	REP-P	90-11-059	173-220-210	AMD-P	90-12-086	173-306-490	NEW-P	90-02-088
173-142-070	REP-P	90-11-059	173-221A-010	NEW-P	90-06-071	173-306-490	NEW	90-10-047
173-142-080	REP-P	90-11-059	173-221A-010	NEW	90-14-078	173-306-495	NEW-P	90-02-088
173-142-090	REP-P	90-11-059	173-221A-020	NEW-P	90-06-071	173-306-495	NEW	90-10-047
173-142-100	REP-P	90-11-059	173-221A-020	NEW	90-14-078	173-306-500	NEW-P	90-02-088
173-142-110	REP-P	90-11-059	173-221A-030	NEW-P	90-06-071	173-306-500	NEW	90-10-047
173-158	AMD-P	90-11-059	173-221A-030	NEW	90-14-078	173-306-900	NEW-P	90-02-088
173-158-010	AMD-P	90-11-059	173-221A-100	NEW-P	90-06-071	173-306-900	NEW	90-10-047
173-158-020	AMD-P	90-11-059	173-221A-100	NEW	90-14-078	173-306-9901	NEW-P	90-02-088
173-158-030	RE-AD	90-06-059	173-221A-150	NEW-P	90-06-071	173-306-9901	NEW	90-10-047
173-158-030	AMD-P	90-11-059	173-221A-150	NEW	90-14-078	173-309-010	AMD-P	90-11-122

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-309-020	AMD-P	90-11-122	173-340-050	REP	90-08-086	173-340-540	NEW-W	90-02-097
173-309-030	AMD-P	90-11-122	173-340-100	NEW-W	90-02-097	173-340-540	NEW-P	90-02-098
173-309-040	AMD-P	90-11-122	173-340-100	NEW-P	90-02-098	173-340-540	NEW	90-08-086
173-309-050	AMD-P	90-11-122	173-340-100	NEW	90-08-086	173-340-550	NEW-W	90-02-097
173-309-060	AMD-P	90-11-122	173-340-110	NEW-W	90-02-097	173-340-550	NEW-P	90-02-098
173-309-070	AMD-P	90-11-122	173-340-110	NEW-P	90-02-098	173-340-550	NEW	90-08-086
173-309-080	AMD-P	90-11-122	173-340-110	NEW	90-08-086	173-340-560	NEW-W	90-02-097
173-309-090	AMD-P	90-11-122	173-340-120	NEW-W	90-02-097	173-340-560	NEW-P	90-02-098
173-311-010	NEW-P	90-12-094	173-340-120	NEW-P	90-02-098	173-340-560	NEW	90-08-086
173-311-020	NEW-P	90-12-094	173-340-120	NEW	90-08-086	173-340-600	NEW-W	90-02-097
173-311-030	NEW-P	90-12-094	173-340-120	AMD-P	90-15-066	173-340-600	NEW-P	90-02-098
173-311-040	NEW-P	90-12-094	173-340-130	NEW-W	90-02-097	173-340-600	NEW	90-08-086
173-311-050	NEW-P	90-12-094	173-340-130	NEW-P	90-02-098	173-340-610	NEW-W	90-02-097
173-312-010	AMD-P	90-11-122	173-340-130	NEW	90-08-086	173-340-610	NEW-P	90-02-098
173-312-020	AMD-P	90-11-122	173-340-140	NEW-W	90-02-097	173-340-610	NEW	90-08-086
173-312-030	AMD-P	90-11-122	173-340-140	NEW-P	90-02-098	173-340-700	NEW-W	90-02-097
173-312-040	AMD-P	90-11-122	173-340-140	NEW	90-08-086	173-340-700	NEW-P	90-02-098
173-312-050	AMD-P	90-11-122	173-340-200	NEW-W	90-02-097	173-340-700	NEW	90-08-086
173-315-010	AMD	90-10-058	173-340-200	NEW-P	90-02-098	173-340-700	AMD-P	90-15-066
173-315-040	AMD	90-10-058	173-340-200	NEW	90-08-086	173-340-705	NEW-P	90-15-066
173-315-050	AMD	90-10-058	173-340-200	AMD-P	90-15-066	173-340-710	NEW-P	90-15-066
173-315-060	AMD-P	90-12-094	173-340-210	NEW-W	90-02-097	173-340-720	NEW-P	90-15-066
173-321-040	AMD-P	90-11-123	173-340-210	NEW-P	90-02-098	173-340-730	NEW-P	90-15-066
173-321-050	AMD-P	90-11-123	173-340-210	NEW	90-08-086	173-340-740	NEW-P	90-15-066
173-322-010	NEW	90-10-057	173-340-210	AMD-P	90-15-066	173-340-745	NEW-P	90-15-066
173-322-020	NEW	90-10-057	173-340-300	NEW-W	90-02-097	173-340-750	AMD-P	90-15-066
173-322-030	NEW	90-10-057	173-340-300	NEW-P	90-02-098	173-340-760	AMD-P	90-15-066
173-322-040	NEW	90-10-057	173-340-300	NEW	90-08-086	173-340-800	NEW-W	90-02-097
173-322-050	NEW	90-10-057	173-340-300	AMD-P	90-15-066	173-340-800	NEW-P	90-02-098
173-322-060	NEW	90-10-057	173-340-310	NEW-W	90-02-097	173-340-800	NEW	90-08-086
173-322-070	NEW	90-10-057	173-340-310	NEW-P	90-02-098	173-340-810	NEW-W	90-02-097
173-322-080	NEW	90-10-057	173-340-310	NEW	90-08-086	173-340-810	NEW-P	90-02-098
173-322-090	NEW	90-10-057	173-340-320	NEW-W	90-02-097	173-340-810	NEW	90-08-086
173-322-100	NEW	90-10-057	173-340-320	NEW-P	90-02-098	173-340-820	NEW-W	90-02-097
173-322-110	NEW	90-10-057	173-340-320	NEW	90-08-086	173-340-820	NEW-P	90-02-098
173-322-120	NEW	90-10-057	173-340-330	NEW-W	90-02-097	173-340-820	NEW	90-08-086
173-336-010	REP-W	90-02-097	173-340-330	NEW-P	90-02-098	173-340-830	NEW-W	90-02-097
173-336-010	REP-P	90-02-098	173-340-330	NEW	90-08-086	173-340-830	NEW-P	90-02-098
173-336-010	REP	90-08-120	173-340-340	NEW-W	90-02-097	173-340-830	NEW	90-08-086
173-336-020	REP-W	90-02-097	173-340-340	NEW-P	90-02-098	173-340-830	AMD-P	90-15-066
173-336-020	REP-P	90-02-098	173-340-340	NEW	90-08-086	173-340-840	NEW-W	90-02-097
173-336-020	REP	90-08-120	173-340-350	NEW-W	90-02-097	173-340-840	NEW-P	90-02-098
173-336-030	REP-W	90-02-097	173-340-350	NEW-P	90-02-098	173-340-840	NEW	90-08-086
173-336-030	REP-P	90-02-098	173-340-350	NEW	90-08-086	173-340-850	NEW-W	90-02-097
173-336-030	REP	90-08-120	173-340-350	AMD-P	90-15-066	173-340-850	NEW-P	90-02-098
173-338-010	REP-W	90-02-097	173-340-360	NEW-W	90-02-097	173-340-850	NEW	90-08-086
173-338-010	REP-P	90-02-098	173-340-360	NEW-P	90-02-098	173-340-860	NEW-W	90-02-097
173-338-010	REP	90-08-120	173-340-360	NEW	90-08-086	173-340-860	NEW-P	90-02-098
173-338-020	REP-W	90-02-097	173-340-360	AMD-P	90-15-066	173-340-860	NEW	90-08-086
173-338-020	REP-P	90-02-098	173-340-400	NEW-W	90-02-097	173-340-870	NEW-W	90-02-097
173-338-020	REP	90-08-120	173-340-400	NEW-P	90-02-098	173-340-870	NEW-P	90-02-098
173-338-030	REP-W	90-02-097	173-340-400	NEW	90-08-086	173-340-870	NEW	90-08-086
173-338-030	REP-P	90-02-098	173-340-410	NEW-W	90-02-097	173-340-880	NEW-W	90-02-097
173-338-030	REP	90-08-120	173-340-410	NEW-P	90-02-098	173-340-880	NEW-P	90-02-098
173-338-040	REP-W	90-02-097	173-340-410	NEW	90-08-086	173-340-880	NEW	90-08-086
173-338-040	REP-P	90-02-098	173-340-420	NEW-W	90-02-097	173-340-890	NEW-W	90-02-097
173-338-040	REP	90-08-120	173-340-420	NEW-P	90-02-098	173-340-890	NEW-P	90-02-098
173-338-050	REP-W	90-02-097	173-340-420	NEW	90-08-086	173-340-890	NEW	90-08-086
173-338-050	REP-P	90-02-098	173-340-420	AMD-P	90-15-066	173-342-010	NEW	90-03-020
173-338-050	REP	90-08-120	173-340-430	NEW-W	90-02-097	173-342-020	NEW	90-03-020
173-340	AMD-W	90-02-097	173-340-430	NEW-P	90-02-098	173-342-030	NEW	90-03-020
173-340	AMD-P	90-02-098	173-340-430	NEW	90-08-086	173-342-040	NEW	90-03-020
173-340	AMD	90-08-086	173-340-430	AMD-P	90-15-066	173-342-050	NEW	90-03-020
173-340-010	REP-W	90-02-097	173-340-440	NEW-P	90-15-066	173-360-100	NEW-P	90-15-060
173-340-010	REP-P	90-02-098	173-340-450	NEW-P	90-15-066	173-360-105	NEW-P	90-15-060
173-340-010	REP	90-08-086	173-340-500	NEW-W	90-02-097	173-360-110	NEW-P	90-15-060
173-340-020	REP-W	90-02-097	173-340-500	NEW-P	90-02-098	173-360-120	NEW-P	90-15-060
173-340-020	REP-P	90-02-098	173-340-500	NEW	90-08-086	173-360-130	NEW-P	90-15-060
173-340-020	REP	90-08-086	173-340-510	NEW-W	90-02-097	173-360-140	NEW-P	90-15-060
173-340-030	REP-W	90-02-097	173-340-510	NEW-P	90-02-098	173-360-150	NEW-P	90-15-060
173-340-030	REP-P	90-02-098	173-340-510	NEW	90-08-086	173-360-160	NEW-P	90-15-060
173-340-030	REP	90-08-086	173-340-520	NEW-W	90-02-097	173-360-170	NEW-P	90-15-060
173-340-040	REP-W	90-02-097	173-340-520	NEW-P	90-02-098	173-360-180	NEW-P	90-15-060
173-340-040	REP-P	90-02-098	173-340-520	NEW	90-08-086	173-360-190	NEW-P	90-15-060
173-340-040	REP	90-08-086	173-340-530	NEW-W	90-02-097	173-360-200	NEW-P	90-15-060
173-340-050	REP-W	90-02-097	173-340-530	NEW-P	90-02-098	173-360-210	NEW-P	90-15-060
173-340-050	REP-P	90-02-098	173-340-530	NEW	90-08-086	173-360-220	NEW-P	90-15-060

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-27-015	AMD-P	90-13-083	180-59-145	AMD-P	90-13-083	180-79-364	AMD-P	90-08-114
180-27-020	AMD-P	90-13-083	180-72-045	AMD-P	90-13-083	180-79-364	AMD	90-12-075
180-27-025	AMD-P	90-13-083	180-75-003	AMD-P	90-13-083	180-81-003	AMD-P	90-13-083
180-27-030	AMD-P	90-13-083	180-75-005	AMD	90-02-073	180-85-045	AMD-P	90-08-115
180-27-050	AMD	90-04-031	180-75-018	REP	90-02-073	180-85-045	AMD	90-12-076
180-27-058	AMD	90-04-031	180-75-019	REP	90-02-073	180-85-080	REP-P	90-08-115
180-27-115	AMD-P	90-13-083	180-75-020	REP	90-02-073	180-85-080	REP	90-12-076
180-27-405	AMD-P	90-13-083	180-75-025	REP	90-02-073	180-85-083	REP-P	90-08-115
180-27-415	AMD-P	90-13-083	180-75-026	REP	90-02-073	180-85-083	REP	90-12-076
180-27-425	NEW	90-04-031	180-75-027	REP	90-02-073	180-85-085	AMD-P	90-08-115
180-29-005	AMD-P	90-13-083	180-75-030	REP	90-02-073	180-85-085	AMD	90-12-076
180-29-080	AMD-P	90-13-083	180-75-033	REP	90-02-073	180-85-100	AMD-P	90-08-115
180-29-105	AMD-P	90-13-083	180-75-034	REP	90-02-073	180-85-100	AMD	90-12-076
180-29-110	AMD-P	90-13-083	180-75-035	REP	90-02-073	180-85-105	AMD-P	90-08-115
180-29-300	REP	90-04-032	180-75-037	REP	90-02-073	180-85-105	AMD	90-12-076
180-30-015	AMD-P	90-13-083	180-75-038	REP	90-02-073	180-85-106	NEW-P	90-08-115
180-30-105	AMD-P	90-13-083	180-75-039	REP	90-02-073	180-85-106	NEW	90-12-076
180-30-220	AMD-P	90-13-083	180-75-040	REP	90-02-073	180-85-107	NEW-P	90-08-115
180-30-450	AMD-P	90-13-083	180-75-042	REP	90-02-073	180-85-107	NEW	90-12-076
180-30-460	AMD-P	90-13-083	180-75-043	REP	90-02-073	180-85-108	NEW-P	90-08-115
180-30-495	AMD-P	90-13-083	180-75-044	REP	90-02-073	180-85-108	NEW	90-12-076
180-30-725	AMD-P	90-13-083	180-75-045	AMD	90-02-073	180-85-109	NEW-P	90-08-115
180-31-005	AMD-P	90-13-083	180-75-061	AMD-P	90-08-112	180-85-109	NEW	90-12-076
180-32-005	AMD-P	90-13-083	180-75-061	AMD	90-12-121	180-85-110	AMD-P	90-08-115
180-33-005	AMD-P	90-13-083	180-75-065	AMD-P	90-08-112	180-85-110	AMD	90-12-076
180-33-020	AMD-P	90-13-083	180-75-065	AMD-P	90-13-083	180-85-115	AMD-P	90-08-115
180-33-030	AMD-P	90-13-083	180-75-081	AMD	90-02-073	180-85-115	AMD	90-12-076
180-34-005	AMD-P	90-13-083	180-75-084	REP	90-02-073	180-85-202	REP-P	90-08-115
180-34-010	AMD-P	90-13-083	180-75-085	AMD-P	90-13-083	180-85-202	REP	90-12-076
180-36-005	AMD-P	90-13-083	180-75-086	REP	90-02-073	180-85-205	AMD-P	90-08-115
180-38-005	AMD-P	90-13-083	180-75-087	AMD-P	90-13-083	180-85-205	AMD	90-12-076
180-38-025	AMD-P	90-13-083	180-75-090	AMD-P	90-08-112	180-86-003	NEW	90-02-076
180-38-030	AMD-P	90-13-083	180-75-090	AMD	90-12-121	180-86-005	NEW	90-02-076
180-38-040	AMD-P	90-13-083	180-75-100	AMD-P	90-13-083	180-86-010	NEW	90-02-076
180-38-045	AMD-P	90-13-083	180-75-199	REP	90-02-073	180-86-012	NEW	90-02-076
180-38-050	AMD-P	90-13-083	180-78-003	AMD-P	90-13-083	180-86-015	NEW	90-02-076
180-39-005	AMD-P	90-13-083	180-78-010	AMD-P	90-13-083	180-86-020	NEW	90-02-076
180-39-020	AMD-P	90-13-083	180-78-057	AMD-P	90-08-113	180-86-030	NEW	90-02-076
180-40-200	AMD-P	90-13-083	180-78-057	AMD	90-12-073	180-86-035	NEW	90-02-076
180-40-210	AMD-P	90-13-083	180-78-130	AMD-P	90-13-083	180-86-040	NEW	90-02-076
180-40-225	AMD-P	90-13-083	180-78-191	AMD	90-02-074	180-86-050	NEW	90-02-076
180-40-235	AMD-P	90-13-082	180-78-191	AMD	90-02-104	180-86-055	NEW	90-02-076
180-40-245	AMD-P	90-13-083	180-78-192	REP	90-02-074	180-86-065	NEW	90-02-076
180-40-260	AMD-P	90-13-083	180-78-192	REP	90-02-104	180-86-070	NEW	90-02-076
180-40-275	AMD-P	90-13-083	180-78-193	REP	90-02-074	180-86-075	NEW	90-02-076
180-41-010	AMD-P	90-13-083	180-78-193	REP	90-02-104	180-86-085	NEW	90-02-076
180-43-005	AMD-P	90-13-083	180-78-194	REP	90-02-074	180-86-090	NEW	90-02-076
180-43-010	AMD-P	90-13-083	180-78-194	REP	90-02-104	180-86-095	NEW	90-02-076
180-43-015	AMD-P	90-13-083	180-78-195	REP	90-02-074	180-86-097	NEW	90-02-076
180-44-005	AMD-P	90-13-083	180-78-195	REP	90-02-104	180-86-100	NEW	90-02-076
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180-50-100	AMD-P	90-13-083	180-78-197	REP	90-02-104	180-86-110	NEW	90-02-076
180-50-105	AMD-P	90-13-083	180-78-198	REP	90-02-074	180-86-115	NEW	90-02-076
180-50-115	AMD-P	90-13-083	180-78-198	REP	90-02-104	180-86-120	NEW	90-02-076
180-50-120	AMD-P	90-13-083	180-78-199	REP	90-02-074	180-86-130	NEW	90-02-076
180-50-125	AMD-P	90-13-083	180-78-199	REP	90-02-104	180-86-135	NEW	90-02-076
180-50-130	AMD-P	90-13-083	180-78-225	AMD-P	90-13-083	180-86-140	NEW	90-02-076
180-50-135	AMD-P	90-13-083	180-79-045	AMD-P	90-08-114	180-86-145	NEW	90-02-076
180-51-005	AMD-P	90-13-083	180-79-045	AMD	90-12-075	180-86-150	NEW	90-02-076
180-51-075	AMD-P	90-13-083	180-79-049	AMD-P	90-08-114	180-86-155	NEW	90-02-076
180-51-080	AMD-P	90-13-083	180-79-049	AMD	90-12-075	180-86-160	NEW	90-02-076
180-51-085	AMD-P	90-13-083	180-79-060	AMD-P	90-08-114	180-86-165	NEW	90-02-076
180-51-100	AMD-P	90-13-083	180-79-060	AMD	90-12-075	180-86-170	NEW	90-02-076
180-51-105	AMD-P	90-13-083	180-79-065	AMD-P	90-08-114	180-86-175	NEW	90-02-076
180-51-115	AMD-P	90-13-083	180-79-065	AMD	90-12-075	180-86-180	NEW	90-02-076
180-52-015	AMD-P	90-13-083	180-79-075	AMD-P	90-08-114	180-86-185	NEW	90-02-076
180-53-005	AMD-P	90-13-083	180-79-075	AMD	90-12-075	180-86-200	NEW	90-02-076
180-55-005	AMD-P	90-13-083	180-79-080	AMD-P	90-08-114	180-87-001	NEW	90-02-075
180-55-015	AMD-P	90-13-083	180-79-080	AMD	90-12-075	180-87-005	NEW	90-02-075
180-56-205	AMD-P	90-13-083	180-79-230	AMD-E	90-08-111	180-87-010	NEW	90-02-075
180-56-260	AMD-P	90-13-083	180-79-230	AMD-P	90-08-114	180-87-015	NEW	90-02-075
180-57-005	AMD-P	90-13-083	180-79-230	AMD-E	90-09-027	180-87-020	NEW	90-02-075
180-57-100	AMD-P	90-13-083	180-79-230	AMD	90-12-075	180-87-025	NEW	90-02-075
180-58-015	AMD-P	90-13-083	180-79-245	AMD-P	90-08-114	180-87-030	NEW	90-02-075
180-58-075	AMD-P	90-13-083	180-79-245	AMD	90-12-075	180-87-035	NEW	90-02-075
180-59-005	AMD-P	90-13-083	180-79-362	AMD-P	90-08-114	180-87-040	NEW	90-02-075
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180-87-055	NEW	90-02-075	204-44-030	AMD	90-06-055	220-20	AMD-C	90-06-043
180-87-060	NEW	90-02-075	204-48-020	AMD-P	90-08-023	220-20-010	AMD-P	90-06-079
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180-87-080	NEW	90-02-075	204-68-020	REP-P	90-13-061	220-20-020	AMD	90-06-045
180-87-085	NEW	90-02-075	204-68-030	REP-P	90-13-061	220-20-020	AMD-C	90-07-002
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180-90-125	AMD-P	90-13-083	204-68-070	REP-P	90-13-061	220-22-020	AMD	90-03-068
180-90-150	AMD-P	90-13-083	204-68-080	REP-P	90-13-061	220-22-030	AMD-P	90-09-093
180-90-160	AMD-P	90-13-083	204-68-090	REP-P	90-13-061	220-22-030	AMD	90-13-025
180-95-005	AMD-P	90-13-083	204-68-100	REP-P	90-13-061	220-24-02000L	NEW-E	90-10-033
180-95-010	AMD-P	90-13-083	204-68-110	REP-P	90-13-061	220-24-02000L	REP-E	90-11-046
180-96-005	AMD-P	90-13-083	204-68-120	REP-P	90-13-061	220-24-02000M	NEW-E	90-11-046
180-96-050	AMD-P	90-13-083	204-68-130	REP-P	90-13-061	220-24-02000M	REP-E	90-11-086
180-110-010	AMD-P	90-13-083	204-68-140	REP-P	90-13-061	220-24-02000N	NEW-E	90-11-086
180-115-005	AMD-P	90-13-083	204-74-010	NEW-P	90-13-062	220-24-02000N	REP-E	90-12-010
182-12-115	AMD-P	90-04-087	204-74-020	NEW-P	90-13-062	220-24-02000P	NEW-E	90-12-010
182-12-115	AMD	90-12-037	204-74-030	NEW-P	90-13-062	220-24-02000P	REP-E	90-12-036
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192-12-350	NEW	90-08-028	204-74-050	NEW-P	90-13-062	220-24-02000Q	REP-E	90-13-007
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192-12-360	NEW	90-08-028	204-74-070	NEW-P	90-13-062	220-24-02000R	REP-E	90-13-034
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192-16-004	NEW-P	90-11-120	204-74A-020	NEW-P	90-13-062	220-28-41303	NEW-E	90-02-065
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192-16-305	NEW-W	90-14-094	204-74A-050	NEW-P	90-13-062	220-32-05500U	NEW-E	90-10-053
192-16-310	NEW-W	90-14-094	204-74A-060	NEW-P	90-13-062	220-32-05700E	NEW-E	90-03-006
192-16-315	NEW-W	90-14-094	204-82A-020	AMD-P	90-13-063	220-32-05900R	NEW-E	90-10-034
192-16-320	NEW-W	90-14-094	204-82A-040	AMD-P	90-13-063	220-33-01000L	REP-E	90-05-008
192-16-325	NEW-W	90-14-094	204-82A-050	AMD-P	90-13-063	220-33-01000M	NEW-E	90-05-008
192-16-330	NEW-W	90-14-094	204-82A-070	NEW-P	90-13-063	220-33-01000M	REP-E	90-05-030
192-16-335	NEW-W	90-14-094	204-88-030	AMD	90-06-056	220-33-01000N	NEW-E	90-05-030
192-16-340	NEW-W	90-14-094	204-93-010	AMD-P	90-13-063	220-33-03000B	NEW-E	90-11-071
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192-28-130	AMD-P	90-11-119	204-93-050	AMD-P	90-13-063	220-36-031	AMD-P	90-09-092
192-28-145	NEW-P	90-11-121	204-93-060	AMD-P	90-13-063	220-40-021	AMD-P	90-09-092
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196-27-020	AMD	90-05-071	212-17-300	AMD	90-10-006	220-44-05000D	NEW-E	90-07-031
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204-30-030	NEW-P	90-10-076	212-17-315	AMD-P	90-04-097	220-47-307	AMD-P	90-09-093
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204-30-040	NEW	90-13-060	212-17-317	NEW	90-10-006	220-47-311	AMD	90-13-025
204-30-050	NEW-P	90-10-076	212-17-325	AMD-P	90-04-097	220-47-312	REP-P	90-09-093
204-30-050	NEW	90-13-060	212-17-325	AMD	90-10-006	220-47-312	REP	90-13-025
204-30-060	NEW-P	90-10-076	212-17-330	AMD-P	90-04-097	220-47-313	REP-P	90-09-093
204-30-060	NEW	90-13-060	212-17-330	AMD	90-10-006	220-47-313	REP	90-13-025
204-30-070	NEW-P	90-10-076	212-17-335	AMD-P	90-04-097	220-47-319	AMD-P	90-09-093
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220-49-02000C	NEW-E	90-10-032	220-56-36000T	NEW-E	90-07-039	222-20-050	AMD-W	90-10-099
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220-52-07100E	REP-E	90-11-060	220-56-38000H	NEW	90-04-041	230-02-030	AMD	90-15-044
220-52-07100F	NEW-E	90-11-060	220-56-400	AMD-P	90-02-112	230-04-020	AMD	90-03-064
220-52-07100G	NEW-E	90-13-024	220-56-400	AMD	90-06-026	230-04-190	AMD	90-03-064
220-52-07300H	NEW-E	90-03-067	220-57	AMD-C	90-06-025	230-04-270	AMD	90-03-064
220-52-07400A	NEW-E	90-15-040	220-57	AMD-C	90-06-042	230-08-120	AMD-P	90-05-034
220-55-010	AMD-P	90-08-008	220-57-140	AMD-P	90-02-112	230-08-120	AMD	90-10-007
220-55-01000A	NEW-E	90-07-040	220-57-140	AMD	90-06-026	230-08-125	AMD-P	90-05-034
220-55-01000A	REP-E	90-08-034	220-57-160	AMD-P	90-02-112	230-08-125	AMD	90-10-007
220-55-01000B	NEW-E	90-08-034	220-57-160	AMD	90-06-026	230-08-260	AMD-P	90-10-008
220-55-015	AMD-P	90-08-008	220-57-16000D	NEW-E	90-08-032	230-08-260	AMD	90-13-022
220-55-086	AMD	90-03-068	220-57-16000E	NEW-E	90-14-015	230-12-900	AMD-P	90-15-064
220-55-150	NEW	90-03-068	220-57-16000F	NEW-E	90-15-045	230-20-064	AMD-P	90-05-034
220-56	AMD-C	90-06-025	220-57-220	AMD-P	90-02-112	230-20-064	AMD	90-10-007
220-56-105	AMD-P	90-02-112	220-57-220	AMD	90-06-026	230-20-325	AMD	90-05-032
220-56-105	AMD	90-06-026	220-57-242	NEW-P	90-02-112	230-20-325	AMD-W	90-10-098
220-56-115	AMD-P	90-02-112	220-57-242	NEW-W	90-15-050	230-20-698	NEW	90-05-033
220-56-115	AMD	90-06-026	220-57-260	AMD-P	90-02-112	230-30-050	AMD-E	90-15-043
220-56-125	AMD-P	90-02-112	220-57-260	AMD	90-06-026	230-30-050	AMD-P	90-15-064
220-56-125	AMD	90-06-026	220-57-270	AMD-P	90-02-112	230-30-052	NEW-P	90-05-034
220-56-126	AMD-P	90-02-112	220-57-270	AMD	90-06-026	230-30-052	NEW	90-10-007
220-56-126	AMD	90-06-026	220-57-290	AMD-P	90-02-112	230-30-070	AMD	90-05-032
220-56-127	AMD-P	90-02-112	220-57-290	AMD	90-06-026	230-30-070	AMD-E	90-06-020
220-56-127	AMD	90-06-026	220-57-29000L	NEW-E	90-13-006	230-30-070	AMD-P	90-06-021
220-56-128	AMD-P	90-02-112	220-57-315	AMD-P	90-02-112	230-30-070	AMD	90-11-058
220-56-128	AMD	90-06-026	220-57-315	AMD-W	90-15-050	230-30-102	AMD-E	90-15-043
220-56-156	AMD-C	90-06-081	220-57-31500S	NEW-E	90-07-032	230-30-102	AMD-P	90-15-064
220-56-156	AMD	90-08-001	220-57-31500S	REP-E	90-12-082	230-30-104	AMD-E	90-15-043
220-56-160	AMD-P	90-02-112	220-57-31500T	NEW-E	90-12-082	230-30-104	AMD-P	90-15-064
220-56-160	AMD	90-06-026	220-57-328	NEW-P	90-02-112	230-40-010	AMD	90-05-032
220-56-165	AMD-P	90-02-112	220-57-328	NEW-W	90-15-050	230-40-120	AMD	90-05-032
220-56-165	AMD	90-06-026	220-57-42500T	NEW-E	90-12-064	230-40-125	NEW	90-05-032
220-56-175	AMD-P	90-02-112	220-57-465	AMD-P	90-02-112	230-40-125	AMD-E	90-07-019
220-56-175	AMD	90-06-026	220-57-465	AMD	90-06-026	230-40-125	AMD-P	90-07-022
220-56-180	AMD-P	90-02-112	220-57-497	NEW-P	90-02-112	230-40-125	AMD	90-11-058
220-56-180	AMD	90-06-026	220-57-497	NEW	90-06-044	230-46-025	NEW-P	90-10-008
220-56-190	AMD-P	90-02-112	220-57-49700E	NEW-E	90-13-006	230-46-025	NEW	90-13-022
220-56-190	AMD	90-06-026	220-57-505	AMD-P	90-02-112	230-50-012	AMD-P	90-03-060
220-56-19000R	NEW-E	90-12-064	220-57-505	AMD	90-06-026	230-50-012	AMD-E	90-03-061
220-56-19000S	NEW-E	90-13-056	220-57-50500R	NEW-E	90-07-032	230-50-012	AMD	90-07-018
220-56-195	AMD-P	90-02-112	220-57-515	AMD-P	90-02-112	230-50-560	AMD-E	90-09-073
220-56-195	AMD	90-06-026	220-57-515	AMD-W	90-15-050	230-50-560	AMD-P	90-10-008
220-56-197	AMD-P	90-02-112	220-57-51500E	NEW-E	90-07-032	230-50-560	AMD	90-13-022
220-56-197	AMD	90-06-026	220-57-51500E	REP-E	90-12-067	230-50-580	AMD-E	90-09-073
220-56-205	AMD-P	90-02-112	220-57-51500F	NEW-E	90-12-035	230-50-580	AMD-P	90-10-008
220-56-205	AMD	90-06-026	220-57-530	NEW-P	90-02-112	230-50-580	AMD	90-13-022
220-56-230	NEW-P	90-02-112	220-57-530	NEW-W	90-15-050	230-60-010	AMD	90-03-064
220-56-230	NEW	90-06-026	220-57A	AMD-C	90-06-025	230-60-020	REP	90-03-064
220-56-235	AMD-P	90-02-112	220-57A-080	AMD-P	90-02-112	230-60-025	AMD	90-03-064
220-56-235	AMD	90-06-026	220-57A-080	AMD	90-06-026	230-60-065	AMD-E	90-15-043
220-56-240	AMD-P	90-02-112	220-57A-180	AMD-P	90-02-112	230-60-065	AMD-P	90-15-064
220-56-240	AMD	90-06-026	220-57A-180	AMD	90-06-026	230-60-100	NEW	90-05-032
220-56-24500G	NEW-E	90-08-003	220-69-220	AMD	90-03-068	232-12-011	AMD-P	90-04-098
220-56-25500F	NEW-E	90-08-003	220-69-237	AMD	90-03-068	232-12-011	AMD	90-11-065
220-56-282	AMD-P	90-02-112	220-69-237	AMD-P	90-09-050	232-12-011	AMD-W	90-13-074
220-56-282	AMD	90-06-026	220-69-238	AMD	90-03-068	232-12-017	AMD-P	90-06-084
220-56-307	AMD-P	90-02-112	220-69-238	AMD-P	90-09-050	232-12-017	AMD	90-10-067
220-56-307	AMD	90-06-026	220-69-239	NEW-P	90-09-050	232-12-019	AMD-P	90-06-085
220-56-310	AMD-P	90-02-112	220-69-23900A	NEW-E	90-09-051	232-12-019	AMD	90-10-068
220-56-310	AMD	90-06-026	220-69-260	AMD	90-03-068	232-12-047	AMD-P	90-06-091
220-56-31000J	NEW-E	90-15-040	220-69-264	AMD	90-03-068	232-12-047	AMD	90-14-108

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232-12-051	AMD-P	90-06-092	232-28-811	REP	90-11-064	248-08-545	NEW	90-06-018
232-12-051	AMD	90-14-109	232-28-812	NEW-P	90-04-105	248-08-550	REP	90-06-018
232-12-054	AMD	90-03-092	232-28-812	NEW	90-11-064	248-08-560	REP	90-06-018
232-12-141	AMD-P	90-13-097	236-48-198	AMD-P	90-11-011	248-08-565	NEW	90-06-018
232-12-168	AMD-P	90-14-105	246-09-060	NEW-P	90-04-030	248-08-570	REP	90-06-018
232-12-177	AMD-P	90-06-089	246-09-060	NEW	90-08-003	248-08-575	NEW	90-06-018
232-12-177	AMD	90-11-050	248-06-385	AMD	90-06-019	248-08-580	REP	90-06-018
232-12-184	RE-AD-P	90-06-090	248-08-001	REP	90-06-018	248-08-590	REP	90-06-018
232-12-184	RE-AD	90-11-049	248-08-010	REP	90-06-018	248-08-700	REP	90-06-018
232-12-187	RE-AD-P	90-06-090	248-08-020	REP	90-06-018	248-08-705	REP	90-06-018
232-12-187	RE-AD	90-11-049	248-08-030	REP	90-06-018	248-08-710	REP	90-06-018
232-12-191	AMD-P	90-06-088	248-08-040	REP	90-06-018	248-08-715	REP	90-06-018
232-12-191	AMD	90-11-051	248-08-050	REP	90-06-018	248-08-720	REP	90-06-018
232-12-227	AMD-P	90-12-099	248-08-060	REP	90-06-018	248-08-725	REP	90-06-018
232-12-251	RE-AD-P	90-06-090	248-08-070	REP	90-06-018	248-08-730	REP	90-06-018
232-12-251	RE-AD	90-11-049	248-08-075	REP	90-06-018	248-08-735	REP	90-06-018
232-12-254	RE-AD-P	90-06-090	248-08-080	REP	90-06-018	248-08-740	REP	90-06-018
232-12-254	RE-AD	90-11-049	248-08-090	REP	90-06-018	248-08-750	REP	90-06-018
232-12-297	NEW-P	90-04-099	248-08-100	REP	90-06-018	248-08-755	REP	90-06-018
232-12-297	NEW	90-11-066	248-08-110	REP	90-06-018	248-08-760	REP	90-06-018
232-12-297	NEW-W	90-13-075	248-08-120	REP	90-06-018	248-08-765	REP	90-06-018
232-12-827	REP-P	90-12-100	248-08-130	REP	90-06-018	248-08-770	REP	90-06-018
232-12-831	NEW-P	90-12-100	248-08-140	REP	90-06-018	248-08-775	REP	90-06-018
232-16-710	NEW-P	90-13-098	248-08-150	REP	90-06-018	248-08-780	REP	90-06-018
232-16-720	NEW-P	90-13-099	248-08-160	REP	90-06-018	248-08-785	REP	90-06-018
232-28-022	NEW-P	90-04-100	248-08-170	REP	90-06-018	248-08-790	REP	90-06-018
232-28-022	NEW	90-13-049	248-08-180	REP	90-06-018	248-08-800	REP	90-06-018
232-28-215	REP-P	90-13-100	248-08-190	REP	90-06-018	248-08-805	REP	90-06-018
232-28-218	REP-P	90-04-100	248-08-200	REP	90-06-018	248-08-810	REP	90-06-018
232-28-218	REP	90-14-110	248-08-210	REP	90-06-018	248-08-815	REP	90-06-018
232-28-21810	REP-P	90-15-074	248-08-220	REP	90-06-018	248-08-820	REP	90-06-018
232-28-219	NEW-P	90-06-093	248-08-230	REP	90-06-018	248-08-825	REP	90-06-018
232-28-219	NEW	90-13-044	248-08-240	REP	90-06-018	248-08-830	REP	90-06-018
232-28-220	NEW-P	90-06-094	248-08-250	REP	90-06-018	248-08-835	REP	90-06-018
232-28-220	NEW	90-13-045	248-08-260	REP	90-06-018	248-08-840	REP	90-06-018
232-28-22001	NEW-P	90-15-073	248-08-270	REP	90-06-018	248-08-845	REP	90-06-018
232-28-221	NEW-P	90-06-095	248-08-280	REP	90-06-018	248-14-001	AMD-P	90-13-031
232-28-221	NEW	90-13-046	248-08-290	REP	90-06-018	248-14-070	AMD-C	90-04-015
232-28-222	NEW-P	90-06-096	248-08-300	REP	90-06-018	248-14-070	AMD	90-04-071
232-28-222	NEW	90-13-047	248-08-310	REP	90-06-018	248-14-080	AMD-P	90-13-031
232-28-223	NEW-P	90-06-097	248-08-320	REP	90-06-018	248-14-240	AMD-P	90-13-031
232-28-223	NEW	90-13-048	248-08-330	REP	90-06-018	248-14-249	NEW-P	90-13-031
232-28-224	NEW-P	90-13-100	248-08-340	REP	90-06-018	248-15-110	AMD	90-06-019
232-28-413	REP-P	90-13-101	248-08-350	REP	90-06-018	248-16-031	AMD	90-06-019
232-28-414	NEW-P	90-12-101	248-08-360	REP	90-06-018	248-17-060	AMD	90-06-019
232-28-414	NEW-W	90-13-096	248-08-370	REP	90-06-018	248-17-213	AMD-P	90-14-042
232-28-414	NEW-P	90-13-101	248-08-380	REP	90-06-018	248-17-213	AMD-E	90-14-044
232-28-511	REP-P	90-13-102	248-08-390	REP	90-06-018	248-17-230	AMD	90-06-019
232-28-512	NEW-P	90-13-102	248-08-400	REP	90-06-018	248-18-010	AMD-P	90-08-099
232-28-61728	NEW	90-02-070	248-08-410	AMD	90-06-018	248-18-010	AMD	90-12-014
232-28-61729	NEW	90-02-071	248-08-413	NEW	90-06-018	248-18-015	AMD	90-06-019
232-28-61730	NEW-E	90-03-072	248-08-420	REP	90-06-018	248-18-018	AMD-P	90-08-099
232-28-61731	NEW-E	90-08-066	248-08-425	NEW	90-06-018	248-18-018	AMD	90-12-014
232-28-61802	NEW-E	90-02-067	248-08-428	NEW	90-06-018	248-18-020	AMD-P	90-08-099
232-28-61802	NEW-P	90-04-101	248-08-430	REP	90-06-018	248-18-020	AMD	90-12-014
232-28-61802	NEW	90-08-064	248-08-431	NEW	90-06-018	248-18-221	AMD-P	90-08-099
232-28-61803	NEW-E	90-02-068	248-08-434	NEW	90-06-018	248-18-221	AMD	90-12-014
232-28-61803	NEW-P	90-04-102	248-08-437	NEW	90-06-018	248-18-245	AMD-P	90-08-099
232-28-61803	NEW	90-08-065	248-08-440	AMD	90-06-018	248-18-245	AMD	90-12-014
232-28-61804	NEW-E	90-02-069	248-08-446	NEW	90-06-018	248-18-510	AMD-P	90-08-099
232-28-61804	NEW-P	90-04-103	248-08-449	NEW	90-06-018	248-18-510	AMD	90-12-014
232-28-61804	NEW	90-08-067	248-08-450	REP	90-06-018	248-18-520	AMD-P	90-08-099
232-28-61805	NEW-E	90-02-066	248-08-452	NEW	90-06-018	248-18-520	AMD	90-12-014
232-28-61805	NEW-P	90-04-104	248-08-460	REP	90-06-018	248-18-525	AMD-P	90-08-099
232-28-61805	NEW	90-08-063	248-08-461	NEW	90-06-018	248-18-525	AMD	90-12-014
232-28-61806	NEW-P	90-06-086	248-08-464	NEW	90-06-018	248-18-530	AMD-P	90-08-099
232-28-61806	NEW-E	90-09-052	248-08-470	AMD	90-06-018	248-18-530	AMD	90-12-014
232-28-61807	NEW-P	90-06-087	248-08-480	REP	90-06-018	248-18-534	AMD-P	90-08-099
232-28-61807	NEW	90-10-069	248-08-490	REP	90-06-018	248-18-534	AMD	90-12-014
232-28-61808	NEW-P	90-13-103	248-08-500	REP	90-06-018	248-18-555	AMD-P	90-08-099
232-28-61809	NEW-P	90-14-106	248-08-510	REP	90-06-018	248-18-555	AMD	90-12-014
232-28-61809	NEW-S	90-15-072	248-08-515	NEW	90-06-018	248-18-560	AMD-P	90-08-099
232-28-61810	NEW-P	90-14-107	248-08-520	REP	90-06-018	248-18-560	AMD	90-12-014
232-28-61811	NEW-P	90-14-107	248-08-525	NEW	90-06-018	248-18-565	AMD-P	90-08-099
232-28-712	REP	90-03-083	248-08-530	REP	90-06-018	248-18-565	AMD	90-12-014
232-28-713	NEW	90-03-083	248-08-535	NEW	90-06-018	248-18-568	AMD-P	90-08-099
232-28-811	REP-P	90-04-105	248-08-540	REP	90-06-018	248-18-568	AMD	90-12-014

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248-18-640	AMD-P	90-08-099	248-31-045	AMD	90-06-019	248-98-102	NEW-P	90-02-072
248-18-640	AMD	90-12-014	248-31-055	AMD	90-06-019	248-98-102	NEW	90-07-010
248-18-645	AMD-P	90-08-099	248-33-040	AMD	90-05-038	248-98-104	NEW-P	90-02-072
248-18-645	AMD	90-12-014	248-33-060	REP	90-05-038	248-98-104	NEW	90-07-010
248-18-650	AMD-P	90-08-099	248-33-080	REP	90-05-038	248-98-110	AMD-P	90-02-072
248-18-650	AMD	90-12-014	248-36-025	AMD	90-06-019	248-98-110	AMD	90-07-010
248-18-660	AMD-P	90-08-099	248-36-035	AMD	90-06-019	248-98-120	AMD-P	90-02-072
248-18-660	AMD	90-12-014	248-36-045	AMD	90-06-019	248-98-120	AMD	90-07-010
248-18-665	AMD-P	90-08-099	248-36-055	AMD	90-06-019	248-98-130	NEW-P	90-02-072
248-18-665	AMD	90-12-014	248-38-001	NEW-P	90-14-128	248-98-130	NEW	90-07-010
248-18-675	AMD-P	90-08-099	248-38-010	NEW-P	90-14-128	248-98-135	NEW-P	90-02-072
248-18-675	AMD	90-12-014	248-38-020	NEW-P	90-14-128	248-98-135	NEW	90-07-010
248-18-680	AMD-P	90-08-099	248-38-030	NEW-P	90-14-128	248-98-998	NEW-P	90-02-072
248-18-680	AMD	90-12-014	248-38-040	NEW-P	90-14-128	248-98-998	NEW	90-07-010
248-18-685	AMD-P	90-08-099	248-38-050	NEW-P	90-14-128	248-98-999	REP-P	90-02-072
248-18-685	AMD	90-12-014	248-38-060	NEW-P	90-14-128	248-98-999	REP	90-07-010
248-18-690	AMD-P	90-08-099	248-38-070	NEW-P	90-14-128	248-100-016	AMD-P	90-02-095
248-18-690	AMD	90-12-014	248-38-080	NEW-P	90-14-128	248-100-016	AMD	90-07-033
248-18-695	AMD-P	90-08-099	248-38-090	NEW-P	90-14-128	248-100-021	AMD-P	90-06-063
248-18-695	AMD	90-12-014	248-38-100	NEW-P	90-14-128	248-100-021	AMD	90-10-036
248-18-705	AMD-P	90-08-099	248-38-110	NEW-P	90-14-128	248-100-086	AMD-P	90-06-063
248-18-705	AMD	90-12-014	248-38-120	NEW-P	90-14-128	248-100-086	AMD	90-10-036
248-18-719	AMD-P	90-08-099	248-55-220	AMD	90-06-019	248-100-217	NEW-P	90-06-063
248-18-719	AMD	90-12-014	248-55-230	REP	90-06-019	248-100-217	NEW	90-10-036
248-18-99902	AMD-P	90-08-099	248-55-235	NEW	90-06-019	248-101-020	AMD-E	90-11-038
248-18-99902	AMD	90-12-014	248-55-240	AMD	90-06-019	248-101-020	NEW-E	90-11-038
248-19-220	AMD	90-02-093	248-55-250	REP	90-06-019	248-106-001	NEW	90-02-094
248-19-220	AMD-P	90-14-127	248-55-260	REP	90-06-019	248-106-010	NEW	90-02-094
248-19-231	AMD-P	90-14-126	248-58-085	NEW	90-06-049	248-106-020	NEW	90-02-094
248-19-235	NEW-P	90-14-126	248-59-030	AMD	90-06-019	248-106-030	NEW-P	90-08-104
248-19-373	REP-P	90-08-105	248-59-040	REP	90-06-019	248-140-200	AMD	90-05-038
248-19-373	REP	90-12-072	248-59-050	REP	90-06-019	248-144-031	AMD	90-06-049
248-19-375	REP-P	90-08-105	248-59-060	REP	90-06-019	248-168-010	AMD-P	90-11-063
248-19-375	REP	90-12-072	248-59-070	REP	90-06-019	248-168-015	NEW-P	90-11-063
248-19-403	REP-P	90-08-105	248-59-080	REP	90-06-019	248-168-020	AMD-P	90-11-063
248-19-403	REP	90-12-072	248-63-025	AMD	90-06-049	248-168-030	AMD-P	90-11-063
248-19-480	AMD	90-06-019	248-91-060	AMD	90-06-019	248-168-040	AMD-P	90-11-063
248-19-600	NEW-P	90-10-022	248-97-130	AMD	90-06-049	248-168-050	AMD-P	90-11-063
248-19-600	NEW	90-13-116	248-97-135	NEW	90-06-049	248-168-060	AMD-P	90-11-063
248-19-601	NEW-P	90-12-096	248-98-001	AMD-P	90-02-072	248-168-070	NEW-P	90-11-063
248-19-700	NEW-P	90-12-096	248-98-001	AMD	90-07-010	248-170-001	NEW	90-04-082
248-19-701	NEW-P	90-12-096	248-98-003	NEW-P	90-02-072	248-170-020	NEW	90-04-082
248-19-800	NEW-P	90-08-102	248-98-003	NEW	90-07-010	248-170-100	NEW	90-04-082
248-19-800	NEW	90-12-071	248-98-005	NEW-P	90-02-072	248-170-130	NEW	90-04-082
248-19-805	NEW-P	90-08-102	248-98-005	NEW	90-07-010	248-170-160	NEW	90-04-082
248-19-805	NEW	90-12-071	248-98-010	AMD-P	90-02-072	248-170-200	NEW	90-04-082
248-19-806	NEW-P	90-08-102	248-98-010	AMD	90-07-010	248-170-300	NEW	90-04-082
248-19-806	NEW	90-12-071	248-98-015	NEW-P	90-02-072	248-170-320	NEW	90-04-082
248-19-810	NEW-P	90-08-105	248-98-015	NEW	90-07-010	248-180-010	NEW	90-03-052
248-19-810	NEW	90-12-072	248-98-020	AMD-P	90-02-072	248-180-020	NEW	90-03-052
248-19-811	NEW-P	90-08-105	248-98-020	AMD	90-07-010	248-320-340	NEW	90-06-018
248-19-811	NEW	90-12-072	248-98-025	NEW-P	90-02-072	248-320-350	NEW	90-06-018
248-19-820	NEW-P	90-08-105	248-98-025	NEW	90-07-010	248-320-360	NEW	90-06-018
248-19-840	NEW-P	90-08-105	248-98-030	AMD-P	90-02-072	248-320-370	NEW	90-06-018
248-19-840	NEW	90-12-072	248-98-030	AMD	90-07-010	248-320-400	NEW	90-06-018
248-19-860	NEW-P	90-08-105	248-98-035	NEW-P	90-02-072	248-320-410	NEW	90-06-018
248-19-860	NEW	90-12-072	248-98-035	NEW	90-07-010	248-320-500	NEW	90-06-018
248-19-880	NEW-P	90-08-103	248-98-040	AMD-P	90-02-072	248-554-030	AMD-C	90-04-016
248-19-880	NEW-W	90-10-083	248-98-040	AMD	90-07-010	248-554-030	AMD	90-04-072
248-19-882	NEW-P	90-08-103	248-98-045	NEW-P	90-02-072	250-20-001	AMD	90-04-067
248-19-882	NEW-W	90-10-083	248-98-045	NEW	90-07-010	250-20-011	AMD	90-04-067
248-19-884	NEW-P	90-08-103	248-98-050	AMD-P	90-02-072	250-20-015	AMD	90-04-067
248-19-884	NEW-W	90-10-083	248-98-050	AMD	90-07-010	250-20-021	AMD	90-04-067
248-19-886	NEW-P	90-08-103	248-98-060	AMD-P	90-02-072	250-20-031	AMD	90-04-067
248-19-886	NEW-W	90-10-083	248-98-060	AMD	90-07-010	250-20-037	NEW	90-04-067
248-21-005	AMD	90-05-038	248-98-080	AMD-P	90-02-072	250-20-041	AMD	90-04-067
248-22-005	AMD	90-06-019	248-98-080	AMD	90-07-010	250-20-051	AMD	90-04-067
248-23-010	AMD	90-06-019	248-98-085	NEW-P	90-02-072	250-20-071	AMD	90-04-067
248-25-010	AMD	90-06-019	248-98-085	NEW	90-07-010	250-69-010	NEW-P	90-04-068
248-26-020	AMD	90-06-019	248-98-090	AMD-P	90-02-072	250-69-010	NEW	90-09-003
248-27-025	AMD	90-06-019	248-98-090	AMD	90-07-010	250-69-020	NEW-P	90-04-068
248-27-035	AMD	90-06-019	248-98-095	NEW-P	90-02-072	250-69-020	NEW	90-09-003
248-27-045	AMD	90-06-019	248-98-095	NEW	90-07-010	250-69-030	NEW-P	90-04-068
248-27-055	AMD	90-06-019	248-98-098	NEW-P	90-02-072	250-69-030	NEW	90-09-003
248-29-020	AMD	90-06-019	248-98-098	NEW	90-07-010	250-69-040	NEW-P	90-04-068
248-31-025	AMD	90-06-019	248-98-100	AMD-P	90-02-072	250-69-040	NEW	90-09-003
248-31-035	AMD	90-06-019	248-98-100	AMD	90-07-010	250-69-050	NEW-P	90-04-068

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
250-69-050	NEW	90-09-003	251-09-092	NEW	90-10-044	275-56-095	AMD-C	90-04-019
250-69-060	NEW-P	90-04-068	251-09-094	NEW-C	90-06-083	275-56-095	AMD-W	90-04-069
250-69-060	NEW	90-09-003	251-09-094	NEW	90-10-044	275-56-100	AMD	90-03-113
250-69-070	NEW-P	90-04-068	251-12-073	AMD-P	90-09-076	275-56-105	AMD	90-03-113
250-69-070	NEW	90-09-003	251-12-073	AMD	90-14-018	275-56-110	AMD	90-03-113
250-69-080	NEW-P	90-04-068	251-12-085	AMD-P	90-09-074	275-56-115	AMD	90-03-113
250-69-080	NEW	90-09-003	251-12-085	AMD	90-13-017	275-56-120	REP	90-03-113
250-69-090	NEW-P	90-04-068	251-12-099	NEW-P	90-09-074	275-56-125	REP	90-03-113
250-69-090	NEW	90-09-003	251-12-099	NEW	90-13-017	275-56-130	REP	90-03-113
250-69-100	NEW-P	90-04-068	251-18-185	REP-E	90-13-016	275-56-135	AMD	90-03-113
250-69-100	NEW	90-09-003	251-18-185	REP-P	90-13-121	275-56-140	REP	90-03-113
250-69-110	NEW-P	90-04-068	251-18-240	AMD-E	90-13-016	275-56-145	REP	90-03-113
250-69-110	NEW	90-09-003	251-18-240	AMD-P	90-13-121	275-56-150	AMD	90-03-113
250-70	NEW-C	90-14-029	251-18-270	REP-E	90-13-016	275-56-155	REP	90-03-113
250-70-010	NEW-P	90-11-130	251-18-270	REP-P	90-13-121	275-56-160	REP	90-03-113
250-70-020	NEW-P	90-11-130	251-18-280	AMD-E	90-13-016	275-56-165	REP	90-03-113
250-70-030	NEW-P	90-11-130	251-18-280	AMD-P	90-13-121	275-56-170	AMD	90-03-113
250-70-040	NEW-P	90-11-130	251-22-165	AMD-P	90-09-075	275-56-175	AMD	90-03-113
250-70-050	NEW-P	90-11-130	251-22-165	AMD	90-14-018	275-56-180	AMD	90-03-113
250-70-060	NEW-P	90-11-130	251-22-165	AMD	90-09-010	275-56-185	AMD	90-03-113
250-70-070	NEW-P	90-11-130	260-36-190	NEW-E	90-14-023	275-56-190	REP	90-03-113
250-70-080	NEW-P	90-11-130	260-36-190	NEW-P	90-09-010	275-56-195	AMD	90-03-113
250-70-090	NEW-P	90-11-130	260-36-200	NEW-E	90-14-023	275-56-200	AMD	90-03-113
250-70-100	NEW-P	90-11-130	260-40-280	NEW-P	90-14-101	275-56-205	AMD	90-03-113
250-71-010	NEW-E	90-10-002	260-48-327	AMD-P	90-13-072	275-56-210	AMD	90-03-113
250-71-010	NEW-P	90-11-108	260-48-327	AMD-P	90-14-100	275-56-215	AMD	90-03-113
250-71-015	NEW-E	90-10-002	260-60-060	AMD-P	90-14-067	275-56-220	AMD	90-03-113
250-71-015	NEW-P	90-11-108	275-16-030	AMD-P	90-14-045	275-56-225	AMD	90-03-113
250-71-020	NEW-E	90-10-002	275-16-030	AMD-E	90-14-057	275-56-230	AMD	90-03-113
250-71-020	NEW-P	90-11-108	275-16-055	AMD-C	90-04-019	275-56-235	AMD	90-03-113
250-71-025	NEW-E	90-10-002	275-16-055	AMD	90-04-075	275-56-240	AMD	90-03-113
250-71-025	NEW-P	90-11-108	275-19-050	AMD-C	90-04-017	275-56-245	AMD	90-03-113
250-71-030	NEW-E	90-10-002	275-19-050	AMD	90-04-073	275-56-250	REP	90-03-113
250-71-030	NEW-P	90-11-108	275-20-080	AMD-C	90-04-018	275-56-255	REP	90-03-113
250-71-035	NEW-E	90-10-002	275-20-080	AMD	90-04-074	275-56-260	AMD	90-03-113
250-71-035	NEW-P	90-11-108	275-26-022	AMD-C	90-04-018	275-56-265	REP	90-03-113
250-71-040	NEW-E	90-10-002	275-26-022	AMD	90-04-074	275-56-270	REP	90-03-113
250-71-040	NEW-P	90-11-108	275-27-500	AMD-C	90-04-018	275-56-275	AMD	90-03-113
250-71-045	NEW-E	90-10-002	275-27-500	AMD	90-04-074	275-56-280	REP	90-03-113
250-71-045	NEW-P	90-11-108	275-36-310	AMD-C	90-04-018	275-56-285	AMD	90-03-113
250-71-050	NEW-E	90-10-002	275-36-310	AMD	90-04-074	275-56-290	AMD	90-03-113
250-71-050	NEW-P	90-11-108	275-38-770	AMD-E	90-11-005	275-56-295	AMD	90-03-113
250-71-055	NEW-E	90-10-002	275-38-770	AMD-P	90-11-007	275-56-300	AMD	90-03-113
250-71-055	NEW-P	90-11-108	275-38-770	AMD	90-15-017	275-56-305	AMD	90-03-113
250-71-060	NEW-E	90-10-002	275-38-860	AMD-E	90-11-005	275-56-310	REP	90-03-113
250-71-060	NEW-P	90-11-108	275-38-860	AMD-P	90-11-007	275-56-315	REP	90-03-113
250-71-065	NEW-E	90-10-002	275-38-860	AMD	90-15-017	275-56-320	REP	90-03-113
250-71-065	NEW-P	90-11-108	275-38-906	AMD-E	90-11-005	275-56-325	REP	90-03-113
250-71-070	NEW-E	90-10-002	275-38-906	AMD-P	90-11-007	275-56-330	REP	90-03-113
250-71-070	NEW-P	90-11-108	275-38-906	AMD	90-15-017	275-56-335	AMD	90-03-113
250-71-075	NEW-E	90-10-002	275-38-960	AMD-C	90-04-018	275-56-340	AMD	90-03-113
250-71-075	NEW-P	90-11-108	275-38-960	AMD	90-04-074	275-56-345	REP	90-03-113
250-72-010	NEW-P	90-12-093	275-56-005	AMD	90-03-113	275-56-350	REP	90-03-113
250-72-015	NEW-P	90-12-093	275-56-010	AMD	90-03-113	275-56-355	AMD	90-03-113
250-72-020	NEW-P	90-12-093	275-56-015	AMD	90-03-113	275-56-360	REP	90-03-113
250-72-025	NEW-P	90-12-093	275-56-016	NEW	90-03-113	275-56-365	AMD	90-03-113
250-72-030	NEW-P	90-12-093	275-56-017	NEW	90-03-113	275-56-370	REP	90-03-113
250-72-035	NEW-P	90-12-093	275-56-020	AMD	90-03-113	275-56-375	REP	90-03-113
250-72-040	NEW-P	90-12-093	275-56-025	AMD	90-03-113	275-56-380	REP	90-03-113
250-72-045	NEW-P	90-12-093	275-56-030	REP	90-03-113	275-56-385	AMD	90-03-113
250-73-010	NEW-P	90-12-092	275-56-035	AMD	90-03-113	275-56-390	REP	90-03-113
250-73-015	NEW-P	90-12-092	275-56-040	AMD	90-03-113	275-56-395	REP	90-03-113
250-73-020	NEW-P	90-12-092	275-56-042	NEW	90-03-113	275-56-400	AMD	90-03-113
250-73-025	NEW-P	90-12-092	275-56-043	NEW	90-03-113	275-56-405	REP	90-03-113
250-73-030	NEW-P	90-12-092	275-56-050	AMD	90-03-113	275-56-410	REP	90-03-113
250-73-035	NEW-P	90-12-092	275-56-055	AMD	90-03-113	275-56-415	REP	90-03-113
250-73-040	NEW-P	90-12-092	275-56-060	AMD	90-03-113	275-56-420	REP	90-03-113
250-73-045	NEW-P	90-12-092	275-56-065	AMD	90-03-113	275-56-425	AMD	90-03-113
251-01-180	AMD-P	90-09-075	275-56-070	AMD	90-03-113	275-56-430	REP	90-03-113
251-01-180	AMD	90-14-018	275-56-075	AMD	90-03-113	275-56-435	REP	90-03-113
251-04-040	AMD	90-06-023	275-56-080	AMD	90-03-113	275-56-440	REP	90-03-113
251-04-040	AMD-E	90-13-015	275-56-085	AMD	90-03-113	275-56-445	AMD	90-03-113
251-04-040	AMD-P	90-13-120	275-56-087	NEW	90-03-113	275-56-450	REP	90-03-113
251-09-085	NEW-W	90-06-082	275-56-088	NEW	90-03-113	275-56-465	NEW	90-03-113
251-09-090	AMD-C	90-06-083	275-56-089	NEW	90-03-113	275-56-475	NEW	90-03-113
251-09-090	AMD	90-10-044	275-56-090	AMD	90-03-113	275-56-485	NEW	90-03-113
251-09-092	NEW-C	90-06-083	275-56-095	AMD	90-03-113	275-56-495	NEW	90-03-113

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-56-505	NEW	90-03-113	284-55-180	REP-P	90-04-089	292-08-020	NEW-E	90-08-077
275-56-515	NEW	90-03-113	284-55-185	REP-P	90-04-089	292-08-020	NEW	90-10-059
275-110-050	AMD-P	90-13-113	284-55-190	REP-P	90-04-089	292-08-030	NEW-P	90-03-095
275-110-060	AMD-P	90-13-113	284-55-205	REP-P	90-04-089	292-08-030	NEW-E	90-08-077
275-110-070	AMD-P	90-13-113	284-55-210	REP-P	90-04-089	292-08-030	NEW	90-10-059
275-110-080	AMD-P	90-13-113	284-66-010	NEW-P	90-04-089	292-08-040	NEW-P	90-03-095
275-155-005	NEW-P	90-14-046	284-66-010	NEW	90-07-059	292-08-040	NEW-E	90-08-077
275-155-005	NEW-E	90-14-059	284-66-020	NEW-P	90-04-089	292-08-040	NEW	90-10-059
275-155-010	NEW-P	90-14-046	284-66-020	NEW	90-07-059	292-08-050	NEW-P	90-03-095
275-155-010	NEW-E	90-14-059	284-66-030	NEW-P	90-04-089	292-08-050	NEW-E	90-08-077
275-155-020	NEW-P	90-14-046	284-66-030	NEW	90-07-059	292-08-050	NEW	90-10-059
275-155-020	NEW-E	90-14-059	284-66-040	NEW-P	90-04-089	292-12-010	NEW-P	90-03-095
275-155-030	NEW-P	90-14-046	284-66-040	NEW	90-07-059	292-12-010	NEW-E	90-08-077
275-155-030	NEW-E	90-14-059	284-66-050	NEW-P	90-04-089	292-12-010	NEW	90-10-059
275-155-040	NEW-P	90-14-046	284-66-050	NEW	90-07-059	292-12-020	NEW-P	90-03-095
275-155-040	NEW-E	90-14-059	284-66-060	NEW-P	90-04-089	292-12-020	NEW-E	90-08-077
275-155-050	NEW-P	90-14-046	284-66-060	NEW	90-07-059	292-12-020	NEW	90-10-059
275-155-050	NEW-E	90-14-059	284-66-070	NEW-P	90-04-089	292-12-030	NEW-P	90-03-095
275-155-060	NEW-P	90-14-046	284-66-070	NEW	90-07-059	292-12-030	NEW-E	90-08-077
275-155-060	NEW-E	90-14-059	284-66-080	NEW-P	90-04-089	292-12-030	NEW	90-10-059
284-02-020	AMD-P	90-14-104	284-66-080	NEW	90-07-059	292-12-040	NEW-P	90-03-095
284-03-060	AMD-P	90-15-022	284-66-090	NEW-P	90-04-089	292-12-040	NEW-E	90-08-077
284-12-010	REP	90-04-060	284-66-090	NEW	90-07-059	292-12-040	NEW	90-10-059
284-12-030	REP	90-04-060	284-66-100	NEW-P	90-04-089	292-12-050	NEW-P	90-03-095
284-12-040	REP	90-04-060	284-66-100	NEW	90-07-059	292-12-050	NEW-E	90-08-077
284-12-080	AMD	90-04-042	284-66-110	NEW-P	90-04-089	292-12-050	NEW	90-10-059
284-17-121	NEW	90-04-060	284-66-110	NEW	90-07-059	292-12-060	NEW-P	90-03-095
284-17-122	NEW	90-04-060	284-66-120	NEW-P	90-04-089	292-12-060	NEW-E	90-08-077
284-17-123	NEW	90-04-060	284-66-120	NEW	90-07-059	292-12-060	NEW	90-10-059
284-24-015	AMD-P	90-10-056	284-66-130	NEW-P	90-04-089	292-12-070	NEW-P	90-03-095
284-24-015	AMD	90-13-041	284-66-130	NEW	90-07-059	292-12-070	NEW-E	90-08-077
284-24-055	NEW-P	90-10-056	284-66-140	NEW-P	90-04-089	292-12-070	NEW	90-10-059
284-24-055	NEW	90-13-041	284-66-140	NEW	90-07-059	292-12-080	NEW-P	90-03-095
284-24-060	AMD-P	90-10-056	284-66-150	NEW-P	90-04-089	292-12-080	NEW-E	90-08-077
284-24-060	AMD	90-13-041	284-66-150	NEW	90-07-059	292-12-080	NEW	90-10-059
284-24-100	AMD-P	90-10-056	284-66-160	NEW-P	90-04-089	292-12-090	NEW-P	90-03-095
284-24-100	AMD	90-13-041	284-66-160	NEW	90-07-059	292-12-090	NEW-E	90-08-077
284-49-010	NEW-E	90-12-095	284-66-170	NEW-P	90-04-089	292-12-090	NEW	90-10-059
284-49-020	NEW-E	90-12-095	284-66-170	NEW	90-07-059	292-12-110	NEW-P	90-03-095
284-49-050	NEW-E	90-12-095	284-66-180	NEW-P	90-04-089	292-12-110	NEW-E	90-08-077
284-49-100	NEW-E	90-12-095	284-66-180	NEW	90-07-059	292-12-110	NEW	90-10-059
284-49-115	NEW-E	90-12-095	284-66-190	NEW-P	90-04-089	292-12-120	NEW-P	90-03-095
284-49-300	NEW-E	90-12-095	284-66-190	NEW	90-07-059	292-12-120	NEW-E	90-08-077
284-49-330	NEW-E	90-12-095	284-66-200	NEW-P	90-04-089	292-12-120	NEW	90-10-059
284-49-500	NEW-E	90-12-095	284-66-200	NEW	90-07-059	292-12-130	NEW-P	90-03-095
284-49-510	NEW-E	90-12-095	284-66-210	NEW-P	90-04-089	292-12-130	NEW-E	90-08-077
284-49-520	NEW-E	90-12-095	284-66-210	NEW	90-07-059	292-12-130	NEW	90-10-059
284-49-900	NEW-E	90-12-095	284-66-220	NEW-P	90-04-089	292-12-140	NEW-P	90-03-095
284-49-999	NEW-E	90-12-095	284-66-220	NEW	90-07-059	292-12-140	NEW-E	90-08-077
284-55-010	REP-P	90-04-089	284-66-230	NEW-P	90-04-089	292-12-140	NEW	90-10-059
284-55-010	AMD-P	90-13-085	284-66-230	NEW	90-07-059	292-12-150	NEW-P	90-03-095
284-55-020	REP-P	90-04-089	284-66-240	NEW-P	90-04-089	292-12-150	NEW-E	90-08-077
284-55-020	AMD-P	90-13-085	284-66-240	NEW	90-07-059	292-12-150	NEW	90-10-059
284-55-030	REP-P	90-04-089	284-66-250	NEW-P	90-04-089	292-12-160	NEW-P	90-03-095
284-55-030	AMD-P	90-13-085	284-66-250	NEW	90-07-059	292-12-160	NEW-E	90-08-077
284-55-035	REP-P	90-04-089	284-66-260	NEW-P	90-04-089	292-12-160	NEW	90-10-059
284-55-040	REP-P	90-04-089	284-66-260	NEW	90-07-059	292-12-170	NEW-P	90-03-095
284-55-045	REP-P	90-04-089	284-66-270	NEW-P	90-04-089	292-12-170	NEW-E	90-08-077
284-55-050	REP-P	90-04-089	284-66-270	NEW	90-07-059	292-12-170	NEW	90-10-059
284-55-060	REP-P	90-04-089	284-66-300	NEW-P	90-04-089	292-12-180	NEW-P	90-03-095
284-55-065	REP-P	90-04-089	284-66-300	NEW	90-07-059	292-12-180	NEW-E	90-08-077
284-55-067	REP-P	90-04-089	284-66-310	NEW-P	90-04-089	292-12-180	NEW	90-10-059
284-55-070	REP-P	90-04-089	284-66-310	NEW	90-07-059	296-04-001	AMD-P	90-06-103
284-55-080	REP-P	90-04-089	284-66-320	NEW-P	90-04-089	296-04-001	AMD-S	90-07-084
284-55-090	REP-P	90-04-089	284-66-320	NEW	90-07-059	296-04-040	AMD	90-10-021
284-55-095	REP-P	90-04-089	284-66-330	NEW-P	90-04-089	296-04-042	NEW-P	90-06-104
284-55-115	REP-P	90-04-089	284-66-330	NEW	90-07-059	296-04-042	NEW-S	90-07-085
284-55-120	REP-P	90-04-089	284-66-340	NEW-P	90-04-089	296-04-160	AMD-P	90-06-103
284-55-125	REP-P	90-04-089	284-66-340	NEW	90-07-059	296-04-160	AMD-S	90-07-084
284-55-150	REP-P	90-04-089	284-66-350	NEW-P	90-04-089	296-04-270	AMD	90-10-020
284-55-155	REP-P	90-04-089	284-66-350	NEW	90-07-059	296-04-340	AMD	90-10-019
284-55-160	REP-P	90-04-089	284-66-400	NEW-P	90-04-089	296-04-350	AMD	90-10-019
284-55-165	REP-P	90-04-089	284-66-400	NEW	90-07-059	296-04-370	AMD	90-10-019
284-55-172	REP-P	90-04-089	292-08-010	NEW-P	90-03-095	296-06-010	AMD-P	90-02-089
284-55-172	REP-P	90-13-085	292-08-010	NEW-E	90-08-077	296-06-010	AMD	90-07-004
284-55-177	REP-P	90-04-089	292-08-010	NEW	90-10-059	296-06-020	AMD-P	90-02-089
284-55-177	REP-P	90-13-085	292-08-020	NEW-P	90-03-095	296-06-020	AMD	90-07-004

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296-06-030	AMD	90-07-004	296-17-870	AMD	90-13-018	296-24-58513	AMD	90-03-029
296-06-040	AMD-P	90-02-089	296-17-87308	AMD-P	90-08-092	296-24-75009	AMD	90-03-029
296-06-040	AMD	90-07-004	296-17-87308	AMD-C	90-11-099	296-24-76503	AMD	90-03-029
296-06-080	AMD-P	90-02-089	296-17-87308	AMD	90-13-018	296-24-78007	AMD	90-03-029
296-06-080	AMD	90-07-004	296-17-885	AMD-P	90-08-092	296-24-81003	AMD	90-03-029
296-06-090	AMD-P	90-02-089	296-17-885	AMD-C	90-11-099	296-24-81005	AMD	90-03-029
296-06-090	AMD	90-07-004	296-17-885	AMD	90-13-018	296-24-82503	AMD	90-03-029
296-06-100	AMD-P	90-02-089	296-17-895	AMD-P	90-08-092	296-24-870	AMD-P	90-03-093
296-06-100	AMD	90-07-004	296-17-895	AMD-C	90-11-099	296-24-870	AMD	90-09-026
296-06-110	AMD-P	90-02-089	296-17-895	AMD	90-13-018	296-24-87001	AMD-P	90-03-093
296-06-110	AMD	90-07-004	296-18A-440	AMD-P	90-09-072	296-24-87001	AMD	90-09-026
296-06-120	AMD-P	90-02-089	296-18A-440	AMD	90-14-009	296-24-87003	REP-P	90-03-093
296-06-120	AMD	90-07-004	296-18A-450	AMD-P	90-09-072	296-24-87003	REP	90-09-026
296-06-130	AMD-P	90-02-089	296-18A-450	AMD	90-14-009	296-24-87005	REP-P	90-03-093
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296-06-140	AMD	90-07-004	296-18A-500	AMD-P	90-09-072	296-24-87007	REP	90-09-026
296-06-150	AMD-P	90-02-089	296-18A-500	AMD	90-14-009	296-24-87009	AMD-P	90-03-093
296-06-150	AMD	90-07-004	296-18A-510	AMD-P	90-09-072	296-24-87009	AMD	90-09-026
296-06-170	AMD-P	90-02-089	296-18A-510	AMD	90-14-009	296-24-87011	NEW-P	90-03-093
296-06-170	AMD	90-07-004	296-18A-515	NEW-P	90-09-072	296-24-87011	NEW	90-09-026
296-06-990	REP-P	90-02-089	296-18A-515	NEW	90-14-009	296-24-87013	NEW-P	90-03-093
296-06-990	REP	90-07-004	296-18A-520	AMD-P	90-09-072	296-24-87013	NEW	90-09-026
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296-14-010	AMD-P	90-13-112	296-20-01002	AMD	90-04-057	296-24-87017	NEW-P	90-03-093
296-14-400	AMD	90-04-007	296-20-01002	AMD-P	90-09-072	296-24-87017	NEW	90-09-026
296-14-400	AMD-P	90-13-112	296-20-01002	AMD	90-14-009	296-24-87019	NEW-P	90-03-093
296-14-410	NEW-P	90-13-112	296-20-015	AMD	90-04-057	296-24-87019	NEW	90-09-026
296-14-420	NEW-P	90-13-112	296-20-02001	AMD	90-04-057	296-24-87031	NEW-P	90-03-093
296-14-970	NEW-E	90-12-105	296-20-02010	AMD	90-04-057	296-24-87031	NEW	90-09-026
296-14-970	NEW-P	90-12-103	296-20-022	AMD	90-04-057	296-24-87033	NEW-P	90-03-093
296-15-020	AMD-P	90-09-071	296-20-024	AMD	90-04-057	296-24-87033	NEW	90-09-026
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296-15-070	AMD-P	90-09-072	296-20-045	AMD	90-04-057	296-24-87035	NEW	90-09-026
296-15-070	AMD	90-14-009	296-20-075	AMD	90-04-057	296-24-87037	NEW-P	90-03-093
296-17-350	AMD-P	90-08-092	296-20-097	AMD-P	90-13-112	296-24-87037	NEW	90-09-026
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296-17-350	AMD	90-13-018	296-20-1103	AMD-W	90-14-035	296-36-170	AMD-P	90-12-106
296-17-45002	AMD-P	90-08-092	296-20-124	AMD	90-04-007	296-36-175	AMD-P	90-12-106
296-17-45002	AMD-C	90-11-099	296-20-680	AMD	90-04-007	296-36-180	AMD-P	90-12-106
296-17-45002	AMD	90-13-018	296-21-013	AMD-P	90-13-111	296-36-210	AMD-P	90-12-106
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296-17-519	AMD-C	90-11-099	296-23A-170	AMD	90-04-057	296-46-21008	NEW-P	90-14-102
296-17-519	AMD	90-13-018	296-23A-340	AMD-P	90-13-111	296-46-21052	NEW-P	90-14-102
296-17-532	AMD-P	90-08-092	296-24-020	AMD	90-03-029	296-46-220	AMD-P	90-14-102
296-17-532	AMD-C	90-11-099	296-24-07501	AMD-W	90-11-041	296-46-23001	NEW-P	90-14-102
296-17-532	AMD	90-13-018	296-24-07801	AMD-W	90-11-041	296-46-23028	NEW-P	90-14-102
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296-17-57602	AMD-C	90-11-099	296-24-102	NEW	90-03-029	296-46-23062	NEW-P	90-14-102
296-17-57602	AMD	90-13-018	296-24-10203	NEW	90-03-029	296-46-240	REP-P	90-14-102
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296-17-592	AMD-C	90-11-099	296-24-11007	NEW-P	90-15-065	296-46-350	REP-P	90-14-102
296-17-592	AMD	90-13-018	296-24-11009	NEW-P	90-15-065	296-46-360	AMD-P	90-14-102
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296-17-59202	NEW	90-13-018	296-24-11015	NEW-P	90-15-065	296-46-45001	NEW-P	90-14-102
296-17-631	AMD-P	90-08-092	296-24-11017	NEW-P	90-15-065	296-46-495	AMD-P	90-14-102
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296-17-634	AMD-C	90-11-099	296-24-16507	AMD	90-03-029	296-46-600	AMD-P	90-14-102
296-17-634	AMD	90-13-018	296-24-16515	AMD	90-03-029	296-46-670	NEW-P	90-14-102
296-17-679	AMD-P	90-08-092	296-24-16517	AMD	90-03-029	296-46-700	NEW-P	90-14-102
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296-17-679	AMD	90-13-018	296-24-20700	AMD-P	90-03-093	296-46-770	NEW-P	90-14-102
296-17-870	AMD-P	90-08-092	296-24-20700	AMD	90-09-026	296-46-910	AMD-P	90-12-104

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296-52-417	AMD	90-03-029	296-127-016	REP-E	90-08-061	296-155-675	AMD	90-03-029
296-52-419	AMD	90-03-029	296-127-040	AMD-E	90-09-047	296-155-680	AMD	90-03-029
296-52-461	AMD	90-03-029	296-127-045	AMD-E	90-09-047	296-155-680	AMD-P	90-12-106
296-52-473	REP	90-03-029	296-127-400	NEW-E	90-06-008	296-155-682	AMD-P	90-12-106
296-52-477	AMD	90-03-029	296-127-400	NEW-P	90-14-001	296-155-690	AMD	90-03-029
296-52-481	AMD	90-03-029	296-127-400	NEW-E	90-14-002	296-155-691	AMD-P	90-12-106
296-52-509	AMD	90-03-029	296-127-410	NEW-E	90-06-008	296-155-692	REP	90-03-029
296-52-510	NEW	90-03-029	296-127-410	NEW-P	90-14-001	296-155-694	AMD	90-03-029
296-54-569	AMD-P	90-03-093	296-127-410	NEW-E	90-14-002	296-155-697	AMD	90-03-029
296-54-569	AMD	90-09-026	296-127-420	NEW-E	90-06-008	296-155-697	AMD-P	90-12-106
296-62-07007	REP-P	90-03-093	296-127-420	NEW-P	90-14-001	296-155-725	AMD	90-03-029
296-62-07007	REP	90-09-026	296-127-420	NEW-E	90-14-002	296-155-730	AMD	90-03-029
296-62-07107	AMD-P	90-03-093	296-127-430	NEW-E	90-06-008	296-305-015	AMD-P	90-12-106
296-62-07107	AMD	90-09-026	296-127-430	NEW-P	90-14-001	296-306	AMD-C	90-05-002
296-62-07314	AMD	90-03-029	296-127-430	NEW-E	90-14-002	296-306-060	AMD-W	90-11-041
296-62-07354	NEW-P	90-15-065	296-127-440	NEW-E	90-06-008	296-306-400	NEW	90-11-023
296-62-07507	AMD	90-03-029	296-127-440	NEW-P	90-14-001	296-306-40003	NEW	90-11-023
296-62-07515	AMD	90-03-029	296-127-440	NEW-E	90-14-002	296-306-40005	NEW	90-11-023
296-62-07517	AMD-P	90-03-093	296-127-450	NEW-E	90-06-008	296-350-030	AMD-P	90-03-093
296-62-07517	AMD	90-09-026	296-127-450	NEW-P	90-14-001	296-350-030	AMD	90-09-026
296-62-07521	AMD	90-03-029	296-127-450	NEW-E	90-14-002	296-401-175	AMD-P	90-12-104
296-62-07521	AMD-P	90-12-106	296-127-460	NEW-E	90-06-008	308-11-030	AMD-P	90-03-107
296-62-07531	AMD-P	90-03-093	296-127-460	NEW-P	90-14-001	308-11-030	AMD	90-06-052
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296-62-07540	AMD	90-03-029	296-127-470	NEW-E	90-06-008	308-12-031	AMD	90-11-062
296-62-07544	AMD	90-03-029	296-127-470	NEW-P	90-14-001	308-12-320	PREP	90-05-041
296-62-07713	AMD-P	90-12-106	296-127-470	NEW-E	90-14-002	308-12-320	AMD-P	90-13-059
296-62-300	AMD-P	90-15-065	296-131	AMD-C	90-08-093	308-12-326	AMD	90-03-032
296-62-3020	AMD-P	90-15-065	296-131-001	AMD-P	90-07-078	308-13-150	AMD	90-03-031
296-62-3040	AMD-P	90-15-065	296-131-001	AMD-C	90-12-069	308-13-150	AMD-P	90-11-061
296-62-3050	AMD-P	90-15-065	296-131-001	AMD	90-14-038	308-13-150	AMD	90-15-039
296-62-3060	AMD-P	90-15-065	296-131-005	NEW-P	90-07-078	308-14-080	NEW-P	90-05-058
296-62-3070	AMD-P	90-15-065	296-131-005	NEW-C	90-12-069	308-14-080	NEW	90-10-009
296-62-3110	AMD-P	90-03-093	296-131-005	NEW	90-14-038	308-14-085	NEW-P	90-14-096
296-62-3110	AMD	90-09-026	296-131-020	NEW-P	90-07-078	308-14-090	NEW-P	90-05-058
296-62-3110	AMD-P	90-15-065	296-131-020	NEW-C	90-12-069	308-14-090	NEW	90-10-009
296-62-3112	AMD-P	90-15-065	296-131-020	NEW	90-14-037	308-14-100	NEW-P	90-05-058
296-62-3140	AMD-P	90-15-065	296-131-100	NEW-P	90-07-078	308-14-100	NEW	90-10-009
296-62-3160	AMD-P	90-15-065	296-131-100	NEW-C	90-12-069	308-14-110	NEW-P	90-05-058
296-62-3170	AMD-P	90-15-065	296-131-100	NEW	90-14-038	308-14-110	NEW	90-10-009
296-62-3180	AMD-P	90-15-065	296-131-105	NEW-P	90-07-078	308-14-130	NEW-P	90-14-096
296-62-3190	AMD-P	90-15-065	296-131-105	NEW-C	90-12-069	308-14-135	NEW-P	90-14-096
296-62-400	NEW-P	90-12-106	296-131-105	NEW	90-14-038	308-14-200	NEW-P	90-05-058
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296-62-40003	NEW-P	90-12-106	296-131-110	NEW-C	90-12-069	308-20-107	AMD-P	90-03-018
296-62-40005	NEW-P	90-12-106	296-131-110	NEW	90-14-038	308-20-107	AMD	90-07-030
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296-62-40019	NEW-P	90-12-106	296-131-125	NEW-P	90-07-078	308-25-010	REP-W	90-12-002
296-62-40021	NEW-P	90-12-106	296-131-125	NEW-C	90-12-069	308-25-011	NEW-W	90-12-002
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296-62-40027	NEW-P	90-12-106	296-131-126	NEW	90-14-038	308-25-035	AMD-W	90-12-002
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296-104-015	AMD-P	90-04-065	296-131-130	NEW	90-14-038	308-25-038	NEW-P	90-09-062
296-104-015	AMD	90-07-082	296-131-135	NEW-P	90-07-078	308-25-038	NEW	90-12-068
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296-104-200	AMD	90-04-009	296-131-135	NEW	90-14-038	308-25-045	NEW-W	90-12-002
296-116-075	AMD-P	90-10-060	296-131-140	NEW-P	90-07-078	308-25-046	NEW-W	90-12-002
296-116-075	AMD-C	90-13-076	296-131-140	NEW-C	90-12-069	308-25-047	NEW-W	90-12-002
296-116-120	AMD-C	90-08-094	296-131-140	NEW	90-14-038	308-25-065	NEW-W	90-12-002
296-116-120	AMD-W	90-09-016	296-155-200	AMD-W	90-11-041	308-25-065	AMD	90-04-094
296-116-120	AMD-P	90-09-030	296-155-225	AMD-P	90-03-093	308-25-290	NEW-P	90-10-037
296-116-120	AMD	90-13-065	296-155-227	NEW-P	90-03-093	308-25-310	NEW-P	90-10-037
296-116-130	REP-P	90-08-076	296-155-367	AMD-P	90-12-106	308-25-320	NEW-P	90-10-037
296-116-130	REP	90-13-077	296-155-480	AMD-P	90-03-093	308-25-330	NEW-P	90-10-037
296-116-185	AMD-P	90-03-096	296-155-480	AMD	90-09-026	308-29-045	AMD-P	90-03-107
296-116-185	AMD	90-09-013	296-155-485	AMD	90-03-029	308-29-045	AMD	90-06-052
296-116-300	AMD-P	90-03-097	296-155-48531	AMD-P	90-12-106	308-30-030	AMD-P	90-03-107
296-116-300	AMD	90-08-095	296-155-48533	AMD	90-03-029	308-30-040	AMD-P	90-03-107
296-116-300	AMD-E	90-13-055	296-155-505	AMD	90-03-029	308-30-050	AMD-P	90-03-107
						308-30-060	AMD-P	90-03-107

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308-30-070	AMD-P	90-03-107	308-40-152	NEW-W	90-14-081	308-72-570	AMD-P	90-08-116
308-30-080	AMD-P	90-03-107	308-41-025	REP-P	90-14-043	308-72-570	AMD	90-13-037
308-30-090	AMD-P	90-03-107	308-42-045	AMD-P	90-04-095	308-72-690	AMD-P	90-08-116
308-30-100	AMD-P	90-03-107	308-42-060	AMD-P	90-04-095	308-72-690	AMD	90-13-037
308-30-100	AMD	90-06-052	308-42-145	AMD-P	90-04-095	308-77-034	AMD-P	90-08-117
308-31-055	AMD-P	90-11-096	308-48-165	REP-P	90-14-098	308-77-034	AMD	90-13-038
308-31-055	AMD-E	90-11-097	308-48-800	AMD-P	90-04-110	308-77-040	AMD-P	90-08-117
308-31-210	NEW-P	90-06-064	308-48-800	AMD	90-07-024	308-77-040	AMD	90-13-038
308-31-210	NEW	90-12-013	308-49-100	AMD-P	90-14-098	308-77-120	AMD-P	90-08-117
308-31-220	NEW-P	90-06-064	308-49-100	AMD-P	90-14-098	308-77-120	AMD	90-13-038
308-31-220	NEW	90-12-013	308-49-140	AMD-P	90-14-098	308-77-125	NEW-E	90-08-060
308-31-230	NEW-P	90-06-064	308-49-150	AMD-P	90-14-098	308-77-125	NEW-P	90-08-119
308-31-230	NEW	90-12-013	308-49-160	REP-P	90-14-098	308-77-125	NEW	90-13-036
308-31-240	NEW-P	90-06-064	308-49-162	NEW-P	90-14-098	308-77-165	NEW-P	90-08-117
308-31-240	NEW	90-12-013	308-49-164	NEW-P	90-14-098	308-77-165	NEW	90-13-038
308-31-250	NEW-P	90-06-064	308-49-168	NEW-P	90-14-098	308-78-010	AMD-P	90-08-118
308-31-250	NEW	90-12-013	308-49-200	NEW-P	90-14-098	308-78-010	AMD	90-13-039
308-31-260	NEW-P	90-06-064	308-50-295	AMD-W	90-03-069	308-78-030	AMD-P	90-08-118
308-31-260	NEW	90-12-013	308-50-295	AMD-P	90-08-107	308-78-030	AMD	90-13-039
308-31-270	NEW-P	90-06-064	308-50-310	AMD-W	90-03-069	308-78-040	AMD-P	90-08-118
308-31-270	NEW	90-12-013	308-50-310	AMD-P	90-08-107	308-78-040	AMD	90-13-039
308-31-280	NEW-P	90-06-064	308-50-440	AMD	90-04-094	308-78-070	AMD-P	90-08-118
308-31-280	NEW	90-12-013	308-51-120	AMD-P	90-07-069	308-78-070	AMD	90-13-039
308-32-090	AMD-P	90-03-107	308-51-120	AMD	90-13-005	308-91-010	AMD-P	90-10-091
308-32-090	AMD	90-06-052	308-51-130	AMD-P	90-07-069	308-91-010	AMD-W	90-13-057
308-33-105	AMD-P	90-03-107	308-51-130	AMD	90-13-005	308-91-010	AMD-P	90-13-058
308-33-105	AMD	90-06-052	308-52-100	AMD	90-05-001	308-91-030	AMD-P	90-10-091
308-34-170	AMD	90-04-094	308-52-260	AMD-E	90-12-113	308-91-030	AMD-W	90-13-057
308-34-170	AMD-E	90-08-100	308-52-260	AMD-P	90-12-116	308-91-030	AMD-P	90-13-058
308-34-170	AMD-P	90-08-101	308-52-590	AMD-E	90-04-093	308-91-040	AMD-P	90-10-091
308-34-170	AMD	90-13-084	308-52-590	AMD-E	90-06-100	308-91-040	AMD-W	90-13-057
308-39-100	AMD-P	90-06-065	308-52-590	AMD-P	90-08-009	308-91-040	AMD-P	90-13-058
308-39-110	AMD-P	90-06-065	308-52-690	AMD-E	90-09-007	308-91-050	AMD-P	90-10-091
308-39-120	REP-P	90-06-065	308-52-690	AMD-E	90-11-044	308-91-050	AMD-W	90-13-057
308-39-120	REP-W	90-14-125	308-53-075	AMD-P	90-08-106	308-91-050	AMD-P	90-13-058
308-39-120	REP-P	90-14-129	308-53-075	AMD	90-11-080	308-91-060	AMD-P	90-10-091
308-39-125	NEW-P	90-06-065	308-53-084	AMD-P	90-08-106	308-91-060	AMD-W	90-13-057
308-39-130	NEW-P	90-06-065	308-53-084	AMD	90-11-080	308-91-060	AMD-P	90-13-058
308-39-140	NEW-P	90-06-065	308-53-085	AMD-P	90-08-106	308-91-070	AMD-P	90-10-091
308-39-150	NEW-P	90-06-065	308-53-085	AMD	90-11-080	308-91-070	AMD-W	90-13-057
308-39-150	NEW-W	90-14-125	308-53-210	PREP	90-12-065	308-91-070	AMD-P	90-13-058
308-39-150	NEW-P	90-14-129	308-53-265	PREP	90-12-065	308-91-080	AMD-P	90-10-091
308-39-160	NEW-P	90-06-065	308-54-315	AMD	90-04-094	308-91-080	AMD-W	90-13-057
308-39-160	NEW-W	90-14-125	308-56A-090	NEW-P	90-14-069	308-91-080	AMD-P	90-13-058
308-39-160	NEW-P	90-14-129	308-56A-090	NEW-E	90-14-072	308-91-090	AMD-P	90-10-091
308-39-170	NEW-P	90-06-065	308-56A-420	AMD-P	90-06-022	308-91-090	AMD-W	90-13-057
308-39-170	NEW-W	90-14-125	308-56A-420	AMD	90-10-013	308-91-090	AMD-P	90-13-058
308-39-170	NEW-P	90-14-129	308-56A-500	NEW-P	90-06-015	308-91-160	REP-P	90-10-091
308-39-180	NEW-P	90-06-065	308-56A-500	NEW-E	90-06-016	308-91-160	REP-W	90-13-057
308-39-180	NEW-W	90-14-125	308-56A-500	NEW	90-11-091	308-91-160	REP-P	90-13-058
308-39-180	NEW-P	90-14-129	308-56A-505	NEW-P	90-06-015	308-93-010	AMD	90-08-018
308-39-180	NEW-P	90-14-129	308-56A-505	NEW-E	90-06-016	308-93-050	AMD	90-08-018
308-39-190	NEW-W	90-14-125	308-56A-505	NEW	90-11-091	308-93-140	AMD	90-08-018
308-39-190	NEW-P	90-14-129	308-56A-510	NEW-P	90-06-015	308-93-660	NEW	90-08-018
308-39-200	NEW-P	90-06-065	308-56A-510	NEW-E	90-06-016	308-93-670	NEW-P	90-14-071
308-39-200	NEW-W	90-14-125	308-56A-510	NEW	90-11-091	308-93-670	NEW-E	90-14-074
308-39-200	NEW-P	90-14-129	308-56A-515	NEW-P	90-06-015	308-96A-105	AMD-P	90-14-070
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308-39-210	NEW-P	90-14-129	308-56A-520	NEW-P	90-06-015	308-96A-106	NEW-E	90-14-073
308-39-220	NEW-P	90-06-101	308-56A-520	NEW-E	90-06-016	308-96A-120	AMD-P	90-14-070
308-40-107	NEW-P	90-04-085	308-56A-520	NEW	90-11-091	308-96A-120	AMD-E	90-14-073
308-40-107	NEW	90-08-011	308-66-150	AMD-P	90-04-048	308-100-010	AMD-P	90-14-039
308-40-115	NEW-P	90-07-067	308-66-150	AMD-C	90-12-089	308-100-210	NEW-P	90-14-039
308-40-115	NEW	90-11-083	308-66-152	NEW-P	90-04-048	308-104-050	AMD-P	90-14-039
308-40-125	AMD-E	90-04-083	308-66-152	NEW-C	90-12-089	308-104-145	NEW-P	90-14-039
308-40-125	AMD	90-04-094	308-66-190	AMD-P	90-06-022	308-115-405	AMD	90-04-094
308-40-130	REP	90-05-039	308-66-190	AMD	90-10-013	308-117-500	AMD	90-04-094
308-40-135	NEW	90-05-039	308-67-010	NEW	90-03-022	308-120-165	AMD	90-04-059
308-40-150	NEW-P	90-07-068	308-72-509	NEW-P	90-08-116	308-120-275	AMD	90-04-094
308-40-150	NEW-P	90-14-079	308-72-509	NEW	90-13-037	308-120-620	NEW	90-04-059
308-40-150	NEW-W	90-14-081	308-72-520	AMD-P	90-08-116	308-121-030	REP-P	90-12-117
308-40-151	NEW-P	90-07-068	308-72-520	AMD	90-13-037	308-121-040	REP-P	90-12-117
308-40-151	NEW-P	90-14-079	308-72-540	AMD-P	90-08-116	308-121-050	REP-P	90-12-117
308-40-151	NEW-W	90-14-081	308-72-540	AMD	90-13-037	308-121-055	REP-P	90-12-117
308-40-152	NEW-P	90-07-068	308-72-542	NEW-P	90-08-116	308-121-060	REP-P	90-12-117
308-40-152	NEW-P	90-14-079	308-72-542	NEW	90-13-037	308-121-070	REP-P	90-12-117

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308-121-110	NEW-C	90-12-115	308-124H-037	AMD-C	90-05-072	308-124H-550	NEW-C	90-05-072
308-121-120	NEW-P	90-10-084	308-124H-037	AMD	90-10-010	308-124H-550	NEW	90-10-010
308-121-120	NEW-C	90-12-115	308-124H-038	REP-P	90-02-102	308-124H-560	NEW-C	90-05-072
308-121-130	NEW-P	90-10-084	308-124H-038	REP-C	90-05-072	308-124H-560	NEW	90-10-010
308-121-130	NEW-C	90-12-115	308-124H-038	REP	90-10-010	308-124H-570	NEW-C	90-05-072
308-121-140	NEW-P	90-10-084	308-124H-040	REP-P	90-02-102	308-124H-570	NEW	90-10-010
308-121-140	NEW-C	90-12-115	308-124H-040	REP-C	90-05-072	308-124H-580	NEW-C	90-05-072
308-121-145	NEW-P	90-10-084	308-124H-040	REP	90-10-010	308-124H-580	NEW	90-10-010
308-121-145	NEW-C	90-12-115	308-124H-041	NEW-P	90-02-102	308-124H-800	NEW-P	90-10-075
308-121-150	NEW-P	90-10-084	308-124H-041	NEW-C	90-05-072	308-124H-800	NEW-W	90-11-008
308-121-150	NEW-C	90-12-115	308-124H-041	NEW	90-10-010	308-124H-800	NEW-P	90-11-098
308-121-155	NEW-P	90-10-084	308-124H-043	REP-P	90-02-102	308-1241-010	NEW-P	90-02-102
308-121-155	NEW-C	90-12-115	308-124H-043	REP-C	90-05-072	308-1241-020	NEW-P	90-02-102
308-121-160	NEW-P	90-10-084	308-124H-043	REP	90-10-010	308-1241-030	NEW-P	90-02-102
308-121-160	NEW-C	90-12-115	308-124H-045	REP-P	90-02-102	308-1241-040	NEW-P	90-02-102
308-121-165	NEW-P	90-10-084	308-124H-045	REP-C	90-05-072	308-1241-050	NEW-P	90-02-102
308-121-165	NEW-C	90-12-115	308-124H-045	REP	90-10-010	308-1241-060	NEW-P	90-02-102
308-121-170	NEW-P	90-10-084	308-124H-050	REP-P	90-02-102	308-1241-070	NEW-P	90-02-102
308-121-170	NEW-C	90-12-115	308-124H-050	REP-C	90-05-072	308-1241-080	NEW-P	90-02-102
308-121-175	NEW-P	90-10-084	308-124H-050	REP	90-10-010	308-1241-090	NEW-P	90-02-102
308-121-175	NEW-C	90-12-115	308-124H-051	NEW-P	90-02-102	308-1241-100	NEW-P	90-02-102
308-121-180	NEW-P	90-10-084	308-124H-051	NEW-C	90-05-072	308-1241-110	NEW-P	90-02-102
308-121-180	NEW-C	90-12-115	308-124H-051	NEW	90-10-010	308-1241-120	NEW-P	90-02-102
308-122-275	AMD	90-04-094	308-124H-055	REP-P	90-02-102	308-1241-130	NEW-P	90-02-102
308-122-500	AMD-E	90-05-016	308-124H-055	REP-C	90-05-072	308-1241-140	NEW-P	90-02-102
308-122-500	AMD-P	90-05-040	308-124H-055	REP	90-10-010	308-124J-010	NEW-P	90-02-102
308-122-500	AMD-W	90-10-100	308-124H-060	REP-P	90-02-102	308-124J-020	NEW-P	90-02-102
308-122-503	REP	90-05-015	308-124H-060	REP-C	90-05-072	308-124J-030	NEW-P	90-02-102
308-122-503	REP-E	90-05-017	308-124H-060	REP	90-10-010	308-124J-040	NEW-P	90-02-102
308-122-550	REP	90-05-015	308-124H-061	NEW-P	90-02-102	308-124J-050	NEW-P	90-02-102
308-122-550	REP-E	90-05-017	308-124H-061	NEW-C	90-05-072	308-124J-060	NEW-P	90-02-102
308-122-555	REP	90-05-015	308-124H-061	NEW	90-10-010	308-124J-070	NEW-P	90-02-102
308-122-555	REP-E	90-05-017	308-124H-062	NEW-P	90-02-102	308-124J-080	NEW-P	90-02-102
308-122-560	REP	90-05-015	308-124H-062	NEW-C	90-05-072	308-127-010	REP-P	90-04-088
308-122-560	REP-E	90-05-017	308-124H-062	NEW	90-10-010	308-127-010	REP	90-07-023
308-122-565	REP	90-05-015	308-124H-065	REP-P	90-02-102	308-127-020	REP-P	90-04-088
308-122-565	REP-E	90-05-017	308-124H-065	REP-C	90-05-072	308-127-020	REP	90-07-023
308-122-570	REP	90-05-015	308-124H-065	REP	90-10-010	308-127-030	REP-P	90-04-088
308-122-570	REP-E	90-05-017	308-124H-070	REP-P	90-02-102	308-127-030	REP	90-07-023
308-122-575	REP	90-05-015	308-124H-070	REP-C	90-05-072	308-127-035	NEW-P	90-04-088
308-122-575	REP-E	90-05-017	308-124H-070	REP	90-10-010	308-127-035	NEW	90-07-023
308-122-580	REP	90-05-015	308-124H-210	NEW-C	90-05-072	308-127-040	AMD-P	90-04-088
308-122-580	REP-E	90-05-017	308-124H-210	NEW	90-10-010	308-127-040	AMD	90-07-023
308-124C-020	AMD-P	90-10-075	308-124H-220	NEW-C	90-05-072	308-127-100	REP-P	90-04-088
308-124C-020	AMD-W	90-11-008	308-124H-220	NEW	90-10-010	308-127-100	REP	90-07-023
308-124C-020	AMD-P	90-11-098	308-124H-230	NEW-C	90-05-072	308-127-105	NEW-P	90-04-088
308-124E-014	AMD-P	90-02-103	308-124H-230	NEW	90-10-010	308-127-105	NEW	90-07-023
308-124E-014	AMD-C	90-05-073	308-124H-240	NEW-C	90-05-072	308-127-110	AMD-P	90-04-088
308-124E-014	AMD	90-09-014	308-124H-240	NEW	90-10-010	308-127-110	AMD	90-07-023
308-124H	AMD-P	90-02-102	308-124H-250	NEW-C	90-05-072	308-127-120	AMD-P	90-04-088
308-124H	AMD-C	90-05-072	308-124H-250	NEW	90-10-010	308-127-120	AMD	90-07-023
308-124H	AMD	90-10-010	308-124H-260	NEW-C	90-05-072	308-127-130	AMD-P	90-04-088
308-124H-011	NEW-P	90-02-102	308-124H-260	NEW	90-10-010	308-127-130	AMD	90-07-023
308-124H-011	NEW-C	90-05-072	308-124H-270	NEW-C	90-05-072	308-127-140	AMD-P	90-04-088
308-124H-011	NEW	90-10-010	308-124H-270	NEW	90-10-010	308-127-140	AMD	90-07-023
308-124H-020	REP-P	90-02-102	308-124H-280	NEW-C	90-05-072	308-127-155	REP-P	90-04-088
308-124H-020	REP-C	90-05-072	308-124H-280	NEW	90-10-010	308-127-155	REP	90-07-023
308-124H-020	REP	90-10-010	308-124H-290	NEW-C	90-05-072	308-127-160	NEW-P	90-04-088
308-124H-021	NEW-P	90-02-102	308-124H-290	NEW	90-10-010	308-127-160	NEW	90-07-023
308-124H-021	NEW-C	90-05-072	308-124H-300	NEW-C	90-05-072	308-127-200	AMD-P	90-04-088
308-124H-021	NEW	90-10-010	308-124H-300	NEW	90-10-010	308-127-200	AMD	90-07-023
308-124H-025	NEW-P	90-02-102	308-124H-310	NEW-C	90-05-072	308-127-210	AMD-P	90-04-088
308-124H-025	NEW-C	90-05-072	308-124H-310	NEW	90-10-010	308-127-210	AMD	90-07-023
308-124H-025	NEW	90-10-010	308-124H-320	NEW-C	90-05-072	308-127-220	REP-P	90-04-088
308-124H-030	REP-P	90-02-102	308-124H-320	NEW	90-10-010	308-127-220	REP	90-07-023
308-124H-030	REP-C	90-05-072	308-124H-330	NEW-C	90-05-072	308-127-225	NEW-P	90-04-088
308-124H-030	REP	90-10-010	308-124H-330	NEW	90-10-010	308-127-225	NEW	90-07-023
308-124H-033	REP-P	90-02-102	308-124H-340	NEW-C	90-05-072	308-127-300	AMD-P	90-04-088
308-124H-033	REP-C	90-05-072	308-124H-340	NEW	90-10-010	308-127-300	AMD	90-07-023
308-124H-033	REP	90-10-010	308-124H-510	NEW-C	90-05-072	308-128B-060	REP	90-03-098
308-124H-035	AMD-P	90-02-102	308-124H-510	NEW	90-10-010	308-128B-080	AMD	90-03-099
308-124H-035	AMD-C	90-05-072	308-124H-520	NEW-C	90-05-072	308-138-080	AMD	90-04-094
308-124H-035	AMD	90-10-010	308-124H-520	NEW	90-10-010	308-152-030	AMD	90-04-094
308-124H-036	AMD-P	90-02-102	308-124H-530	NEW-C	90-05-072	308-152-030	AMD-P	90-08-009
308-124H-036	AMD-C	90-05-072	308-124H-530	NEW	90-10-010	308-171-001	AMD-P	90-04-096
308-124H-036	AMD	90-10-010	308-124H-540	NEW-C	90-05-072	308-171-010	AMD-P	90-04-096

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-171-020	AMD-P	90-04-096	314-40-020	AMD-P	90-10-089
308-171-041	NEW-P	90-04-096	314-40-020	AMD	90-14-004
308-173-130	AMD	90-04-094	314-60-040	AMD	90-02-109
308-173-210	NEW-P	90-10-084	315-04-132	AMD-P	90-07-086
308-173-210	NEW-C	90-12-115	315-04-132	AMD	90-11-040
308-173-220	NEW-P	90-10-084	315-06-080	AMD-P	90-07-086
308-173-220	NEW-C	90-12-115	315-06-080	AMD	90-11-040
308-173-230	NEW-P	90-10-084	315-08-010	NEW-P	90-07-086
308-173-230	NEW-C	90-12-115	315-08-010	NEW	90-11-040
308-173-240	NEW-P	90-10-084	315-08-020	NEW-P	90-07-086
308-173-240	NEW-C	90-12-115	315-08-020	NEW	90-11-040
308-173-245	NEW-P	90-10-084	315-08-030	NEW-P	90-07-086
308-173-245	NEW-C	90-12-115	315-08-030	NEW	90-11-040
308-173-250	NEW-P	90-10-084	315-08-040	NEW-P	90-07-086
308-173-250	NEW-C	90-12-115	315-08-040	NEW	90-11-040
308-173-255	NEW-P	90-10-084	315-11-480	AMD	90-03-023
308-173-255	NEW-C	90-12-115	315-11-490	AMD	90-03-023
308-173-260	NEW-P	90-10-084	315-11-491	AMD	90-03-023
308-173-260	NEW-C	90-12-115	315-11-530	NEW-P	90-03-109
308-173-265	NEW-P	90-10-084	315-11-530	NEW	90-06-060
308-173-265	NEW-C	90-12-115	315-11-531	NEW-P	90-03-109
308-173-270	NEW-P	90-10-084	315-11-531	NEW	90-06-060
308-173-270	NEW-C	90-12-115	315-11-532	NEW-P	90-03-109
308-173-275	NEW-P	90-10-084	315-11-532	NEW	90-06-060
308-173-275	NEW-C	90-12-115	315-11-540	NEW-P	90-03-109
308-173-280	NEW-P	90-10-084	315-11-540	NEW	90-06-060
308-173-280	NEW-C	90-12-115	315-11-541	NEW-P	90-03-109
308-175-140	AMD	90-04-094	315-11-541	NEW	90-06-060
308-175-200	AMD-E	90-06-004	315-11-542	NEW-P	90-03-109
308-175-200	AMD-P	90-11-019	315-11-542	NEW	90-06-060
308-175-200	AMD	90-14-131	315-11-550	NEW-P	90-07-086
308-177-110	AMD	90-04-094	315-11-550	NEW	90-11-040
308-180-120	AMD-P	90-05-053	315-11-551	NEW-P	90-07-086
308-180-120	AMD	90-11-093	315-11-551	NEW	90-11-040
308-180-150	AMD-P	90-08-002	315-11-552	NEW-P	90-07-086
308-180-150	AMD	90-12-114	315-11-552	NEW	90-11-040
308-180-210	AMD-P	90-08-002	315-11-560	NEW-P	90-11-127
308-180-210	AMD	90-12-114	315-11-560	NEW	90-15-014
308-180-250	AMD-P	90-08-002	315-11-561	NEW-P	90-11-127
308-180-250	AMD	90-12-114	315-11-561	NEW	90-15-014
308-180-260	AMD	90-04-094	315-11-562	NEW-P	90-11-127
308-180-260	AMD-P	90-08-009	315-11-562	NEW	90-15-014
308-190-010	AMD	90-04-094	315-11-570	NEW-P	90-11-127
308-190-010	AMD-P	90-08-009	315-11-570	NEW	90-15-014
308-300	NEW-E	90-14-021	315-11-571	NEW-P	90-11-127
308-300	NEW-P	90-14-022	315-11-571	NEW	90-15-014
308-300-075	NEW-E	90-14-021	315-11-572	NEW-P	90-11-127
308-300-075	NEW-P	90-14-022	315-11-572	NEW	90-15-014
308-310-010	AMD	90-04-094	315-33-010	NEW-P	90-03-109
308-320-010	NEW	90-02-060	315-33-010	NEW	90-06-060
308-320-010	NEW-E	90-02-061	315-33-020	NEW-P	90-03-109
308-320-020	NEW	90-02-060	315-33-020	NEW	90-06-060
308-320-020	NEW-E	90-02-061	315-33-030	NEW-P	90-03-109
308-320-030	NEW	90-02-060	315-33-030	NEW	90-06-060
308-320-030	NEW-E	90-02-061	315-33-040	NEW-P	90-03-109
308-320-040	NEW	90-02-060	315-33-040	NEW	90-06-060
308-320-040	NEW-E	90-02-061	315-33-050	NEW-P	90-03-109
308-320-050	NEW	90-02-060	315-33-050	NEW	90-06-060
308-320-050	NEW-E	90-02-061	315-33-060	NEW-P	90-03-109
308-320-060	NEW	90-02-060	315-33-060	NEW	90-06-060
308-320-060	NEW-E	90-02-061	315-33-070	NEW-P	90-03-109
308-320-070	NEW	90-02-060	315-33-070	NEW	90-06-060
308-320-070	NEW-E	90-02-061	316-55-001	AMD-P	90-03-039
308-320-080	NEW	90-02-060	316-55-001	AMD	90-06-047
308-320-080	NEW-E	90-02-061	316-55-005	NEW-P	90-03-039
308-320-090	NEW	90-02-060	316-55-005	NEW	90-06-047
308-320-090	NEW-E	90-02-061	316-55-010	AMD-P	90-03-039
308-320-100	NEW-W	90-11-068	316-55-010	AMD	90-06-047
308-400-042	AMD	90-04-050	316-55-020	AMD-P	90-03-039
308-400-095	AMD	90-04-050	316-55-020	AMD	90-06-047
314-12-135	NEW-P	90-10-088	316-55-030	AMD-P	90-03-039
314-12-135	NEW	90-14-003	316-55-030	AMD	90-06-047
314-12-175	AMD-P	90-10-087	316-55-050	AMD-P	90-03-039
314-12-175	REP	90-14-012	316-55-050	AMD	90-06-047
314-16-170	AMD-P	90-03-088	316-55-070	AMD-P	90-03-039
314-20-020	AMD-P	90-10-090	316-55-070	AMD	90-06-047
314-20-025	NEW-P	90-03-089	316-55-090	RE-AD-P	90-03-039
316-55-090	RE-AD	90-06-047	316-55-110	AMD-P	90-03-039
316-55-110	AMD-P	90-03-039	316-55-110	AMD	90-06-047
316-55-120	NEW-P	90-03-039	316-55-120	NEW-P	90-03-039
316-55-120	NEW	90-06-047	316-55-120	NEW	90-06-047
316-55-130	RE-AD-P	90-03-039	316-55-130	RE-AD-P	90-03-039
316-55-130	RE-AD	90-06-047	316-55-130	RE-AD	90-06-047
316-55-150	RE-AD-P	90-03-039	316-55-150	RE-AD-P	90-03-039
316-55-150	RE-AD	90-06-047	316-55-150	RE-AD	90-06-047
316-55-160	AMD-P	90-03-039	316-55-160	AMD-P	90-03-039
316-55-160	AMD	90-06-047	316-55-160	AMD	90-06-047
316-55-170	RE-AD-P	90-03-039	316-55-170	RE-AD-P	90-03-039
316-55-170	RE-AD	90-06-047	316-55-170	RE-AD	90-06-047
316-55-500	AMD-P	90-03-039	316-55-500	AMD-P	90-03-039
316-55-500	AMD	90-06-047	316-55-500	AMD	90-06-047
316-55-505	AMD-P	90-03-039	316-55-505	AMD-P	90-03-039
316-55-505	AMD	90-06-047	316-55-505	AMD	90-06-047
316-55-510	RE-AD-P	90-03-039	316-55-510	RE-AD-P	90-03-039
316-55-510	RE-AD	90-06-047	316-55-510	RE-AD	90-06-047
316-55-515	AMD-P	90-03-039	316-55-515	AMD-P	90-03-039
316-55-515	AMD	90-06-047	316-55-515	AMD	90-06-047
316-55-517	NEW-P	90-03-039	316-55-517	NEW-P	90-03-039
316-55-517	NEW	90-06-047	316-55-517	NEW	90-06-047
316-55-520	REP-P	90-03-039	316-55-520	REP-P	90-03-039
316-55-520	REP	90-06-047	316-55-520	REP	90-06-047
316-55-525	AMD-P	90-03-039	316-55-525	AMD-P	90-03-039
316-55-525	AMD	90-06-047	316-55-525	AMD	90-06-047
316-55-600	RE-AD-P	90-03-039	316-55-600	RE-AD-P	90-03-039
316-55-600	RE-AD	90-06-047	316-55-600	RE-AD	90-06-047
316-55-700	NEW-P	90-03-039	316-55-700	NEW-P	90-03-039
316-55-700	NEW	90-06-047	316-55-700	NEW	90-06-047
316-55-710	NEW-P	90-03-039	316-55-710	NEW-P	90-03-039
316-55-710	NEW	90-06-047	316-55-710	NEW	90-06-047
316-55-730	NEW-P	90-03-039	316-55-730	NEW-P	90-03-039
316-55-730	NEW	90-06-047	316-55-730	NEW	90-06-047
316-85-001	NEW-P	90-03-040	316-85-001	NEW-P	90-03-040
316-85-001	NEW	90-06-046	316-85-001	NEW	90-06-046
316-85-010	NEW-P	90-03-040	316-85-010	NEW-P	90-03-040
316-85-010	NEW	90-06-046	316-85-010	NEW	90-06-046
316-85-020	NEW-P	90-03-040	316-85-020	NEW-P	90-03-040
316-85-020	NEW	90-06-046	316-85-020	NEW	90-06-046
316-85-030	NEW-P	90-03-040	316-85-030	NEW-P	90-03-040
316-85-030	NEW	90-06-046	316-85-030	NEW	90-06-046
316-85-040	NEW-P	90-03-040	316-85-040	NEW-P	90-03-040
316-85-040	NEW	90-06-046	316-85-040	NEW	90-06-046
316-85-050	NEW-P	90-03-040	316-85-050	NEW-P	90-03-040
316-85-050	NEW	90-06-046	316-85-050	NEW	90-06-046
316-85-060	NEW-P	90-03-040	316-85-060	NEW-P	90-03-040
316-85-060	NEW	90-06-046	316-85-060	NEW	90-06-046
316-85-070	NEW-P	90-03-040	316-85-070	NEW-P	90-03-040
316-85-070	NEW	90-06-046	316-85-070	NEW	90-06-046
316-85-080	NEW-P	90-03-040	316-85-080	NEW-P	90-03-040
316-85-080	NEW	90-06-046	316-85-080	NEW	90-06-046
316-85-090	NEW-P	90-03-040	316-85-090	NEW-P	90-03-040
316-85-090	NEW	90-06-046	316-85-090	NEW	90-06-046
316-85-100	NEW-P	90-03-040	316-85-100	NEW-P	90-03-040
316-85-100	NEW	90-06-046	316-85-100	NEW	90-06-046
320-08-002	NEW-P	90-14-080	320-08-002	NEW-P	90-14-080
326-30-030	AMD	90-06-040	326-30-030	AMD	90-06-040
326-30-03902	NEW	90-06-041	326-30-03902	NEW	90-06-041
326-30-03903	NEW-E	90-13-023	326-30-03903	NEW-E	90-13-023
332-24-700	NEW-P	90-12-015	332-24-700	NEW-P	90-12-015
332-24-700	NEW	90-15-061	332-24-700	NEW	90-15-061
332-26-010	NEW-E	90-15-012	332-26-010	NEW-E	90-15-012
332-26-020	NEW-E	90-15-012	332-26-020	NEW-E	90-15-012
332-26-030	NEW-E	90-15-012	332-26-030	NEW-E	90-15-012
332-26-040	NEW-E	90-15-012	332-26-040	NEW-E	90-15-012
332-26-050	NEW-E	90-15-012	332-26-050	NEW-E	90-15-012
332-26-060	NEW-E	90-15-012	332-26-060	NEW-E	90-15-012
332-30-166	AMD	90-02-085	332-30-166	AMD	90-02-085
332-130-030	AMD-P	90-03-066	332-130-030	AMD-P	90-03-066
332-130-030	AMD	90-06-028	332-130-030	AMD	90-06-028
332-130-070	AMD-P	90-03-066	332-130-070	AMD-P	90-03-066
332-130-070	AMD	90-06-028	332-130-070	AMD	90-06-028
332-130-080	AMD-P	90-03-066	332-130-080	AMD-P	90-03-066
332-130-080	AMD	90-06-028	332-130-080	AMD	90-06-028
332-130-090	AMD-P	90-03-066	332-130-090	AMD-P	90-03-066

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-130-090	AMD	90-06-028	352-37-040	NEW-E	90-06-006	352-66-010	NEW-P	90-04-107
352-12-020	AMD-P	90-04-108	352-37-040	NEW	90-07-050	352-66-010	NEW	90-07-051
352-12-020	AMD	90-07-062	352-37-050	NEW-P	90-04-106	352-66-020	NEW-P	90-04-107
352-12-020	AMD-E	90-08-121	352-37-050	NEW-E	90-06-006	352-66-020	NEW	90-07-051
352-12-030	AMD-P	90-04-108	352-37-050	NEW	90-07-050	352-66-030	NEW-P	90-04-107
352-12-030	AMD	90-07-062	352-37-060	NEW-P	90-04-106	352-66-030	NEW	90-07-051
352-12-030	AMD-E	90-08-121	352-37-060	NEW-E	90-06-006	352-66-040	NEW-P	90-04-107
352-20-010	AMD-P	90-04-108	352-37-060	NEW	90-07-050	352-66-040	NEW	90-07-051
352-20-010	AMD	90-07-062	352-37-070	NEW-P	90-04-106	352-66-050	NEW-P	90-04-107
352-20-010	AMD-E	90-08-121	352-37-070	NEW-E	90-06-006	352-66-050	NEW	90-07-051
352-20-050	AMD-P	90-04-108	352-37-070	NEW	90-07-050	352-66-060	NEW-P	90-04-107
352-20-050	AMD	90-07-062	352-37-080	NEW-P	90-04-106	352-66-060	NEW	90-07-051
352-20-050	AMD-E	90-08-121	352-37-080	NEW-E	90-06-006	352-66-070	NEW-P	90-04-107
352-32-010	AMD-P	90-04-108	352-37-080	NEW	90-07-050	352-66-070	NEW	90-07-051
352-32-010	AMD-W	90-07-064	352-37-090	NEW-P	90-04-106	352-66-080	NEW-P	90-04-107
352-32-011	NEW-E	90-15-075	352-37-090	NEW-E	90-06-006	352-66-080	NEW	90-07-051
352-32-045	AMD-P	90-04-108	352-37-090	NEW	90-07-050	352-66-090	NEW-P	90-04-107
352-32-045	AMD	90-07-062	352-37-100	NEW-P	90-04-106	352-66-090	NEW	90-07-051
352-32-045	AMD-E	90-08-121	352-37-100	NEW-E	90-06-006	352-66-100	NEW-P	90-04-107
352-32-050	AMD-P	90-04-108	352-37-100	NEW	90-07-050	352-66-100	NEW	90-07-051
352-32-050	AMD	90-07-062	352-37-110	NEW-P	90-04-106	352-66-110	NEW-P	90-04-107
352-32-050	AMD-E	90-08-121	352-37-110	NEW-E	90-06-006	352-66-110	NEW	90-07-051
352-32-235	AMD	90-04-025	352-37-110	NEW	90-07-050	352-66-120	NEW-P	90-04-107
352-32-250	AMD-P	90-04-108	352-37-120	NEW-P	90-04-106	352-66-120	NEW	90-07-051
352-32-250	AMD	90-07-062	352-37-120	NEW-E	90-06-006	352-75-010	NEW-P	90-06-110
352-32-250	AMD-E	90-08-121	352-37-120	NEW	90-07-050	352-75-010	NEW	90-10-052
352-32-25001	AMD-P	90-04-108	352-37-130	NEW-P	90-04-106	352-75-020	NEW-P	90-06-110
352-32-25001	AMD	90-07-062	352-37-130	NEW-E	90-06-006	352-75-020	NEW	90-10-052
352-32-25001	AMD-E	90-08-121	352-37-130	NEW	90-07-050	352-75-030	NEW-P	90-06-110
352-32-251	AMD	90-04-024	352-37-140	NEW-P	90-04-106	352-75-030	NEW	90-10-052
352-32-252	AMD-P	90-04-108	352-37-140	NEW-E	90-06-006	352-75-040	NEW-P	90-06-110
352-32-252	AMD	90-07-062	352-37-140	NEW	90-07-050	352-75-040	NEW	90-10-052
352-32-252	AMD-E	90-08-121	352-37-150	NEW-P	90-04-106	352-75-050	NEW-P	90-06-110
352-32-270	AMD-P	90-06-108	352-37-150	NEW-E	90-06-006	352-75-050	NEW	90-10-052
352-32-270	AMD	90-10-023	352-37-150	NEW	90-07-050	352-75-060	NEW-P	90-06-110
352-36-010	REP-P	90-06-109	352-37-160	NEW-P	90-04-106	352-75-060	NEW	90-10-052
352-36-010	REP	90-10-024	352-37-160	NEW-E	90-06-006	352-75-070	NEW-P	90-06-110
352-36-020	REP-P	90-06-109	352-37-160	NEW	90-07-050	352-75-070	NEW	90-10-052
352-36-020	REP	90-10-024	352-37-170	NEW-P	90-04-106	352-75-080	NEW-P	90-06-110
352-36-025	REP-P	90-06-109	352-37-170	NEW-E	90-06-006	352-75-080	NEW	90-10-052
352-36-025	REP	90-10-024	352-37-170	NEW	90-07-050	352-75-090	NEW-P	90-06-110
352-36-030	REP-P	90-06-109	352-37-180	NEW-P	90-04-106	352-75-090	NEW	90-10-052
352-36-030	REP	90-10-024	352-37-180	NEW-E	90-06-006	356-05-063	NEW-P	90-11-112
352-36-040	REP-P	90-06-109	352-37-180	NEW	90-07-050	356-05-063	NEW-W	90-15-038
352-36-040	REP	90-10-024	352-37-190	NEW-P	90-04-106	356-05-210	AMD	90-03-044
352-36-050	REP-P	90-06-109	352-37-190	NEW-E	90-06-006	356-06-020	AMD-P	90-08-074
352-36-050	REP	90-10-024	352-37-190	NEW	90-07-050	356-06-020	AMD-E	90-12-026
352-36-060	REP-P	90-06-109	352-37-200	NEW-P	90-04-106	356-06-020	AMD	90-12-027
352-36-060	REP	90-10-024	352-37-200	NEW-E	90-06-006	356-06-055	AMD-P	90-08-074
352-36-070	REP-P	90-06-109	352-37-200	NEW	90-07-050	356-06-055	AMD-E	90-12-026
352-36-070	REP	90-10-024	352-37-210	NEW-P	90-04-106	356-06-055	AMD	90-12-027
352-36-080	REP-P	90-06-109	352-37-210	NEW-E	90-06-006	356-06-080	AMD-P	90-08-075
352-36-080	REP	90-10-024	352-37-210	NEW	90-07-050	356-06-080	AMD-E	90-12-021
352-36-090	REP-P	90-06-109	352-40-125	NEW-E	90-13-009	356-06-080	AMD	90-12-022
352-36-090	REP	90-10-024	352-40-127	NEW-E	90-13-009	356-07-030	AMD-C	90-03-048
352-36-100	REP-P	90-06-109	352-40-130	AMD-E	90-13-009	356-07-030	AMD	90-07-056
352-36-100	REP	90-10-024	352-40-140	AMD-E	90-13-009	356-14-240	AMD-P	90-03-102
352-36-110	REP-P	90-06-109	352-40-900	AMD-E	90-13-009	356-14-240	AMD-C	90-07-054
352-36-110	REP	90-10-024	352-64-020	AMD	90-04-064	356-14-240	AMD-C	90-10-015
352-36-115	REP-P	90-06-109	352-64-030	AMD	90-04-064	356-14-240	AMD-W	90-11-043
352-36-115	REP	90-10-024	352-64-040	AMD	90-04-064	356-14-240	AMD-C	90-12-017
352-36-120	REP-P	90-06-109	352-64-050	AMD	90-04-064	356-14-240	AMD-W	90-13-066
352-36-120	REP	90-10-024	352-64-060	AMD	90-04-064	356-15-060	AMD-P	90-03-102
352-36-130	REP-P	90-06-109	352-64-070	AMD	90-04-064	356-15-060	AMD-C	90-07-054
352-36-130	REP	90-10-024	352-64-080	AMD	90-04-064	356-15-060	AMD-C	90-10-015
352-36-140	REP-P	90-06-109	352-65-010	NEW-P	90-09-070	356-15-060	AMD-C	90-12-017
352-36-140	REP	90-10-024	352-65-010	NEW	90-13-008	356-15-060	AMD-W	90-13-066
352-37-010	NEW-P	90-04-106	352-65-020	NEW-P	90-09-070	356-15-100	AMD-P	90-11-112
352-37-010	NEW-E	90-06-006	352-65-020	NEW	90-13-008	356-15-100	AMD-E	90-15-036
352-37-010	NEW	90-07-050	352-65-030	NEW-P	90-09-070	356-15-100	AMD	90-15-037
352-37-020	NEW-P	90-04-106	352-65-030	NEW	90-13-008	356-15-125	AMD-P	90-03-102
352-37-020	NEW-E	90-06-006	352-65-040	NEW-P	90-09-070	356-15-125	AMD-C	90-07-054
352-37-020	NEW	90-07-050	352-65-040	NEW	90-13-008	356-15-125	AMD-C	90-10-015
352-37-030	NEW-P	90-04-106	352-65-050	NEW-P	90-09-070	356-15-125	AMD-C	90-12-017
352-37-030	NEW-E	90-06-006	352-65-050	NEW	90-13-008	356-15-125	AMD-W	90-13-066
352-37-030	NEW	90-07-050	352-65-060	NEW-P	90-09-070	356-15-130	AMD-P	90-10-039
352-37-040	NEW-P	90-04-106	352-65-060	NEW	90-13-008	356-15-130	AMD-E	90-11-042

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356-22-010	AMD-C	90-03-047	356-34-180	REP-C	90-07-053	356-47-090	AMD	90-12-025
356-22-010	AMD	90-05-029	356-34-180	REP-E	90-10-017	360-10-050	AMD-P	90-03-053
356-22-070	AMD-P	90-08-072	356-34-180	REP	90-10-018	360-10-050	AMD-W	90-11-069
356-22-070	AMD	90-12-020	356-34-190	REP-P	90-03-101	360-10-050	AMD	90-11-079
356-22-11001	REP-C	90-03-047	356-34-190	REP-C	90-07-053	360-15-010	NEW	90-03-054
356-22-11001	REP	90-05-029	356-34-190	REP-E	90-10-017	360-15-020	NEW	90-03-054
356-22-111	NEW-C	90-03-047	356-34-190	REP	90-10-018	360-15-030	NEW	90-03-054
356-22-111	NEW	90-05-029	356-34-200	REP-P	90-03-101	360-15-040	NEW	90-03-054
356-22-120	AMD-C	90-03-047	356-34-200	REP-C	90-07-053	360-15-050	NEW	90-03-054
356-22-120	AMD	90-05-029	356-34-200	REP-E	90-10-017	360-15-060	NEW	90-03-054
356-26-040	AMD-P	90-12-018	356-34-200	REP	90-10-018	360-15-070	NEW	90-03-054
356-26-040	AMD-C	90-15-033	356-34-210	REP-P	90-03-101	360-16A-010	NEW	90-03-055
356-26-060	AMD-P	90-08-075	356-34-210	REP-C	90-07-053	360-16A-020	NEW	90-03-055
356-26-060	AMD-E	90-12-021	356-34-210	REP-E	90-10-017	360-16A-030	NEW	90-03-055
356-26-060	AMD	90-12-022	356-34-210	REP	90-10-018	360-16A-040	NEW	90-03-055
356-30-145	AMD-C	90-03-045	356-34-220	REP-P	90-03-101	360-16A-050	NEW-W	90-11-070
356-30-145	AMD-C	90-05-027	356-34-220	REP-C	90-07-053	360-16A-060	NEW	90-03-055
356-30-145	AMD-C	90-07-055	356-34-220	REP-E	90-10-017	360-16A-070	NEW	90-03-055
356-30-145	AMD-C	90-10-016	356-34-220	REP	90-10-018	360-16A-080	NEW	90-03-055
356-30-145	AMD-W	90-11-043	356-34-230	REP-P	90-03-101	360-16A-090	NEW	90-03-055
356-30-180	AMD-C	90-03-045	356-34-230	REP-C	90-07-053	360-16A-100	NEW	90-03-055
356-30-180	AMD-C	90-05-027	356-34-230	REP-E	90-10-017	365-110-020	AMD-P	90-03-017
356-30-180	AMD-C	90-07-055	356-34-230	REP	90-10-018	365-110-020	AMD	90-09-008
356-30-180	AMD-W	90-11-043	356-37-010	NEW-P	90-03-101	365-110-030	REP-P	90-03-017
356-30-190	AMD-C	90-03-045	356-37-010	NEW	90-07-057	365-110-030	REP	90-09-008
356-30-190	AMD-C	90-05-027	356-37-020	NEW-P	90-03-101	365-110-035	AMD-P	90-03-017
356-30-190	AMD-C	90-07-055	356-37-020	NEW	90-07-057	365-110-035	AMD	90-09-008
356-30-190	AMD-W	90-11-043	356-37-030	NEW-P	90-03-101	365-110-040	REP-P	90-03-017
356-30-280	AMD-C	90-03-045	356-37-030	NEW	90-07-057	365-110-040	REP	90-09-008
356-30-280	AMD-C	90-05-027	356-37-040	NEW-P	90-03-101	365-110-050	REP-P	90-03-017
356-30-280	AMD-C	90-07-055	356-37-040	NEW	90-07-057	365-110-050	REP	90-09-008
356-30-280	AMD-W	90-11-043	356-37-050	NEW-P	90-03-101	365-110-060	REP-P	90-03-017
356-30-320	AMD-C	90-03-045	356-37-050	NEW	90-07-057	365-110-060	REP	90-09-008
356-30-320	AMD	90-05-028	356-37-060	NEW-P	90-03-101	365-110-080	REP-P	90-03-017
356-30-320	AMD-P	90-12-019	356-37-060	NEW	90-07-057	365-110-080	REP	90-09-008
356-30-320	AMD-C	90-15-032	356-37-070	NEW-P	90-03-101	371-08-001	NEW-P	90-14-097
356-34-110	REP-P	90-03-101	356-37-070	NEW	90-07-057	371-08-002	NEW-P	90-14-097
356-34-110	REP-C	90-07-053	356-37-080	NEW-P	90-03-101	371-08-005	AMD-P	90-14-097
356-34-110	REP-E	90-10-017	356-37-080	NEW	90-07-057	371-08-010	AMD-P	90-14-097
356-34-110	REP	90-10-018	356-37-090	NEW-P	90-03-101	371-08-015	REP-P	90-14-097
356-34-113	REP-P	90-03-101	356-37-090	NEW	90-07-057	371-08-020	AMD-P	90-14-097
356-34-113	REP-C	90-07-053	356-37-100	NEW-P	90-03-101	371-08-030	AMD-P	90-14-097
356-34-113	REP-E	90-10-017	356-37-100	NEW	90-07-057	371-08-031	REP-P	90-14-097
356-34-113	REP	90-10-018	356-37-110	NEW-P	90-03-101	371-08-032	AMD-P	90-14-097
356-34-115	REP-P	90-03-101	356-37-110	NEW	90-07-057	371-08-033	NEW-P	90-14-097
356-34-115	REP-C	90-07-053	356-37-120	NEW-P	90-03-101	371-08-035	AMD-P	90-14-097
356-34-115	REP-E	90-10-017	356-37-120	NEW	90-07-057	371-08-040	AMD-P	90-14-097
356-34-115	REP	90-10-018	356-37-130	NEW-P	90-03-101	371-08-045	REP-P	90-14-097
356-34-117	REP-P	90-03-101	356-37-130	NEW	90-07-057	371-08-065	AMD-P	90-14-097
356-34-117	REP-C	90-07-053	356-37-140	NEW-P	90-03-101	371-08-071	AMD-P	90-14-097
356-34-117	REP-E	90-10-017	356-37-140	NEW	90-07-057	371-08-075	AMD-P	90-14-097
356-34-117	REP	90-10-018	356-37-150	NEW-P	90-03-101	371-08-080	AMD-P	90-14-097
356-34-118	REP-P	90-03-101	356-37-150	NEW	90-07-057	371-08-085	AMD-P	90-14-097
356-34-118	REP-C	90-07-053	356-42-055	AMD-P	90-03-104	371-08-095	REP-P	90-14-097
356-34-118	REP-E	90-10-017	356-42-055	AMD	90-08-020	371-08-100	AMD-P	90-14-097
356-34-118	REP	90-10-018	356-42-056	NEW-P	90-03-103	371-08-102	REP-P	90-14-097
356-34-119	REP-P	90-03-101	356-46-060	AMD-P	90-07-052	371-08-104	AMD-P	90-14-097
356-34-119	REP-C	90-07-053	356-46-060	AMD	90-12-028	371-08-105	REP-P	90-14-097
356-34-119	REP-E	90-10-017	356-46-135	NEW-P	90-08-071	371-08-106	NEW-P	90-14-097
356-34-119	REP	90-10-018	356-46-135	NEW-C	90-12-016	371-08-110	REP-P	90-14-097
356-34-130	REP-P	90-03-101	356-46-135	NEW-C	90-13-067	371-08-115	REP-P	90-14-097
356-34-130	REP-C	90-07-053	356-46-135	NEW-E	90-15-034	371-08-120	REP-P	90-14-097
356-34-130	REP-E	90-10-017	356-46-135	NEW	90-15-035	371-08-125	AMD-P	90-14-097
356-34-130	REP	90-10-018	356-46-140	NEW-P	90-08-071	371-08-130	AMD-P	90-14-097
356-34-140	REP-P	90-03-101	356-46-140	NEW-C	90-12-016	371-08-131	REP-P	90-14-097
356-34-140	REP-C	90-07-053	356-46-140	NEW-C	90-13-067	371-08-132	REP-P	90-14-097
356-34-140	REP-E	90-10-017	356-46-140	NEW-E	90-15-034	371-08-135	REP-P	90-14-097
356-34-140	REP	90-10-018	356-46-140	NEW	90-15-035	371-08-140	AMD-P	90-14-097
356-34-160	REP-P	90-03-101	356-46-145	NEW-P	90-08-071	371-08-144	AMD-P	90-14-097
356-34-160	REP-C	90-07-053	356-46-145	NEW-C	90-12-016	371-08-146	NEW-P	90-14-097
356-34-160	REP-E	90-10-017	356-46-145	NEW-C	90-13-067	371-08-147	NEW-P	90-14-097
356-34-160	REP	90-10-018	356-46-145	NEW-E	90-15-034	371-08-148	NEW-P	90-14-097
356-34-170	REP-P	90-03-101	356-46-145	NEW	90-15-035	371-08-155	AMD-P	90-14-097
356-34-170	REP-C	90-07-053	356-47-030	AMD-P	90-08-073	371-08-156	AMD-P	90-14-097
356-34-170	REP-E	90-10-017	356-47-030	AMD-E	90-12-023	371-08-160	REP-P	90-14-097
356-34-170	REP	90-10-018	356-47-030	AMD	90-12-024	371-08-162	NEW-P	90-14-097

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371-08-165	AMD-P	90-14-097	388-08-006	REP-C	90-04-020	388-08-590	REP	90-04-076
371-08-175	REP-P	90-14-097	388-08-006	REP	90-04-076	388-09-010	REP-C	90-04-020
371-08-180	AMD-P	90-14-097	388-08-00601	REP-C	90-04-020	388-09-010	REP	90-05-020
371-08-183	AMD-P	90-14-097	388-08-00601	REP	90-04-076	388-09-020	REP-C	90-04-020
371-08-184	NEW-P	90-14-097	388-08-010	REP-C	90-04-020	388-09-020	REP	90-05-020
371-08-186	AMD-P	90-14-097	388-08-010	REP	90-04-076	388-09-030	REP-C	90-04-020
371-08-187	AMD-P	90-14-097	388-08-405	REP-C	90-04-020	388-09-030	REP	90-05-020
371-08-188	AMD-P	90-14-097	388-08-405	REP	90-04-076	388-09-040	REP-C	90-04-020
371-08-189	AMD-P	90-14-097	388-08-406	REP-C	90-04-020	388-09-040	REP	90-05-020
371-08-190	REP-P	90-14-097	388-08-406	REP	90-04-076	388-11-011	AMD-P	90-15-010
371-08-195	AMD-P	90-14-097	388-08-409	REP-C	90-04-020	388-11-011	AMD-E	90-15-011
371-08-196	AMD-P	90-14-097	388-08-409	REP	90-04-076	388-11-015	AMD-P	90-15-010
371-08-200	AMD-P	90-14-097	388-08-410	NEW-C	90-04-020	388-11-015	AMD-E	90-15-011
371-08-201	REP-P	90-14-097	388-08-410	NEW	90-04-076	388-11-030	AMD-P	90-15-010
371-08-205	REP-P	90-14-097	388-08-410	AMD-P	90-09-095	388-11-030	AMD-E	90-15-011
371-08-210	REP-P	90-14-097	388-08-410	AMD-W	90-13-053	388-11-100	AMD-C	90-04-021
371-08-215	AMD-P	90-14-097	388-08-413	AMD-C	90-04-020	388-11-100	AMD	90-04-077
371-08-220	AMD-P	90-14-097	388-08-413	AMD	90-04-076	388-11-105	REP-C	90-04-021
371-08-230	AMD-P	90-14-097	388-08-416	REP-C	90-04-020	388-11-105	REP	90-04-077
371-08-240	AMD-P	90-14-097	388-08-416	REP	90-04-076	388-11-155	AMD-P	90-15-010
371-08-245	REP-P	90-14-097	388-08-425	NEW-C	90-04-020	388-11-155	AMD-E	90-15-011
371-12-010	REP-P	90-14-097	388-08-425	NEW	90-04-076	388-11-170	AMD-P	90-15-010
371-12-020	REP-P	90-14-097	388-08-428	NEW-C	90-04-020	388-11-170	AMD-E	90-15-011
371-12-030	REP-P	90-14-097	388-08-428	NEW	90-04-076	388-11-180	AMD-C	90-04-021
371-12-040	REP-P	90-14-097	388-08-431	NEW-C	90-04-020	388-11-180	AMD	90-04-077
371-12-050	REP-P	90-14-097	388-08-431	NEW	90-04-076	388-11-185	REP-C	90-04-021
371-12-060	REP-P	90-14-097	388-08-434	NEW-C	90-04-020	388-11-185	REP	90-04-077
371-12-070	REP-P	90-14-097	388-08-434	NEW	90-04-076	388-11-195	AMD-P	90-15-010
371-12-080	REP-P	90-14-097	388-08-435	REP-C	90-04-020	388-11-195	AMD-E	90-15-011
371-12-090	REP-P	90-14-097	388-08-435	REP	90-04-076	388-11-200	AMD-P	90-15-010
371-12-100	REP-P	90-14-097	388-08-437	NEW-C	90-04-020	388-11-200	AMD-E	90-15-011
371-12-110	REP-P	90-14-097	388-08-437	NEW	90-04-076	388-11-205	AMD-P	90-15-010
371-12-120	REP-P	90-14-097	388-08-440	NEW-C	90-04-020	388-11-205	AMD-E	90-15-011
371-12-130	REP-P	90-14-097	388-08-440	NEW	90-04-076	388-11-210	AMD-P	90-15-010
374-20-010	NEW-P	90-10-093	388-08-446	NEW-C	90-04-020	388-11-210	AMD-E	90-15-011
374-20-010	NEW	90-14-019	388-08-446	NEW	90-04-076	388-11-215	AMD-P	90-15-010
374-20-020	NEW-P	90-10-093	388-08-449	NEW-C	90-04-020	388-11-215	AMD-E	90-15-011
374-20-020	NEW	90-14-019	388-08-449	NEW	90-04-076	388-11-220	NEW-P	90-15-010
374-20-030	NEW-P	90-10-093	388-08-452	NEW-C	90-04-020	388-11-220	NEW-E	90-15-011
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374-20-040	NEW-P	90-10-093	388-08-461	NEW-C	90-04-020	388-13-050	AMD	90-04-077
374-20-040	NEW	90-14-019	388-08-461	NEW	90-04-076	388-13-060	AMD-C	90-04-021
374-20-050	NEW-P	90-10-093	388-08-464	NEW-C	90-04-020	388-13-060	AMD	90-04-077
374-20-050	NEW	90-14-019	388-08-464	NEW	90-04-076	388-13-070	AMD-C	90-04-021
374-20-060	NEW-P	90-10-093	388-08-470	NEW-C	90-04-020	388-13-070	AMD	90-04-077
374-20-060	NEW	90-14-019	388-08-470	NEW	90-04-076	388-13-080	REP-C	90-04-021
374-20-070	NEW-P	90-10-093	388-08-482	NEW-P	90-09-095	388-13-080	REP	90-04-077
374-20-070	NEW	90-14-019	388-08-482	NEW-W	90-10-028	388-13-110	AMD-C	90-04-021
374-20-080	NEW-P	90-10-093	388-08-485	NEW-P	90-09-095	388-13-110	AMD	90-04-077
374-20-080	NEW	90-14-019	388-08-485	NEW-W	90-10-028	388-13-120	AMD-C	90-04-021
374-20-090	NEW-P	90-10-093	388-08-488	NEW-P	90-09-095	388-13-120	AMD	90-04-077
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374-30-010	NEW-P	90-10-094	388-08-515	NEW-C	90-04-020	388-14-270	AMD-P	90-03-041
374-30-010	NEW	90-14-020	388-08-515	NEW	90-04-076	388-14-270	AMD-E	90-03-042
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374-30-030	NEW	90-14-020	388-08-535	NEW	90-04-076	388-14-300	AMD-P	90-12-083
374-30-040	NEW-P	90-10-094	388-08-540	REP-C	90-04-020	388-14-300	AMD-E	90-12-085
374-30-040	NEW	90-14-020	388-08-540	REP	90-04-076	388-14-302	REP-P	90-12-083
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374-40-030	NEW-P	90-15-066	388-08-560	REP-C	90-04-020	388-14-385	AMD	90-04-077
374-40-040	NEW-P	90-15-066	388-08-560	REP	90-04-076	388-14-390	AMD-C	90-04-021
374-40-050	NEW-P	90-15-066	388-08-565	NEW-C	90-04-020	388-14-390	AMD	90-04-077
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388-08	AMD-C	90-12-041	388-08-575	NEW-C	90-04-020	388-14-415	AMD	90-04-077
388-08-00201	REP-C	90-04-020	388-08-575	NEW	90-04-076	388-14-420	AMD-P	90-12-083
388-08-00201	REP	90-04-076	388-08-580	REP-C	90-04-020	388-14-420	AMD-E	90-12-085
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388-15-215	AMD	90-15-029	388-31-010	AMD-E	90-14-060	388-51-100	NEW-P	90-15-030
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388-15-630	AMD-P	90-11-006	388-31-035	AMD-P	90-14-049	388-57-063	REP-P	90-15-030
388-15-630	AMD	90-15-019	388-31-035	AMD-E	90-14-060	388-57-066	REP-P	90-15-030
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388-15-870	AMD-P	90-02-084	388-33-382	AMD-P	90-06-099	388-57-100	REP-P	90-15-030
388-15-870	AMD	90-06-038	388-33-382	AMD	90-09-035	388-57-105	REP-P	90-15-030
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391-25-253	RE-AD	90-06-072	391-95-110	RE-AD	90-06-075	392-122-710	AMD-P	90-11-128
391-25-270	RE-AD	90-06-072	391-95-130	RE-AD	90-06-075	392-122-810	AMD-P	90-11-128
391-25-290	RE-AD	90-06-072	391-95-150	RE-AD	90-06-075	392-123-003	AMD-P	90-11-128
391-25-299	RE-AD	90-06-072	391-95-170	AMD	90-06-075	392-123-005	AMD-P	90-11-128
391-25-310	RE-AD	90-06-072	391-95-190	RE-AD	90-06-075	392-123-046	AMD-P	90-11-128
391-25-350	AMD	90-06-072	391-95-230	AMD	90-06-075	392-123-070	AMD-P	90-11-128
391-25-370	RE-AD	90-06-072	391-95-250	RE-AD	90-06-075	392-123-079	AMD-P	90-11-128
391-25-390	RE-AD	90-06-072	391-95-260	RE-AD	90-06-075	392-123-135	AMD-P	90-11-128
391-25-391	RE-AD	90-06-072	391-95-270	RE-AD	90-06-075	392-123-165	AMD-P	90-11-128
391-25-410	RE-AD	90-06-072	391-95-280	RE-AD	90-06-075	392-123-170	AMD-P	90-11-128
391-25-412	RE-AD	90-06-072	391-95-290	RE-AD	90-06-075	392-123-175	AMD-P	90-11-128
391-25-413	RE-AD	90-06-072	391-95-310	RE-AD	90-06-075	392-123-180	AMD-P	90-11-128
391-25-430	RE-AD	90-06-072	392-100-060	AMD-P	90-07-043	392-125-003	AMD-P	90-11-128
391-25-450	RE-AD	90-06-072	392-100-060	AMD	90-11-027	392-125-005	AMD-P	90-11-128
391-25-470	RE-AD	90-06-072	392-103-005	AMD-P	90-11-128	392-125-036	AMD-P	90-11-128
391-25-490	RE-AD	90-06-072	392-103-010	AMD-P	90-11-128	392-125-080	AMD-P	90-11-128
391-25-510	RE-AD	90-06-072	392-109-037	AMD-P	90-11-128	392-126-004	NEW-P	90-12-122
391-25-530	RE-AD	90-06-072	392-109-043	AMD-P	90-11-128	392-126-006	NEW-P	90-12-122
391-25-531	RE-AD	90-06-072	392-109-065	AMD-P	90-11-128	392-126-015	NEW-P	90-12-122
391-25-550	RE-AD	90-06-072	392-109-072	AMD-P	90-11-128	392-126-020	NEW-P	90-12-122
391-25-570	RE-AD	90-06-072	392-109-117	AMD	90-04-043	392-126-025	NEW-P	90-12-122
391-25-590	RE-AD	90-06-072	392-109-120	AMD-P	90-11-128	392-126-030	NEW-P	90-12-122
391-25-610	RE-AD	90-06-072	392-120-001	AMD-P	90-11-128	392-126-035	NEW-P	90-12-122
391-25-630	RE-AD	90-06-072	392-120-005	AMD-P	90-05-035	392-126-040	NEW-P	90-12-122
391-25-650	RE-AD	90-06-072	392-120-005	AMD	90-09-038	392-126-045	NEW-P	90-12-122
391-25-670	RE-AD	90-06-072	392-120-010	AMD-P	90-05-035	392-126-050	NEW-P	90-12-122
391-35-001	AMD	90-06-073	392-120-010	AMD	90-09-038	392-126-055	NEW-P	90-12-122
391-35-002	RE-AD	90-06-073	392-120-015	AMD-P	90-05-035	392-126-060	NEW-P	90-12-122
391-35-010	RE-AD	90-06-073	392-120-015	AMD	90-09-038	392-126-065	NEW-P	90-12-122
391-35-020	RE-AD	90-06-073	392-120-020	AMD-P	90-05-035	392-126-070	NEW-P	90-12-122
391-35-030	RE-AD	90-06-073	392-120-020	AMD	90-09-038	392-126-075	NEW-P	90-12-122
391-35-050	RE-AD	90-06-073	392-120-025	AMD-P	90-05-035	392-126-080	NEW-P	90-12-122
391-35-070	RE-AD	90-06-073	392-120-025	AMD	90-09-038	392-126-085	NEW-P	90-12-122
391-35-080	NEW	90-06-073	392-120-030	NEW-P	90-05-035	392-126-090	NEW-P	90-12-122
391-35-090	RE-AD	90-06-073	392-120-030	NEW	90-09-038	392-126-095	NEW-P	90-12-122
391-35-099	RE-AD	90-06-073	392-120-035	NEW-P	90-05-035	392-126-099	NEW-P	90-12-122
391-35-110	RE-AD	90-06-073	392-120-035	NEW	90-09-038	392-126-104	NEW-P	90-12-122
391-35-130	RE-AD	90-06-073	392-120-040	NEW-P	90-05-035	392-126-400	AMD-P	90-11-128
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391-35-190	RE-AD	90-06-073	392-120-045	NEW-P	90-05-035	392-127	AMD-P	90-09-020
391-35-210	RE-AD	90-06-073	392-120-045	NEW	90-09-038	392-127	AMD	90-12-078
391-35-230	RE-AD	90-06-073	392-120-050	NEW-P	90-05-035	392-127-003	REP-P	90-09-020
391-35-250	RE-AD	90-06-073	392-120-050	NEW	90-09-038	392-127-003	REP	90-12-078
391-45-001	AMD	90-06-074	392-120-055	NEW-P	90-05-035	392-127-004	NEW-P	90-09-020
391-45-002	RE-AD	90-06-074	392-120-055	NEW	90-09-038	392-127-004	NEW	90-12-078
391-45-010	RE-AD	90-06-074	392-120-060	NEW-P	90-05-035	392-127-005	REP-P	90-09-020
391-45-019	RE-AD	90-06-074	392-120-060	NEW	90-09-038	392-127-005	REP	90-12-078
391-45-030	RE-AD	90-06-074	392-120-065	NEW-P	90-05-035	392-127-006	NEW-P	90-09-020
391-45-050	RE-AD	90-06-074	392-120-065	NEW	90-09-038	392-127-006	NEW	90-12-078
391-45-070	RE-AD	90-06-074	392-120-070	NEW-P	90-05-035	392-127-010	REP-P	90-09-020
391-45-090	RE-AD	90-06-074	392-120-070	NEW	90-09-038	392-127-010	REP	90-12-078
391-45-110	RE-AD	90-06-074	392-121-001	AMD-P	90-11-128	392-127-011	NEW-P	90-09-020
391-45-130	RE-AD	90-06-074	392-121-107	AMD-P	90-11-128	392-127-011	NEW	90-12-078
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391-45-190	RE-AD	90-06-074	392-121-161	AMD-P	90-11-128	392-127-015	NEW	90-12-078
391-45-210	RE-AD	90-06-074	392-121-257	AMD-P	90-11-128	392-127-020	NEW-P	90-09-020
391-45-230	RE-AD	90-06-074	392-121-260	AMD-P	90-10-095	392-127-020	NEW	90-12-078
391-45-250	RE-AD	90-06-074	392-121-260	AMD	90-13-088	392-127-025	NEW-P	90-09-020
391-45-260	AMD	90-06-074	392-121-261	NEW-P	90-10-095	392-127-025	NEW	90-12-078
391-45-270	AMD	90-06-074	392-121-261	NEW	90-13-088	392-127-030	NEW-P	90-09-020
391-45-290	RE-AD	90-06-074	392-121-270	AMD-P	90-10-095	392-127-030	NEW	90-12-078
391-45-310	RE-AD	90-06-074	392-121-270	AMD	90-13-088	392-127-035	NEW-P	90-09-020
391-45-330	RE-AD	90-06-074	392-121-299	AMD-P	90-11-128	392-127-035	NEW	90-12-078

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392-127-040	NEW	90-12-078	392-137-070	REP-E	90-12-074	392-140-191	NEW	90-06-007
392-127-045	NEW-P	90-09-020	392-137-070	REP-P	90-15-070	392-140-192	NEW	90-06-007
392-127-045	NEW	90-12-078	392-137-100	NEW-E	90-12-074	392-140-193	NEW	90-06-007
392-127-050	NEW-P	90-09-020	392-137-100	NEW-P	90-15-070	392-140-194	NEW	90-06-007
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392-127-085	NEW	90-12-078	392-137-140	NEW-E	90-12-074	392-140-337	NEW	90-12-081
392-127-090	NEW-P	90-09-020	392-137-140	NEW-P	90-15-070	392-140-338	NEW-P	90-09-022
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392-127-095	NEW	90-12-078	392-137-150	NEW-E	90-12-074	392-140-400	NEW	90-11-028
392-127-101	NEW-P	90-09-020	392-137-150	NEW-P	90-15-070	392-140-401	NEW-P	90-07-045
392-127-101	NEW	90-12-078	392-137-155	NEW-E	90-12-074	392-140-401	NEW	90-11-028
392-127-106	NEW-P	90-09-020	392-137-155	NEW-P	90-15-070	392-140-402	NEW-P	90-07-045
392-127-106	NEW	90-12-078	392-137-160	NEW-E	90-12-074	392-140-402	NEW	90-11-028
392-127-111	NEW-P	90-09-020	392-137-160	NEW-P	90-15-070	392-140-403	NEW-P	90-07-045
392-127-111	NEW	90-12-078	392-137-190	NEW-E	90-12-074	392-140-403	NEW	90-11-028
392-129-003	AMD-P	90-11-128	392-137-190	NEW-P	90-15-070	392-140-404	NEW-P	90-07-045
392-129-005	AMD-P	90-11-128	392-137-195	NEW-E	90-12-074	392-140-404	NEW	90-11-028
392-129-015	AMD-P	90-11-128	392-137-195	NEW-P	90-15-070	392-140-405	NEW-P	90-07-045
392-129-040	AMD-P	90-15-069	392-137-200	NEW-E	90-12-074	392-140-405	NEW	90-11-028
392-132-010	AMD-P	90-11-128	392-137-200	NEW-P	90-15-070	392-140-406	NEW-P	90-07-045
392-134-002	AMD-P	90-11-128	392-137-205	NEW-E	90-12-074	392-140-406	NEW	90-11-028
392-134-005	AMD-P	90-11-128	392-137-205	NEW-P	90-15-070	392-140-407	NEW-P	90-07-045
392-134-030	AMD-P	90-11-128	392-137-220	NEW-E	90-12-074	392-140-407	NEW	90-11-028
392-135-005	AMD-P	90-11-128	392-137-220	NEW-P	90-15-070	392-140-408	NEW-P	90-07-045
392-135-030	AMD-P	90-11-128	392-137-225	NEW-E	90-12-074	392-140-408	NEW	90-11-028
392-135-035	AMD-P	90-11-128	392-137-225	NEW-P	90-15-070	392-140-409	NEW-P	90-07-045
392-136-003	AMD-P	90-11-128	392-137-230	NEW-E	90-12-074	392-140-409	NEW	90-11-028
392-136-005	AMD-P	90-11-128	392-137-230	NEW-P	90-15-070	392-140-410	NEW-P	90-07-045
392-136-025	NEW-P	90-12-029	392-137-235	NEW-E	90-12-074	392-140-410	NEW	90-11-028
392-137-001	AMD-P	90-11-128	392-137-235	NEW-P	90-15-070	392-140-411	NEW-P	90-07-045
392-137-001	REP-E	90-12-074	392-137-240	NEW-E	90-12-074	392-140-411	NEW	90-11-028
392-137-001	REP-P	90-15-070	392-137-240	NEW-P	90-15-070	392-140-412	NEW-P	90-07-045
392-137-002	REP-E	90-12-074	392-137-245	NEW-E	90-12-074	392-140-412	NEW	90-11-028
392-137-002	REP-P	90-15-070	392-137-245	NEW-P	90-15-070	392-140-413	NEW-P	90-07-045
392-137-003	AMD-P	90-11-128	392-138-003	AMD-P	90-11-128	392-140-413	NEW	90-11-028
392-137-003	REP-E	90-12-074	392-138-005	AMD-P	90-11-128	392-140-414	NEW-P	90-07-045
392-137-003	REP-P	90-15-070	392-138-030	AMD-P	90-11-128	392-140-414	NEW	90-11-028
392-137-010	AMD	90-04-044	392-138-040	AMD-P	90-11-128	392-140-415	NEW-P	90-07-045
392-137-010	REP-E	90-12-074	392-138-065	AMD-P	90-11-128	392-140-415	NEW	90-11-028
392-137-010	REP-P	90-15-070	392-138-100	AMD-P	90-11-128	392-140-416	NEW-P	90-07-045
392-137-015	REP-E	90-12-074	392-139-001	AMD-P	90-11-128	392-140-416	NEW	90-11-028
392-137-015	REP-P	90-15-070	392-139-005	AMD-P	90-11-128	392-140-417	NEW-P	90-07-045
392-137-020	AMD-P	90-11-128	392-139-115	AMD-P	90-11-128	392-140-417	NEW	90-11-028
392-137-020	REP-E	90-12-074	392-139-120	AMD-P	90-11-128	392-140-418	NEW-P	90-07-045
392-137-020	REP-P	90-15-070	392-139-122	AMD-P	90-11-128	392-140-418	NEW	90-11-028
392-137-025	REP-E	90-12-074	392-139-126	AMD-P	90-11-128	392-140-419	NEW-P	90-07-045
392-137-025	REP-P	90-15-070	392-139-128	AMD-P	90-11-128	392-140-419	NEW	90-11-028
392-137-030	REP-E	90-12-074	392-139-132	AMD-P	90-11-128	392-140-420	NEW-P	90-07-045
392-137-030	REP-P	90-15-070	392-139-134	AMD-P	90-11-128	392-140-420	NEW	90-11-028
392-137-035	REP-E	90-12-074	392-139-205	AMD-P	90-11-128	392-140-421	NEW-P	90-07-045
392-137-035	REP-P	90-15-070	392-139-215	AMD-P	90-11-128	392-140-421	NEW	90-11-028
392-137-040	REP-E	90-12-074	392-139-230	AMD-P	90-11-128	392-140-422	NEW-P	90-07-045
392-137-040	REP-P	90-15-070	392-139-235	AMD-P	90-11-128	392-140-422	NEW	90-11-028
392-137-045	REP-E	90-12-074	392-139-330	AMD-P	90-11-128	392-140-423	NEW-P	90-07-045
392-137-045	REP-P	90-15-070	392-139-340	AMD-P	90-11-128	392-140-423	NEW	90-11-028
392-137-051	REP-E	90-12-074	392-139-900	AMD-P	90-09-021	392-141-105	AMD-P	90-11-128
392-137-051	REP-P	90-15-070	392-139-900	AMD	90-12-080	392-141-115	AMD-P	90-11-128
392-137-055	REP-E	90-12-074	392-139-905	NEW-P	90-09-021	392-141-180	AMD-P	90-11-128
392-137-055	REP-P	90-15-070	392-139-905	NEW	90-12-080	392-141-185	AMD-P	90-11-128
392-137-060	REP-E	90-12-074	392-140-001	AMD-P	90-11-128	392-141-195	AMD-P	90-11-128
392-137-060	REP-P	90-15-070	392-140-075	AMD-P	90-11-128	392-142-005	AMD	90-02-077
392-137-065	REP-E	90-12-074	392-140-079	AMD-P	90-11-128	392-142-010	AMD	90-02-077

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392-142-025	REP	90-02-077	392-171-361	AMD-P	90-11-128	392-196-051	REP	90-14-093
392-142-030	REP	90-02-077	392-171-371	AMD-P	90-11-039	392-196-052	REP-P	90-11-088
392-142-035	REP	90-02-077	392-171-491	AMD-P	90-11-128	392-196-052	REP	90-14-093
392-142-040	REP	90-02-077	392-171-711	AMD-P	90-11-128	392-196-066	AMD-P	90-11-088
392-142-045	REP	90-02-077	392-171-800	NEW-P	90-04-045	392-196-066	AMD	90-14-093
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392-142-060	REP	90-02-077	392-171-805	NEW	90-10-096	392-196-072	REP-P	90-11-088
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392-142-070	REP	90-02-077	392-171-810	NEW	90-10-096	392-196-075	REP-P	90-11-088
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392-142-090	NEW	90-02-077	392-171-820	NEW	90-10-096	392-196-080	AMD	90-14-093
392-142-095	NEW	90-02-077	392-171-825	NEW-P	90-04-045	392-196-085	AMD-P	90-11-088
392-142-100	NEW	90-02-077	392-171-825	NEW	90-10-096	392-196-085	AMD	90-14-093
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392-142-110	NEW	90-02-077	392-171-830	NEW	90-10-096	392-196-100	AMD	90-14-093
392-142-115	NEW	90-02-077	392-173-003	AMD-P	90-11-128	392-200-003	AMD-P	90-11-128
392-142-120	NEW	90-02-077	392-182-005	AMD-P	90-11-128	392-200-015	AMD-P	90-11-128
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392-142-140	NEW	90-02-077	392-183-015	NEW-P	90-05-036	392-202-027	NEW-P	90-15-071
392-142-145	NEW	90-02-077	392-183-020	NEW-P	90-05-036	392-202-070	AMD-P	90-15-071
392-142-150	NEW	90-02-077	392-183-025	NEW-P	90-05-036	392-202-075	AMD-P	90-15-071
392-142-155	NEW	90-02-077	392-183-030	NEW-P	90-05-036	392-202-080	AMD-P	90-15-071
392-142-160	NEW	90-02-077	392-183A-005	NEW	90-09-039	392-202-087	NEW-P	90-15-071
392-142-165	NEW	90-02-077	392-183A-010	NEW	90-09-039	392-202-113	NEW-P	90-15-071
392-142-170	NEW	90-02-077	392-183A-015	NEW	90-09-039	392-210-005	AMD-P	90-11-128
392-142-175	NEW	90-02-077	392-183A-020	NEW	90-09-039	392-310-010	AMD-P	90-11-128
392-142-180	NEW	90-02-077	392-183A-025	NEW	90-09-039	392-315-005	AMD-P	90-11-128
392-142-185	NEW	90-02-077	392-183A-030	NEW	90-09-039	392-315-075	AMD-P	90-11-128
392-142-190	NEW	90-02-077	392-184-003	AMD-P	90-11-128	392-315-080	AMD-P	90-11-128
392-142-195	NEW	90-02-077	392-185-003	AMD-P	90-11-128	392-315-130	AMD-P	90-11-128
392-142-200	NEW	90-02-077	392-185-005	AMD-P	90-11-128	400-04-040	AMD-P	90-13-106
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392-142-210	NEW	90-02-077	392-185-060	AMD-P	90-11-128	400-06-020	AMD-P	90-13-106
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392-142-220	NEW	90-02-077	392-185-120	AMD-P	90-11-128	400-06-030	AMD-P	90-13-106
392-142-225	NEW	90-02-077	392-190-005	AMD-P	90-11-128	400-06-030	AMD-E	90-13-107
392-142-230	NEW	90-02-077	392-190-055	AMD-P	90-11-128	400-06-050	AMD-P	90-13-106
392-142-235	NEW	90-02-077	392-191-001	AMD	90-02-078	400-06-050	AMD-E	90-13-107
392-142-240	NEW	90-02-077	392-191-005	AMD	90-02-078	400-06-070	AMD-P	90-13-106
392-142-245	NEW	90-02-077	392-191-010	AMD	90-02-078	400-06-070	AMD-E	90-13-107
392-142-250	NEW	90-02-077	392-191-020	AMD	90-02-078	400-06-160	AMD-P	90-13-106
392-142-255	NEW	90-02-077	392-191-025	NEW	90-02-078	400-06-160	AMD-E	90-13-107
392-142-260	NEW	90-02-077	392-191-030	NEW	90-02-078	402-70-010	AMD-P	90-06-106
392-142-265	NEW	90-02-077	392-191-035	NEW	90-02-078	402-70-020	AMD-P	90-06-106
392-142-270	NEW	90-02-077	392-191-040	NEW	90-02-078	402-70-030	AMD-P	90-06-106
392-153-010	AMD-P	90-11-128	392-191-045	NEW	90-02-078	402-70-040	NEW-P	90-06-106
392-153-020	AMD-P	90-11-128	392-191-060	NEW	90-02-078	402-70-045	NEW-P	90-06-106
392-160-003	AMD-P	90-11-128	392-191-065	NEW	90-02-078	402-70-050	AMD-P	90-06-106
392-162-047	AMD-P	90-11-128	392-191-070	NEW	90-02-078	402-70-055	NEW-P	90-06-106
392-163-100	AMD-P	90-11-128	392-191-075	NEW	90-02-078	402-70-060	NEW-P	90-06-106
392-164-100	AMD-P	90-11-128	392-191-080	NEW	90-02-078	402-70-062	NEW-P	90-06-106
392-164-225	AMD-P	90-11-128	392-191-085	NEW	90-02-078	402-70-064	NEW-P	90-06-106
392-165-100	AMD-P	90-11-128	392-191-090	NEW	90-02-078	402-70-066	NEW-P	90-06-106
392-166-115	AMD-P	90-11-128	392-191-095	NEW	90-02-078	402-70-068	NEW-P	90-06-106
392-168-105	AMD-P	90-11-128	392-193-005	AMD-P	90-11-128	402-70-070	AMD-P	90-06-106
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392-168-135	AMD	90-11-029	392-195-003	AMD-P	90-11-128	402-70-080	AMD-P	90-06-106
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392-168-170	AMD	90-11-029	392-196-030	AMD	90-14-093	415-100-055	NEW-E	90-14-082
392-170-005	AMD-P	90-11-128	392-196-037	NEW-P	90-11-088	415-104-201	NEW-E	90-14-084
392-171-295	AMD-P	90-11-128	392-196-037	NEW	90-14-093	415-104-205	NEW-E	90-14-084
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392-171-310	AMD-P	90-11-039	392-196-040	AMD	90-14-093	415-104-215	NEW-E	90-14-084
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415-108-326	NEW-E	90-14-083	456-09-760	AMD-P	90-08-007	458-14-040	REP-E	90-15-006
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415-112-725	NEW-E	90-14-085	456-09-762	NEW	90-11-105	458-14-045	REP-E	90-15-006
415-112-727	NEW-E	90-14-085	456-09-925	AMD-P	90-08-007	458-14-046	NEW-E	90-15-006
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440-44-060	REP-P	90-06-106	456-09-960	NEW-P	90-08-007	458-14-065	REP-W	90-11-032
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446-20-285	AMD-E	90-15-021	456-10-315	AMD	90-11-106	458-14-080	REP-E	90-15-006
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446-20-290	AMD-E	90-15-021	456-10-320	AMD-W	90-08-096	458-14-085	REP-E	90-15-006
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446-20-525	NEW-E	90-15-021	456-10-545	AMD	90-11-106	458-14-092	REP-E	90-15-006
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446-20-530	NEW-E	90-15-021	456-10-730	AMD	90-11-106	458-14-094	REP-E	90-15-006
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456-09-110	AMD	90-11-105	456-10-735	AMD	90-11-106	458-14-098	REP-W	90-11-032
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456-09-210	AMD	90-11-105	456-10-755	AMD	90-11-106	458-14-105	NEW-E	90-15-006
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456-09-230	AMD	90-11-105	456-12-030	AMD	90-11-107	458-14-110	REP-E	90-15-006
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456-09-315	AMD-P	90-08-007	456-12-140	AMD	90-11-107	458-14-116	NEW-E	90-15-006
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456-09-320	AMD	90-11-104	458-14-009	NEW-W	90-11-032	458-14-122	REP-W	90-11-032
456-09-325	AMD-P	90-08-007	458-14-010	REP-W	90-11-032	458-14-125	REP-E	90-15-006
456-09-325	AMD	90-11-105	458-14-010	REP-E	90-15-006	458-14-125	REP-E	90-15-006
456-09-430	AMD-P	90-08-007	458-14-014	NEW-W	90-11-032	458-14-126	REP-W	90-11-032
456-09-430	AMD	90-11-105	458-14-015	NEW-W	90-11-032	458-14-126	REP-E	90-15-006
456-09-440	AMD-P	90-08-007	458-14-015	NEW-E	90-15-006	458-14-127	NEW-E	90-15-006
456-09-440	AMD	90-11-105	458-14-016	NEW-W	90-11-032	458-14-130	REP-W	90-11-032
456-09-520	AMD-P	90-08-007	458-14-017	NEW-W	90-11-032	458-14-130	REP-E	90-15-006
456-09-520	AMD	90-11-105	458-14-019	NEW-W	90-11-032	458-14-135	REP-W	90-11-032
456-09-530	AMD-P	90-08-007	458-14-020	REP-W	90-11-032	458-14-135	REP-E	90-15-006
456-09-530	AMD	90-11-105	458-14-020	REP-E	90-15-006	458-14-136	NEW-E	90-15-006
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458-14-170	NEW-E	90-15-006	460-46A	AMD	90-09-059	463-26-120	AMD-C	90-13-032
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458-20-17902	NEW-P	90-14-095	460-46A-025	AMD-S	90-05-061	463-30	AMD	90-05-018
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458-40-670	AMD-P	90-10-079	460-46A-160	AMD-P	90-02-087	463-30-300	AMD	90-05-018
458-40-670	AMD-E	90-14-032	460-46A-160	AMD-S	90-05-061	463-30-310	AMD	90-05-018
458-40-670	AMD	90-14-033	460-46A-160	AMD	90-09-059	463-30-320	AMD	90-05-018
458-276-130	AMD-E	90-14-028	460-46A-165	AMD-P	90-02-087	463-30-330	AMD	90-05-018
460-20A-400	AMD-P	90-05-051	460-46A-165	AMD-S	90-05-061	463-30-335	NEW	90-05-018
460-20A-400	AMD	90-09-058	460-46A-165	AMD	90-09-059	463-30-340	REP	90-05-018
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460-24A-040	NEW	90-13-029	460-90A-005	AMD	90-06-051	463-30-360	REP	90-05-018
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460-24A-205	AMD-P	90-06-061	460-90A-017	AMD-P	90-03-106	463-30-380	REP	90-05-018
460-24A-205	AMD	90-13-029	460-90A-017	AMD	90-06-051	463-30-410	AMD	90-05-018
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460-44A-060	REP-S	90-05-061	460-90A-018	AMD	90-06-051	463-34	AMD-C	90-03-087
460-44A-060	REP	90-09-059	460-90A-032	AMD-P	90-03-106	463-34	AMD	90-05-018
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460-44A-065	REP-S	90-05-061	460-90A-035	AMD-P	90-03-106	463-34-020	REP	90-05-018
460-44A-065	REP	90-09-059	460-90A-035	AMD	90-06-051	463-34-030	AMD	90-05-018
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460-44A-070	REP-S	90-05-061	460-90A-090	AMD-P	90-03-106	463-34-050	AMD	90-05-018
460-44A-070	REP	90-09-059	460-90A-090	AMD	90-06-051	463-34-060	AMD	90-05-018
460-44A-500	AMD-P	90-02-087	460-90A-105	REP-P	90-03-106	463-34-070	AMD	90-05-018
460-44A-500	AMD-S	90-05-061	460-90A-115	AMD-P	90-03-106	463-34-080	AMD	90-05-018
460-44A-500	AMD	90-09-059	460-90A-115	AMD	90-06-051	463-34-090	AMD	90-05-018
460-44A-501	AMD-P	90-02-087	460-90A-122	AMD-P	90-03-106	463-34-100	REP	90-05-018
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460-44A-501	AMD	90-09-059	460-90A-125	REP-P	90-03-106	463-38-041	AMD-C	90-13-032
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460-44A-502	AMD-S	90-05-061	460-90A-145	AMD-P	90-03-106	463-38-042	AMD-C	90-13-032
460-44A-502	AMD	90-09-059	460-90A-145	AMD	90-06-051	463-38-063	AMD-P	90-09-029
460-44A-503	AMD-P	90-02-087	463-06-010	AMD-P	90-09-029	463-38-063	AMD-C	90-13-032
460-44A-503	AMD-S	90-05-061	463-06-010	AMD-C	90-13-032	463-39-130	REP-P	90-09-029
460-44A-503	AMD	90-09-059	463-10-010	AMD-P	90-09-029	463-39-130	REP-C	90-13-032
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460-44A-504	NEW-S	90-05-061	463-14-030	AMD-P	90-09-029	463-39-150	AMD-C	90-13-032
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463-54-070	AMD-C	90-13-032	479-16-016	AMD-P	90-07-060	479-24-010	AMD	90-11-035
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478-04-010	NEW	90-15-005	479-16-030	AMD-P	90-07-060	479-24-030	AMD	90-11-035
478-04-020	NEW-P	90-08-084	479-16-030	AMD	90-11-035	479-24-040	AMD-P	90-07-060
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478-108-010	NEW-P	90-08-084	479-16-035	AMD	90-11-035	479-24-050	AMD-P	90-07-060
478-108-010	NEW	90-15-005	479-16-040	AMD-P	90-07-060	479-24-050	AMD	90-11-035
478-108-020	NEW-P	90-08-084	479-16-040	AMD	90-11-035	479-24-060	REP-P	90-07-060
478-108-020	NEW	90-15-005	479-16-045	AMD-P	90-07-060	479-24-060	REP	90-11-035
478-108-030	NEW-P	90-08-084	479-16-045	AMD	90-11-035	479-24-070	AMD-P	90-07-060
478-108-030	NEW	90-15-005	479-16-050	AMD-P	90-07-060	479-24-070	AMD	90-11-035
478-108-040	NEW-P	90-08-084	479-16-050	AMD	90-11-035	479-112-017	AMD-P	90-11-017
478-108-040	NEW	90-15-005	479-16-060	AMD-P	90-07-060	479-112-017	AMD-E	90-11-018
478-108-050	NEW-P	90-08-084	479-16-060	AMD	90-11-035	479-113-035	AMD-P	90-11-017
478-108-050	NEW	90-15-005	479-16-061	REP-P	90-07-060	479-113-035	AMD-E	90-11-018
478-108-060	NEW	90-15-005	479-16-061	REP	90-11-035	480-12-045	AMD-P	90-14-011
478-108-070	NEW	90-15-005	479-16-070	AMD-P	90-07-060	480-12-165	AMD	90-06-017
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478-108-110	NEW	90-15-005	479-16-071	REP	90-11-035	480-12-181	NEW-P	90-14-027
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478-108-120	NEW	90-15-005	479-16-072	AMD	90-11-035	480-12-375	AMD-W	90-13-071
478-108-130	NEW-P	90-08-084	479-16-080	AMD-P	90-07-060	480-30-010	AMD-P	90-10-077
478-108-130	NEW	90-15-005	479-16-080	AMD	90-11-035	480-30-010	AMD-W	90-12-119
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478-108-140	NEW	90-15-005	479-16-091	AMD	90-11-035	480-30-020	AMD-W	90-12-119
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478-116-250	AMD-P	90-10-072	479-16-096	AMD-P	90-07-060	480-30-050	AMD-P	90-10-077
478-116-250	AMD	90-13-026	479-16-096	AMD	90-11-035	480-30-050	AMD-W	90-12-119
478-116-260	AMD-W	90-10-040	479-16-098	AMD-P	90-07-060	480-30-060	AMD-P	90-10-077
478-116-510	AMD-P	90-08-084	479-16-098	AMD	90-11-035	480-30-060	AMD-W	90-12-119
478-116-510	AMD	90-15-005	479-20-005	REP-P	90-07-060	480-30-070	AMD-P	90-10-077
478-116-600	AMD-W	90-10-040	479-20-005	REP	90-11-035	480-30-070	AMD-W	90-12-119
478-120-070	AMD-P	90-08-084	479-20-007	NEW-P	90-07-060	480-30-097	NEW	90-06-017
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478-136-030	AMD	90-12-034	479-20-010	AMD	90-11-035	480-30-100	AMD-P	90-09-094
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478-138-050	AMD-W	90-04-001	479-20-013	AMD-P	90-07-060	480-30-100	AMD	90-13-119
478-160-162	NEW-P	90-08-084	479-20-013	AMD	90-11-035	480-30-110	AMD-P	90-10-077
478-160-162	NEW	90-15-005	479-20-016	AMD-P	90-07-060	480-30-110	AMD-W	90-12-119
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479-01-010	AMD-P	90-07-060	479-20-020	AMD	90-11-035	480-40-010	AMD-P	90-10-077
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479-01-020	AMD-P	90-07-060	479-20-025	AMD	90-11-035	480-40-020	AMD-P	90-10-077
479-01-020	AMD	90-11-035	479-20-027	AMD-P	90-07-060	480-40-020	AMD-W	90-12-119
479-01-030	AMD-P	90-07-060	479-20-027	AMD	90-11-035	480-40-030	AMD-P	90-10-077
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479-01-040	NEW	90-11-035	479-20-033	AMD-P	90-07-060	480-40-040	AMD-W	90-12-119
479-12	AMD-P	90-07-060	479-20-033	AMD	90-11-035	480-40-050	AMD-P	90-10-077
479-12	AMD	90-11-035	479-20-036	AMD-P	90-07-060	480-40-050	AMD-W	90-12-119
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479-12-010	AMD	90-11-035	479-20-037	AMD-P	90-07-060	480-40-060	AMD-W	90-12-119
479-12-020	AMD-P	90-07-060	479-20-037	AMD	90-11-035	480-40-065	NEW	90-06-017
479-12-020	AMD	90-11-035	479-20-060	REP-P	90-07-060	480-40-070	AMD-P	90-10-077
479-13	AMD-P	90-07-060	479-20-060	REP	90-11-035	480-40-070	AMD-W	90-12-119
479-13	AMD	90-11-035	479-20-070	REP-P	90-07-060	480-40-075	AMD-P	90-10-077
479-13-010	AMD-P	90-07-060	479-20-070	REP	90-11-035	480-40-075	AMD-W	90-12-119
479-13-010	AMD	90-11-035	479-20-075	AMD-P	90-07-060	480-40-100	NEW	90-06-017
479-13-035	AMD-P	90-07-060	479-20-075	AMD	90-11-035	480-40-110	AMD-P	90-10-077
479-13-035	AMD	90-11-035	479-20-080	REP-P	90-07-060	480-40-110	AMD-W	90-12-119
479-13-040	REP-P	90-07-060	479-20-080	REP	90-11-035	480-40-120	AMD-P	90-10-077
479-13-040	REP	90-11-035	479-20-083	REP-P	90-07-060	480-40-120	AMD-W	90-12-119
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480-70-335	NEW	90-06-017	490-500-435	AMD-P	90-07-035	504-15-650	NEW	90-11-078
480-70-500	NEW	90-13-118	490-500-435	AMD	90-11-114	504-15-750	NEW-S	90-05-060
480-70-510	NEW	90-13-118	490-500-525	AMD-P	90-07-035	504-15-750	NEW	90-11-078
480-70-520	NEW-W	90-15-051	490-500-525	AMD	90-11-114	504-15-810	NEW-S	90-05-060
480-70-530	NEW	90-13-118	490-500-560	AMD-P	90-07-035	504-15-810	NEW	90-11-078
480-70-540	NEW	90-13-118	490-500-560	AMD	90-11-114	504-15-830	NEW-S	90-05-060
480-70-550	NEW	90-13-118	490-500-570	AMD-P	90-07-035	504-15-830	NEW	90-11-078
480-70-560	NEW	90-13-118	490-500-570	AMD	90-11-114	504-15-860	NEW-S	90-05-060
480-70-570	NEW	90-13-118	490-500-600	NEW-P	90-07-035	504-15-860	NEW	90-11-078
480-70-990	AMD-P	90-03-009	490-500-600	NEW	90-11-114	504-15-900	NEW-S	90-05-060
480-70-990	AMD	90-09-015	490-500-605	NEW-P	90-07-035	504-15-900	NEW	90-11-078
480-110-021	AMD-P	90-10-078	490-500-605	NEW	90-11-114	504-15-920	NEW-S	90-05-060
480-110-026	AMD-P	90-10-078	490-500-610	NEW-P	90-07-035	504-15-920	NEW	90-11-078
480-110-028	NEW-P	90-10-078	490-500-610	NEW	90-11-114	504-15-940	NEW-S	90-05-060
480-110-046	AMD-P	90-10-078	490-500-615	NEW-P	90-07-035	504-15-940	NEW	90-11-078
480-110-066	AMD-P	90-10-078	490-500-615	NEW	90-11-114	504-17-010	REP-S	90-05-060
480-110-066	AMD-W	90-04-056	490-500-620	NEW-P	90-07-035	504-17-010	REP	90-11-078
480-110-081	AMD-W	90-04-056	490-500-620	NEW	90-11-114	504-17-020	REP-S	90-05-060
480-120-081	AMD-W	90-04-055	490-500-625	NEW-P	90-07-035	504-17-020	REP	90-11-078
480-120-138	AMD	90-08-010	490-500-625	NEW	90-11-114	504-17-030	REP-S	90-05-060
480-122-010	AMD-E	90-14-066	504-15-010	NEW-S	90-05-060	504-17-030	REP	90-11-078
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480-122-040	AMD-E	90-14-066	504-15-040	NEW-S	90-05-060	504-17-060	REP	90-11-078
480-122-050	AMD-E	90-14-066	504-15-040	NEW	90-11-078	504-17-070	REP-S	90-05-060
480-122-050	AMD-P	90-14-089	504-15-050	NEW-S	90-05-060	504-17-070	REP	90-11-078
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480-122-060	AMD-P	90-14-089	504-15-060	NEW-S	90-05-060	504-17-080	REP	90-11-078
480-122-070	AMD-E	90-14-066	504-15-060	NEW	90-11-078	504-17-090	REP-S	90-05-060
480-122-070	AMD-P	90-14-089	504-15-080	NEW-S	90-05-060	504-17-090	REP	90-11-078
480-122-080	AMD-E	90-14-066	504-15-080	NEW	90-11-078	504-17-100	REP-S	90-05-060
480-122-080	AMD-P	90-14-089	504-15-100	NEW-S	90-05-060	504-17-100	REP	90-11-078
480-122-090	AMD-E	90-14-066	504-15-100	NEW	90-11-078	504-17-110	REP-S	90-05-060
480-122-090	AMD-P	90-14-089	504-15-200	NEW-S	90-05-060	504-17-110	REP	90-11-078
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490-500-005	AMD	90-11-114	504-15-300	NEW-S	90-05-060	504-17-150	REP	90-11-078
490-500-145	AMD-P	90-07-035	504-15-300	NEW	90-11-078	504-17-160	REP-S	90-05-060
490-500-145	AMD	90-11-114	504-15-350	NEW-S	90-05-060	504-17-160	REP	90-11-078
490-500-257	AMD-P	90-07-035	504-15-350	NEW	90-11-078	504-17-170	REP-S	90-05-060
490-500-257	AMD	90-11-114	504-15-360	NEW-S	90-05-060	504-17-170	REP	90-11-078
490-500-260	AMD-P	90-07-035	504-15-360	NEW	90-11-078	504-17-180	REP-S	90-05-060
490-500-260	AMD	90-11-114	504-15-410	NEW-S	90-05-060	504-17-180	REP	90-11-078
490-500-270	AMD-P	90-07-035	504-15-410	NEW	90-11-078	504-17-185	REP-S	90-05-060
490-500-270	AMD	90-11-114	504-15-420	NEW-S	90-05-060	504-17-185	REP	90-11-078
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